

**MINUTES - TOWN COUNCIL WORKSHOP MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
DECEMBER 10, 2018**

Mayor Kennedy opened the workshop meeting of the Belvidere Town Council with the Pledge of Allegiance. 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. Mayor Kennedy advised that Resolution Nos. R2018x77 and R2018x78 will be added to the agenda.

Roll Call:

Present - Mayor Kennedy, Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Roth, Councilman Tutka, Councilman Zmigrodski
Absent - None

Public Comment:

Linda Stettler - "Mayor-Open Item Review" on agenda. No open items for discussion at this meeting.

Presentation:

Paul Sterbenz advised Council on the following matters:

Second/Hardwick Streets project is complete except for a few loose ends. Striping will be done by the DPW. Thanks to all involved for working as a team to keep engineering costs down. Tilcon will be paid once asphalt is tested and deemed compliant.

Stormwater Program - Belvidere is in Tier B since 2004. Permit renewal based on annual 12 point system including public education, storm basin reporting, logging of maintenance. Councilman Roth inquired about an electronic format for maintenance logs and Councilman Tutka had concerns about the condition of the retention ponds. Mr. Sterbenz will review these matters.

A motion was made by Councilman Roth, seconded by Councilwoman Miers and carried authorizing KeyTech to perform the core sampling for compliance of the asphalt on the Second/Hardwick Streets project at a cost of \$1,400.

Matters to be Addressed:

The Mayor had nothing at this time. Mayor Kennedy advised Council that the bill list for the December 17th meeting would not be ready for review until December 14th.

Authorization to Pay Purchase Orders:

A motion was made by Councilwoman Miers and seconded by Councilwoman Napolitani authorizing the payment of the purchase orders in the amount of \$346,018.95.

Roll call:

Ayes - Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Roth, Councilman Zmigrodski, Mayor Kennedy

Nays - None

Abstentions - Councilman Tutka

Recusal - None

Absent - None

Resolutions:

A motion was made by Councilwoman Miers and seconded by Councilwoman Napolitani to adopt Resolution No. R2018x75.

RESOLUTION NO. R2018x75

TOWN OF BELVIDERE

**WARREN COUNTY, NEW JERSEY
A RESOLUTION AUTHORIZING SALARY FOR DPW EMPLOYEES**

BE IT RESOLVED that the Belvidere Town Council hereby authorizes the following salaries to be paid retroactively to January 1, 2018 pursuant to contract:

<u>Name</u>	<u>Title</u>	<u>Salary</u>
Jason Stout	Laborer	\$ 24.11 per hr
Charles Beers	Laborer	26.12 per hr

BE IT FURTHER RESOLVED that the above amount reflects the new rate of pay pursuant to contract and said employee will receive payment for the difference between their 2017 rate of pay and their 2018 rate of pay through the 24th pay period of 2018.

Date: December 10, 2018
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

Roll call:

Ayes - Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Roth, Councilman Zmigrodski, Mayor Kennedy

Nays - None

Abstentions - None

Recusal - Councilman Tutka

Absent - None

A **motion** was made by Councilman Makatura and seconded by Councilwoman Napolitani to adopt Resolution Nos. R2018x77 and R2018x78.

RESOLUTION NO. R2018x77

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION TO REFUND A TAX OVERPAYMENT

BE IT RESOLVED that the Belvidere Town Council hereby authorizes that the following tax overpayment be refunded:

<u>Account</u>	<u>Year</u>	<u>Name</u>	<u>Amount</u>
1597	2018	Corelogic Attn. Refund Dept. PO Box 961250 Fort Worth, TX 76161-9858	\$830.64

Date: December 10, 2018
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

RESOLUTION NO. R2018x78

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION TO REFUND A SEWER UTILITY OVERPAYMENT

BE IT RESOLVED that the Belvidere Town Council hereby authorizes that the following tax overpayment be refunded:

<u>Account</u>	<u>Year</u>	<u>Name</u>	<u>Amount</u>
1597	2018	Weinstock, Nicholas	\$176.06

859 Westford Rd.
Ashford, CT 06278-2422

Date: December 10, 2018
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

Roll call:

Ayes - Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Roth, Councilman Tutka, Councilman Zmigrodski, Mayor Kennedy

Nays - None

Abstentions - None

Recusal - None

Absent - None

Ordinances:

ORDINANCE NO. O2018x12

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

AN ORDINANCE TO ESTABLISH A NEW CHAPTER 60 OF THE CODE OF THE TOWN OF BELVIDERE ENTITLED “AFFORDABLE HOUSING DEVELOPMENT FEES”

BE IT ORDAINED by the Town Council of the Town of Belvidere, County of Warren, State of New Jersey, that the Code of the Town of Belvidere is hereby amended to add a new Chapter 60 entitled “Affordable Housing Development Fees” as follows:

Section 1

**CHAPTER 60
AFFORDABLE HOUSING DEVELOPMENT FEES**

§60-1 Scope.

This ordinance establishes standards for the collection, maintenance, and expenditure of development fees in accordance with the Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq., the Statewide Non-Residential Development Fee Act, N.J.S.A. 40:55D-8.1 through 8.7 and precedent of the New Jersey Supreme Court authorizing mandatory development fees.

§60-2 Definitions.

- a) The following terms, as used in this ordinance, shall have the following meanings:
- i. **“Affordable housing development”** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.
 - ii. **“Development fee”** means money paid by a developer for the improvement of property.
 - iii. **“Developer”** means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
 - iv. **“Equalized assessed value”** means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).
 - v. **“Green building strategies”** means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents

by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

§60-3 Residential Development fees.

- a) Imposed fees
 - i. Within the residential zoning district(s), residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of one and a half percent of the equalized assessed value for residential development provided no increased density is permitted.
 - ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a “d” variance) has been permitted, developers shall be required to pay a development fee of six percent of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one and a half percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

- b) Eligible exactions, ineligible exactions and exemptions for residential development:
 - i. Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
 - ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
 - iii. An owner-occupied residential dwelling demolished and replaced as a result of a fire, flood or natural disaster is exempt from fees.
 - iv. Within the SC District residential developers shall be exempt from paying a development fee.
 - v. The 1.5 percent fee shall not apply to an increase in equalized assessed value resulting from an addition of less than 1,000 square feet.
 - vi. The 1.5 percent fee shall not apply to an increase in equalized assessed value resulting from the installation or construction of accessory structures.

§60-4 Non-residential Development fees.

- a) Imposed fees
 - i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.

- ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
 - iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent (2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.
- a) Eligible exactions, ineligible exactions and exemptions for non-residential development:
- i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.
 - ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
 - iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF “State of New Jersey Non-Residential Development Certification/Exemption” Form. Any exemption claimed by a developer shall be substantiated by that developer.
 - iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to the Fair Housing Act, P.L.2008, c.46, shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
 - v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by Town of Belvidere as a lien against the real property of the owner.

§60-5 Collection procedures

- a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF “State of New Jersey Non-Residential Development Certification/Exemption” to be completed as per the instructions provided. The Developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

- c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
- d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g) Should Town of Belvidere fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).
- h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
- i) Appeal of development fees
 - 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Town of Belvidere. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.
 - 2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by Town of Belvidere. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

§60-6 Affordable Housing trust fund.

- a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the Chief Financial Officer for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:

1. Payments in lieu of on-site construction of affordable units;
2. Developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
3. Rental income from municipally operated units;
4. Repayments from affordable housing program loans;
5. Recapture funds;
6. Proceeds from the sale of affordable units; and
7. Any other funds collected in connection with Town of Belvidere's affordable housing program.

§60-7 Use of funds.

- a) The expenditure of all funds shall conform to a spending plan approved by the Court and the Court-appointed Special Master. Funds deposited in the housing trust fund may be used for any activity set forth in the approved plan to address the Town of Belvidere's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity related thereto.
- b) Funds shall not be expended to reimburse Town of Belvidere for past housing activities.
- c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.
 - i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.
 - ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.
 - iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) Town of Belvidere may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance.

- e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units. Legal or other fees related to litigation opposing affordable housing sites and/or action are not eligible uses of the affordable housing trust fund.

§60-8 Monitoring.

- a) Town of Belvidere shall comply with all monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with Town of Belvidere's housing program, as well as to the expenditure of revenues and implementation of the plan.

Section 2

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be servable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Any Ordinance, or portion thereof, not specifically amended, revised or supplemented by the foregoing shall remain in full force and effect.

Section 4

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on November 14, 2018 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 December 10, 2018 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.

A motion was made by Councilman Makatura, seconded by Councilwoman Miers and carried to open the public hearing on Ordinance No. O2018x12.

The ordinance brought no public comment.

A motion was made by Councilman Makatura and seconded by Councilman Zmigrodski to close the public hearing and adopt Ordinance No. O2018x12.

Roll call:

Ayes - Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Roth, Councilman Tutka, Councilman Zmigrodski, Mayor Kennedy

Nays - None
Abstentions - None
Recusal - None
Absent - None

**TOWN OF BELVIDERE
WARREN COUNT, NEW JERSEY
ORDINANCE NO. O2018x13**

AN ORDINANCE OF THE TOWN OF BELVIDERE ADOPTING THE REDEVELOPMENT PLAN PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ., FOR PROPERTY LOCATED AT BLOCK 2, LOT 8, MANUNKACHUNK ROAD

WHEREAS, the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1, et seq., permits municipalities to adopt and amend regulations dealing with areas declared to be “in need of redevelopment” and “in need of rehabilitation”; and

WHEREAS, the Planning Board of the Town of Belvidere, at its meeting of April 3, 2018, recommended that the Town Council designate the property located at Block 2, Lot 8, Manunkachunk Road (hereinafter “Property”) as a non-condemnation area in Need of Redevelopment; and

WHEREAS, the Town Council of the Town of Belvidere designated the Property as “an area in need of redevelopment” by Resolution adopted on May 29, 2018 and authorized the preparation of a Redevelopment Plan for the Property; and

WHEREAS, the Town Council of the Town of Belvidere formed a subcommittee to work with Town Engineer/Planner Paul M. Sterbenz, P.E., P.P., on the Redevelopment Plan for Lot 8 in Block 2; and

WHEREAS, the Town Council is in agreement with the Redevelopment Plan prepared by Town Engineer/Planner Paul M. Sterbenz, P.E., P.P.; and

WHEREAS, Ordinance No. 2018-_____, including the Redevelopment Plan, were referred to the Planning Board of the Town of Belvidere for review pursuant to N.J.S.A. 40:55D-26a; and

WHEREAS, the Planning Board of the Town of Belvidere reviewed and approved the Redevelopment Plan at its December 4, 2018 meeting and recommended that the Town Council adopt the plan; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Town Council of the Town of Belvidere, County of Warren, State of New Jersey, as follows:

SECTION ONE:

The aforementioned recitals are incorporated herein as though fully set forth at length.

SECTION TWO:

The Zoning Map of the Town of Belvidere is hereby amended to incorporate the provisions of the Redevelopment Plan and delineate the boundaries of the Property.

SECTION THREE:

The Redevelopment Plan for property located at Block 2, Lot 8, Manunkachunk Road, a copy of which is attached hereto as Exhibit “A” and is on file with the Town Clerk and incorporated herein by reference, is hereby approved pursuant to N.J.S.A. 40A:12A-1, et seq.

SECTION FOUR:

If any section, subdivision, paragraph, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to such section, subdivision, paragraph, clause, or provision and the remainder of this ordinance shall be deemed valid and effective. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION FIVE:

This Ordinance shall become effective upon final passage and publication according to law.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on November 14, 2018 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 December 10, 2018 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.

A motion was made by Councilman Zmigrodski, seconded by Councilwoman Miers to open the public hearing on Ordinance No. O2018x13.

The ordinance brought no public comment.

A motion was made by Councilman Zmigrodski and seconded by Councilman Makatura to close the public hearing and adopt Ordinance No. O2018x13.

Kevin Benbrook advised that the Belvidere Planning Board found that Ordinance No. O2018x13 was in compliance with the Master Plan and they provided the following four recommendations in Resolution No. PBR2018x05:

- A. Fiscal impact study
- B. Financial contribution in lieu of construction
- C. Housing mix type
- D. Patio housing appropriate

Mr. Benbrook advised that the above referenced recommendations are non-binding.

A motion was made by Councilman Roth and seconded by Councilwoman Miers regarding the above reference recommendation (A): to proceed without a fiscal impact study at this time.

Roll call:

Ayes - Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Roth, Councilman Zmigrodski, Mayor Kennedy

Nays - None

Abstentions - Councilman Tutka

Recusal - None

Absent - None

A motion was made by Councilman Makatura and seconded by Councilwoman Miers regarding the above referenced recommendation (B): financial contribution in lieu of construction has been negotiated with the property owner at \$1,250 per unit.

Roll call:

Ayes - Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Roth, Councilman Tutka, Councilman Zmigrodski, Mayor Kennedy

Nays - None

Abstentions - None

Recusal - None

Absent - None

A motion was made by Councilman Roth and seconded by Councilman Makatura regarding the above referenced recommendations (C&D): these matters will be addressed during site plan review.

Roll call:

Ayes - Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Roth, Councilman Zmigrodski, Mayor Kennedy

Nays - None

Abstentions - Councilman Tutka

Recusal - None

Absent - None

Roll call for adoption of Ordinance No. O2018x13:

Ayes - Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Roth, Councilman Tutka, Councilman Zmigrodski, Mayor Kennedy

Nays - None

Abstentions - None

Recusal - None

Absent - None

Public Comment:

Sue Beale - no minutes, property at the corner of Greenwich and Front Streets, Planning Board not in favor of Redevelopment plan

Executive Session:

A motion was made by Councilman Makatura, seconded by Councilman Zmigrodski and carried to adopt Resolution No. R2018x76.

RESOLUTION NO. R2018x76

TOWN OF BELVIDERE

WARREN COUNTY, STATE OF NEW JERSEY

A RESOLUTION FOR AN EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings act, Chapter 231,P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Belvidere, County of Warren and State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter; and
2. The general nature of the subject matter to be discussed is:
Subject: Contracts
3. It is anticipated at this time that the above stated subject matter will be made public:
When Resolved.

Date:

December 10, 2018

Teresa A. Yeisley, R.M.C./C.P.M.

Municipal Clerk/Administrator

A motion was made by Councilwoman Miers, seconded by Councilman Roth and carried to return to regular session.

Kevin Benbrook advised that Council discussed the PBA contract in executive session and the contract appears close to settlement.

A motion was made by Councilwoman Napolitani to adjourn the meeting of the Belvidere Town Council at 8:10 pm.

Respectfully submitted,

Teresa A. Yeisley, RMC/CPM

Municipal Clerk/Administrator