

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
OCTOBER 26, 2020**

Mayor Kennedy opened the regular meeting of the Belvidere Town Council with the Pledge of Allegiance and Teresa Yeisley read the following notice in compliance with the Open Public Meetings Act: In accordance with Chapter 231 of the Public Laws of 1975, notice of this meeting was given by way of notice filed with the Star Gazette and/or the Express-Times, filed in the Municipal Clerk's Office and posted in Belvidere Town Hall, 691 Water Street, Belvidere NJ. This meeting was also advertised on the municipal website as a virtual Zoom meeting with instructions to the public for attendance and comment.

Roll Call:

Present - Mayor Kennedy, Councilman Matlock, Councilwoman Miers, Councilman Mitchell, Councilwoman Napolitani, Councilman Roth, Councilman Zmigrodski
Absent - None

Adoption of Minutes:

A motion was made by Councilman Mitchell, seconded by Councilman Roth with Councilwoman Miers and Councilwoman Napolitani abstaining and all other voting "yes" to adopt the October 12, 2020 workshop meeting minutes of the Belvidere Town Council.

Public Comment:

There was no public comment at this time.

Committee Reports:

Councilman Mitchell - no meetings, so had no report at this time.

Councilman Roth - Belvidere Ambulance Corps had 90 calls in September, 23 of which were in Belvidere. There was no report for Good Will Fire at this time. Working on the LED extension project with JCP&L. Elizabethtown Gas is severely backlogged but continuing work on Parker and Adams Streets. The response for Fourth and Fifth Streets has not been as positive as prior responses. CC@B received their CPR training last weekend.

Councilwoman Miers - requesting that department heads encumber any known purchases as soon as possible. Annual tax sale will be held on October 28th. Proceeding with property foreclosure.

Councilwoman Napolitani - the new PD vehicle was delivered and will now be sent to be outfitted. PD reports were distributed to Council. Chief Scott is working with the architect on the PD renovations. Carpet to be installed in court office on November 3rd.

Councilman Matlock - down to four members on the Environmental Commission. They are continuing the collection of plastic bags and have donated eleven benches with the proceeds. Historic Commission had an application for Garrett Wall Park for sidewalks and lights. Shade Commission cautioned that lantern flies are poisonous to pets.

Councilman Zmigrodski - grass mowing is coming to an end. May need an alternate source for leaf disposal next year. The spreader that was purchased for Walter Menegus will need to be returned to the Town. In light of the excellent job done by our mowing contractor, would like to do a two-year contract for 2021-2022.

Correspondence:

There was no correspondence that required action at this time.

Previous Business:

401 Greenwich Street - Once final invoices have been paid to the contractors for cleanup, a

certifying resolution will come before Council and then to the Tax Collector be have a lien placed. This property is also on the tax sale list.

Belvidere Urban Development - an escrow payment has been received and Paul Sterbenz is moving forward with his work.

New Business:

There was no new business to be addressed at this time.

Resolutions:

A **motion** was made by Councilwoman Miers, seconded by Councilman Zmigrodski and carried to adopt Resolution No. R2020x61.

RESOLUTION NO. R2020x61

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

AUTHORIZING A LOCAL GOVERNMENT EMERGENCY FUND (CRF) GRANT APPLICATION

WHEREAS, as the public health emergency associated with the COVID-19 pandemic continues, the most significant negative financial impacts faced by county and municipal governments throughout New Jersey result from extreme economic contraction, deficits in tax and fee revenues and extraordinary increases in public safety and health services expenditures; and

WHEREAS, severe fiscal stress limits the ability of counties and municipalities to maintain essential services and take the steps necessary to fight COVID-19; and

WHEREAS, without substantial federal assistance, residential taxpayers would absorb the primary impact of meeting these extraordinary needs and closing any associated operating deficits; and

WHEREAS, the Department of Community Affairs (“DCA”), through the Division of Local Government Services (“DLGS” or “Division”), has been deemed the lead agency for the distribution of the Local Government Emergency Fundd (the “LGEF” or “Program”), provided through an allocation of the State of New Jersey’s CARES Act Coronovirus Relief Fund (CRF Funds); and

WHEREAS, counties and municipalities excluded from the federal government’s direct CRF allocation plan, as well as those counties and municipalities that are currently the most impacted by COVID-19 in comparison to their available resources, are eligible for LGEF funds pursuant to a maximum distribution determined by formula; and

WHEREAS, a total of \$60 million is currently being made available under the Program, with a potential \$60 million more to be allocated; and

WHEREAS, LGEF Grants exist to support costs incurred as part of a local unit’s response to COVID-19.

NOW, THEREFORE, BE IT RESOLVED by the Belvidere Town Council that the Town of Belvidere will apply for a LGEF Grant in the amount of \$25,416.76.

Ordinances:

ORDINANCE NO. O2020x07

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

AN ORDINANCE AMENDING CHAPTER 94 OF THE CODE OF THE TOWN OF BELVIDERE ENTITLED “FLOOD HAZARD AREAS” IN IT’S ENTIRETY WITH A NEW CHAPTER 94 ENTITLED “FLOOD DAMAGE PREVENTION”

WHEREAS, Chapter 94 of the Code of the Town of Belvidere entitled “Flood Hazard Areas”

contains provisions to guide the development and use of land affected by flood hazards; and

WHEREAS, there is a need to revise current Chapter 94 in response to correspondences from the Federal Emergency Management Agency (FEMA) and the New Jersey Department of Environmental Protection (NJDEP) to continue participation in the National Flood Insurance Program (NFIP) and be considered for FEMA Flood Mitigation Assistance (FMA) grants and Increased Cost of Compliance (ICC) funding:

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Belvidere, Warren County, New Jersey that Chapter 94 of the Code of the Town of Belvidere entitled “Flood Damage Prevention” and the current provisions be added in it’s entirety as follows:

SECTION 1

Chapter 94 Flood Damage Prevention

§ 94-1 Statutory Authorization, Findings of Fact, Purpose and Objectives

94-1.1 Statutory Authorization

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1 et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety and general welfare of it’s citizenry. Therefore, the Belvidere Town Council does ordain as follows:

94-1.2 Finding of Fact

A. The flood hazard areas of the Town of Belvidere are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood prevention and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

§ 94-2 Definitions

Accessory Use or Structure - A use or structure on the same lot with, and of nature customarily incidental and subordinate to, the principal use or structure.

Base Flood Elevation (BFE) - The elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH and A1-30 that indicates the water surface elevation resulting from a flood that has a one-percent or greater chance of being equaled or exceeded in any given year. The BFE is also shown on the FIS profile, and can be determined for Zone A floodplains.

Repetitive Loss - Covered by a contract for flood insurance and incur flood-related damages on two occasions during a 10-year period ending on the date of the event for which the second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25 percent of the market value of the building at the time of each such flood event.

All other provisions of the Town’s Code, as amended, shall remain in full force and effect. All other ordinances or provisions of an ordinance inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on September 28, 2020 and was read for the first time. This ordinance will be further considered for final adoption by the Belvidere Town Council at a meeting to be held on October 26, 2020 at Belvidere Town Hall, 691 Water Street, Belvidere, NJ at 7:00 P.M. or at any time and place to which said meeting may be adjourned. All interested persons will be given the opportunity to be heard concerning said ordinance at that time. Any member of the general public can obtain a copy of said ordinance at no cost at the Municipal Clerk's Office, 691 Water Street, Belvidere, Monday through Friday from 9:00 A.M. to 4:30 P.M.

Notice is hereby given that the foregoing ordinance was adopted by the Belvidere Town Council at a regular meeting held on October 26, 2020 and subsequently approved by the Mayor in accordance with the law.

A motion was made by Councilman Zmigrodski, seconded by Councilman Matlock and carried to open the public hearing on Ordinance No. O2020x07.

The ordinance brought no public questions or comment.

A motion was made by Councilman Zmigrodski and seconded by Councilwoman Miers to close the public hearing and adopt Ordinance No. O2020x07.

Roll Call:

Ayes - Councilman Matlock, Councilwoman Miers, Councilman Mitchell, Councilwoman Napolitani, Councilman Roth, Councilman Zmigrodski, Mayor Kennedy

Nays - None

Abstentions - None

Recusal - None

Absent - None

Appointments:

Mayor Kennedy made the following appointments to the Environmental Commission:

Victor Iafredo and Marshall Green

A motion was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried to confirm the aforementioned appointments.

Mayor Kennedy appointed the following individuals to a solar panel ordinance ad-hoc committee: Councilman Roth, Councilman Mitchell, Victor Iafredo, Marshall Green

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to confirm the aforementioned appointments.

Authorization to pay Purchase Orders:

A motion was made by Councilwoman Miers, seconded by Councilman Zmigrodski and carried to authorize the payment of the purchase orders in the amount of \$430,353.01.

Public Comment:

Linda Stettler - status of BASF property? Mayor Kennedy - property cannot be leased. There is no contract at this time but a buyer is eminent. Will be taxable, commercial and will bring permit fees to the Construction Department.

Executive Session:

No executive session was needed at this time.

A motion was made by Councilman Matlock to adjourn the meeting of the Belvidere Town Council at 8:02 PM.

Respectfully submitted,

Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator