

**MINUTES - TOWN COUNCIL WORKSHOP MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
DECEMBER 13, 2021**

Mayor Kennedy opened the workshop 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 Express Times Warren County NJ Zone and/or the Express-Times or Newark Star Ledger, filed in the Municipal Clerk's Office and posted in the Belvidere Town Hall, 691 Water Street, Belvidere NJ. This meeting was also advertised in accordance with the law 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

Oath of Office:

Teresa Yeisley administered the Oath of Office to the following:
Police Officer Daniel Boenig
Police Officer Thomas Tutka
Lieutenant Frank Tootle

Adoption of Minutes:

A **motion** was made by Councilman Mitchell, seconded by Councilman Roth and carried to adopt the November 22, 2021 meeting minutes of the Belvidere Town Council.

Presentation:

Beth Styler Barry, Director of River Restoration for the Nature Conservancy advised Council on the following:
Pequest River dam removal project - a grant for \$436,400 has been received for engineering design and permitting. Engineering will be bid out with a project start in 2022. Discussion ensued.

Public Comment:

There was no public comment at this time.

Matters to be Addressed:

A **motion** was made by Councilwoman Miers, seconded by Councilman Matlock and carried approving the following raffle license applications: RL2021-17 through RL2021-21 for Junior Streaks Cheerleading.

A letter was received regarding the upcoming police contract negotiations. Joshua Wittmann and David Mariani will represent the Belvidere police officers in discussions. Representatives for the Town will be determined.

The reorganization meeting of the Belvidere Town Council will be held on January 3, 2022 at 7:00 PM.

Resolutions:

A **motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt Resolution No. R2021x74.

RESOLUTION NO. R2021x74

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION ADOPTING THE WARREN COUNTY MULTI-JURISDICTIONAL

HAZARD MITIGATION PLAN

WHEREAS, the Town of Belvidere NJ has experienced natural hazards that result in public safety hazards and damages to private and public property; and

WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal emergency Management Agency offer the opportunity to consider natural hazards and risks and to identify mitigation actions to reduce future risks; and

WHEREAS, the New Jersey Office of Emergency Management has provided federal mitigation funds to support development of an updated mitigation plan; and

WHEREAS, a Multi-Jurisdictional Hazard Mitigation Plan has been developed by the Warren County Department of Public Safety and Mitigation Planning Committee; and

WHEREAS, the Multi-Jurisdictional Hazard Mitigation Plan includes a prioritized list of mitigation actions including that, over time will help minimize and reduce safety threats and damage to private property; and

WHEREAS, the draft plan was provided to each participating jurisdiction through a website hosted by Michael Baker International, Inc. (Michael Baker), the contracted vendor assisting with the planning process. Links were also posted on the Department of Public Safety website so as to introduce the planning concept and to solicit questions and comments and to present the Plan and request comments, as required by law; and

NOW, THEREFORE, BE IT RESOLVED by the Town of Belvidere:

1. The Warren County Multi-Jurisdictional Hazard Mitigation Plan as submitted on September 14, 2021 by the Warren County Department of Public Safety to the New Jersey Office of Emergency Management and submitted on October 13, 2021 to the Federal Emergency Management Agency and subsequently approved by both agencies on November 5, 2021, be and is hereby adopted as an official plan of the County of Warren; with the required yearly updates and minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Town of Belvidere departments identified in the Plan are hereby directed to further pursue potential or suggested implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Town of Belvidere and this resolution shall not be interpreted so as to mandate any such appropriation.
4. The Town of Belvidere Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments and progress and shall prepare an annual progress report to be submitted to the New Jersey Office of Emergency Management. The Status reports shall be submitted on a yearly basis by a predetermined date agreed upon by the stakeholders.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified true copy of this resolution to the Warren County Department of Public Safety.

Certification

I, Teresa A. Yeisley, Municipal Clerk/Administrator, Town of Belvidere, Warren County, New Jersey do hereby certify that the foregoing resolution was duly adopted by the Belvidere Town Council at a regular meeting held on December 13, 2021.

A motion was made by Councilwoman Miers, seconded by Councilman Roth and carried to adopt Resolution No. R2021x75.

**RESOLUTION NO. R2021x75
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 21, lot 15)**

WHEREAS, Tax Sale Certificate 2020-007 dated October 28, 2020 on block 21, lot 15 was redeemed on October 27, 2021; and

WHEREAS, the premium paid at the sale in the amount of \$1,300.00 needs to be returned to, US BANK CUST/PRO CAP 8/PRO CAPITAL MGT II lienholder of the aforementioned certificate;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Belvidere hereby authorizes the CFO to make payment in the amount of \$1,300.00 representing said refund.

US BANK CUST PRO CAP 8/PRO CAPITAL MGT II
50 SOUTH 16TH STREET - SUITE 2050
PHILADELPHIA, PA 19102

Date: December 13, 2021
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt Resolution No. R2021x76.

**RESOLUTION NO. R2021x76
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
CANCELLATION OF BUDGET APPROPRIATIONS**

WHEREAS, there is \$20,000 within the 2021 Current Fund Budget Appropriations classified as Reserve for Municipal Building that is no longer needed; and

WHEREAS, this balance can be cancelled to the Current Fund, Fund Balance

WHEREAS, there is \$30,000 within the 2021 Sewer Operating Fund Budget Appropriations classified as Capital Outlay that is no longer needed; and

WHEREAS, this balance can be cancelled to the Sewer Operating Fund, Fund Balance

NOW, THEREFORE, BE IT RESOLVED; that \$20,000 listed as Capital Improvements, Reserve for Municipal Building within the 2021 Current Fund Budget Appropriations and \$30,000 listed as Capital Outlay within the 2021 Sewer Operating Fund Budget are hereby cancelled.

Date: December 13, 2021
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A motion was made by Councilman Roth, seconded by Councilwoman Miers and carried to adopt Resolution No. R2021x77.

**RESOLUTION NO. R2021x77
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
CANCELLATION OF GRANT BALANCES**

WHEREAS, The Town of Belvidere has several dormant Grant Receivable and Appropriated Grant Balances on the Balance Sheet; and

WHEREAS, the Town has determined that they can no longer expend or expect to receive these balances, therefore they should be cancelled to the Current Fund Fund Balance.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Belvidere in the County of Warren, New Jersey that the following Grant Receivable and/or Appropriated Federal and State Balances be cancelled to the Current Fund Fund Balance.

| | |
|---|---------------------|
| Highlands Master Plan Grant Receivable | \$ 1,629.51 |
| DOT – Oxford Street Phase II Receivable | \$ 19,065.50 |
| Warren County Freeholder Grant Receivable | \$ 10,451.58 |
| Wastewater Management Plan Grant Receivable | \$ 2,181.35 |
| DOT Grant Receivable | <u>\$ 2,903.55</u> |
| Total Receivable Balances Cancelled | <u>\$ 36,231.49</u> |

| | |
|---|---------------------|
| Municipal Alliance Program Appropriated | \$ 7,991.40 |
| Green Communities Grant Appropriated | \$ 118.00 |
| Warren County Freeholder Appropriated Grant | \$ 12,138.48 |
| Warren county Freehold Matching Appropriated Grant \$ | \$ 0.06 |
| NJ DOT Grant – Front/Mill Street Appropriated | \$ 42,093.84 |
| NJ American Water Company Appropriated | \$ 59.58 |
| NJ DOT Grant Appropriated | <u>\$ 3,998.44</u> |
| Total Appropriated Balances Cancelled | <u>\$ 66,399.80</u> |

Date: December 13, 2021
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A motion was made by Councilwoman Miers, seconded by Councilman Roth and carried to adopt Resolution No. R2021x78.

RESOLUTION NO. R2021x78

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Belvidere in the County of Warren, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$125,000,000 which is now available from the State of New Jersey Department of Community Affairs

BE IT FURTHER RESOLVED that the like sum of \$125,000 is hereby Appropriated under the caption Neighborhood Preservation Grant 2022; and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey Department of Community Affairs in the amount of \$125,000.00

Date: December 13, 2021
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A **motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt Resolution No. R2021x79.

RESOLUTION NO. R2021x79

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION TO TRANSFER FUNDS

BE IT RESOLVED by the Town Council of the Town of Belvidere that there are insufficient funds to meet the demands necessary for the 2021 balances in the Current Fund Budget; and WHEREAS the following accounts listed as “From” have sufficient excess funds to meet such demands;

BE IT RESOLVED that in accordance with the provisions of R.S. 40A:4-58 the Chief Financial Officer is hereby authorized to make the following transfers:

Current Fund

| | | |
|-------|---------------------|-----------------|
| TO: | Administration O/E | 4,000.00 |
| | Police S/W | 39,000.00 |
| | Social Security | <u>2,500.00</u> |
| | | \$45,500.00 |
| FROM: | Streets & Roads O/E | 20,000.00 |
| | Bulk Purchases | 15,000.00 |
| | Planning Board O/E | 5,000.00 |
| | Police O/E | <u>5,500.00</u> |
| | | \$45,500.00 |
| TO: | Pool S/W | 5,600.00 |
| | Social Security | <u>384.00</u> |
| | | \$5,984.00 |
| FROM: | Pool Expenses O/E | <u>5,984.00</u> |
| | | \$5,984.00 |

Date: December 13, 2021
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A **motion** was made by Councilwoman Miers, seconded by Councilman Mitchell and carried to adopt Resolution No. R2021x80.

RESOLUTION NO. R2021x80

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING LOCAL SUPPORT FOR THE APPLICATIONS OF SARA’S BUDS LLC TO OPERATE AS AN ADULT USE CANNABIS CULTIVATION CENTER AND MANUFACTURING FACILITY WITHIN THE TOWN

WHEREAS, the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (“NJCREAMM Act”), authorizes municipalities to enact an ordinance or regulation to: determine which and how many of each class of cannabis businesses are allowed in their jurisdiction; regulate location and hours of operation for cannabis businesses permitted to

operate within the municipality; institute additional local approval processes; enact civil penalties for violations within the municipality; and to weigh in with the New Jersey Cannabis Regulatory Commission (“CRC”) on preferences for license applicants; and

WHEREAS, pursuant to the enabling authority granted to the Town of Belvidere (“Town”) under the NJCREAMM Act, the Town has enacted Ordinance O2021x02 (“Cannabis Ordinance”) for the purpose of permitting the operation of adult use/medical cannabis cultivation centers, manufacturing facilities and testing facilities within certain zoning districts of the Town as set forth in the Cannabis Ordinance; and

WHEREAS, the Cannabis Ordinance does not impose a limit on the number of licensed cannabis businesses permitted in the Town; and

WHEREAS, Sara’s Buds LLC (“SARA’S BUDS LLC”), a New Jersey limited liability company, is an applicant for adult use cannabis establishment licenses to operate as a cultivation center and a manufacturing facility when the CRC commences acceptance of applications on or about December 15, 2021, and has appeared before the Town’s Council seeking a resolution of local support for its licenses pursuant to the NJCREAMM Act license application requirements (“Resolution of Local Support”); and

WHEREAS, SARA’S BUDS LLC has demonstrated to the Town’s satisfaction that (a) the location proposed for its cultivation and manufacturing operations meets the local zoning requirements for said cannabis establishments; (b) the proposed site plans for SARA’S BUDS LLC cultivation center and manufacturing facility adequately conform with land use requirements and adhere to the applicable site design standards as set forth in the Town’s Land Development Ordinances and Redevelopment Plans; and (c) SARA’S BUDS LLC proposed operational plans are designed to comply with additional Town requirements set forth in the Cannabis Ordinance with respect to such matters as facility construction, security and reporting, signage, storage of cannabis and cannabis items, odor and noise mitigation, and parking; and

WHEREAS, having determined that SARA’S BUDS LLC meets the applicable requirements for a Resolution of Local Support as required under the NJCREAMM Act and the Cannabis Ordinance, the Town has approved SARA’S BUDS LLC request for a Resolution of Local Support;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Belvidere approves SARA’S BUDS LLC request for a Resolution of Local Support

BE IT FURTHER RESOLVED that by providing this Resolution of Local Support to SARA’S BUDS LLC, the Town will not exceed any limit on the number of licensed cultivation centers and manufacturing facilities permitted under the Cannabis Ordinance, as there is no such limit.

BE IT FURTHER RESOLVED that the Town Clerk is directed to send a copy of this Resolution to the CRC and SARA’S BUDS LLC

Certification

I, Teresa A. Yeisley, Municipal Clerk/Administrator, Town of Belvidere, Warren County, New Jersey do hereby certify that the foregoing resolution was duly adopted by the Belvidere Town Council at a regular meeting held on December 13, 2021.

Ordinances:

ORDINANCE NO. O2021x09

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

**BOND ORDINANCE PROVIDING AN APPROPRIATION
OF \$1,000,000 FOR OVERLAY OF DEPARTMENT OF
PUBLIC WORKS AND SWIMMING POOL PARKING
LOTS ALONG WITH OVERLAY OF VARIOUS STREETS**

**AND ALLEYS IN AND BY THE TOWN OF BELVIDERE, IN
THE COUNTY OF WARREN, NEW JERSEY AND
AUTHORIZING THE ISSUANCE OF \$950,000 BONDS OR
NOTES OF THE TOWN FOR FINANCING PART OF THE
APPROPRIATION.**

BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF BELVIDERE, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Town of Belvidere, in the County of Warren, New Jersey (the "Town") as a capital improvement. For the said Improvement there is hereby appropriated the amount of \$1,000,000, such sum includes the sum of \$50,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$950,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Town are hereby authorized to be issued in the principal amount not exceeding \$950,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The improvements hereby authorized and the purpose for the financing of which said obligations are to be issued is for overlay of Department of Public Works and swimming pool parking lots along with overlay of various streets and alleys, including as required, milling, paving, drainage, curbing, site preparations and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$950,000.

(c) The estimated cost of the Improvement is \$1,000,000 which amount represents the initial appropriation made by the Town.

SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Town (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Town Council of the Town at the

meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Town is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Town Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property that the Town may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Town Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Town, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$950,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time as contributions in aid of financing the purposes described in Section 3 of this Ordinance (including \$316,000 expected to be received from the New Jersey Department of Transportation) shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Town authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Town as funds applicable only to the payment of obligations of the Town authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Town reasonably expects to pay expenditures with respect to the Improvement prior to the date that Town incurs debt obligations under this Bond Ordinance. The Town reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Town under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$950,000.

SECTION 11.

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

A motion was made by Councilman Mitchell, seconded by Councilman Matlock and carried to open the public hearing for Ordinance No. O2021x09.

Rivera - South Water Street on the list for repair.

Peter Koop - pool parking option for paving.

A motion was made by Councilman Mitchell and seconded by Councilwoman Miers to close the public hearing and adopt Ordinance No. O2021x09.

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

ORDINANCE NO. O2021x10

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL OBLIGATION BONDS OF THE TOWN OF BELVIDERE, NEW JERSEY, APPROPRIATING \$1,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,100,000 BONDS OR NOTES OF THE TOWN FOR FINANCING THE COST THEREOF

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BELVIDERE, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Town of Belvidere, New Jersey (the "Town") is hereby authorized to pay an aggregate amount not exceeding \$1,100,000 for the redemption, including redemption premium of \$1,039,000 principal amount of the Town's General Obligation Bonds, Series 2011 issued in the original aggregate principal amount of \$2,128,000, dated October 12, 2011, (i) which consists of \$2,022,000 General Improvement Bonds which bonds are subject to redemption (on or after October

1, 2021) prior to their stated dates of maturity, and which mature on October 1, in each of the years 2022 to 2028 in an aggregate amount of \$997,000, inclusive and (ii) which consists of \$106,000 Swimming Pool Utility Bonds which bonds are subject to redemption (on or after October 1, 2021) prior to their stated dates of maturity, and which mature on October 1, in each of the years 2022 to 2026 in an aggregate amount of \$42,000, inclusive (collectively, the “Refunded Bonds”), and in accordance with the provisions of the resolution of the Town Council of the Town, duly adopted August 15, 2011 and a copy of which is on file in the office of the Clerk of the Town.

Section 2. An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount not exceeding \$1,100,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature and be paid no later than the tenth anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the bond anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the debt provided in this refunding bond ordinance by an amount not to exceed \$1,100,000 with a maximum deduction from the debt due to the refunding of the Refunded Bonds (i.e. \$1,039,000). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law. Upon issuance of the Bonds and determination of the final amount thereof, if less than the \$1,100,000 authorized hereby, an amended Supplemental Debt Statement shall be made and filed, along with any other required filings, and this Council shall, by resolution, approve the cancellation of such amount authorized hereby, which has not been issued.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director of the Division of Local Government Services and

signed by the Chief Financial Officer of the Town as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 7. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted or the requirements as set forth in N.J.A.C. 5:30-2.5 have been satisfied.

A motion was made by Councilman Mitchell, seconded by Councilwoman Napolitani and carried to open the public hearing for Ordinance No. O2021x10.

The ordinance brought no public comment.

A motion was made by Councilwoman Napolitani and seconded by Councilman Mitchell to close the public hearing and adopt Ordinance No. O2021x10.

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

ORDINANCE NO. O2021x11

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

AN ORDINANCE TO ESTABLISH A NEW CHAPTER 117 OF THE CODE OF THE TOWN OF BELVIDERE ENTITLED "MOBILE RETAIL FOOD VENDORS"

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 117 entitled "Mobile Retail Food Vendors" as follows:

Section 1

CHAPTER 117

MOBILE RETAIL FOOD VENDORS

§117-1 Scope.

The provision of this chapter shall apply to mobile food operations engaged in the business of cooking, preparing, and/or distributing food or beverage from mobile retail food vendors on public property within the Town of Belvidere.

§117-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

MOBILE RETAIL FOOD VENDOR

Any movable restaurant or retail food establishment in or on which food and beverage are transported, stored, or prepared for retail sale. The term "mobile retail vendor" shall include the following:

- A. **MOBILE RETAIL MOTORIZED FOOD VENDOR** — A food establishment that is located

upon a motorized vehicle where food or beverage is cooked, prepared and served for individual portion service.

B. **MOBILE RETAIL NONMOTORIZED FOOD VENDOR** — Movable, nonmotorized unit (e.g., pushcart) where food or beverage is transported, stored, or prepared for retail sale at temporary locations.

§117-3 License.

A. All mobile retail food vendors operating within the Town of Belvidere on public or private property shall be required to have a mobile retail food license issued by the Town of Belvidere.

B. No person holding a mobile retail food vendor license and/or permit shall sell, lend, lease or in any manner transfer any interest in a mobile retail food vendor license and/or permit.

§117-4 License fees and parking permits.

A. Mobile retail motorized food vendor business license. The application fee for a license or any renewal of a license shall be \$500.

B. Mobile retail motorized food vendor parking permit. Mobile retail motorized food vendors operating within the Town of Belvidere are required to purchase an annual parking permit. Permits are available as follows:

| Time Length (weekly) | Annual Amount |
|---------------------------------|----------------------|
| 4 days | \$1,600 |
| 7 days | \$2,500 |

There shall be a one-day license that shall have an application fee of \$50.00. Only four, one-day licenses per year, per vendor shall be permitted.

C. Mobile vendor licensees shall be required to display the mobile retail vendor license/permit prominently in a location visible to customers and public at large.

§117-5 Hours of operation.

A. Weekdays: Monday through Friday, mobile retail food vendors may operate between the hours of 6:00 a.m. and 9:00 p.m.

B. Weekends: Saturday and Sunday, mobile retail food vendors may operate between the hours of 8:00 a.m. and 11:00 p.m.

§117-6 Enforcement.

A. Unless otherwise specified herein, this chapter shall be enforced by any Code or Zoning Enforcement Officer, or Officer of the Belvidere Police Department.

B. Any license issued under the terms and provisions of this chapter may be suspended or revoked by the Town Council of the Town of Belvidere whenever it shall appear that the licensee is operating the mobile food concession in a disorderly or improper manner, including, but not limited to, operating in an unsanitary manner, generating excess noise, generating trash and debris, or in any other fashion that would constitute a nuisance. A licensee shall be served with notice of any intent to revoke a license and shall have the opportunity to have a hearing before the Mayor and Town Council, upon written request.

§117-7 Supplemental regulations.

- A. Mobile retail food vendors shall not provide or allow any dining area, including but not limited to tables, chairs, booths, bar stools, benches, and standup counters.
- B. The Town reserves the right to temporarily move any mobile retail food vendor to a nearby location for emergency purposes as determined in the sole discretion of the Town.
- C. The sale of any product other than food and drinks shall be expressly prohibited. This shall include, but shall not be limited to, the sale of cigarettes or any form of electronic smoking device and alcoholic beverages of any form.

117-8 Violations and penalties.

Unless otherwise specified herein, any person violating any provision of this chapter shall, upon conviction thereof before the Municipal Court, be subject to a fine not exceeding \$1,000. The amount of such fine shall be determined by the sound discretion of the Municipal Judge. In addition to the aforementioned penalties, and as provided for herein, violations of this chapter may subject the license to suspension or revocation as provided for herein.

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 8, 2021 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 13, 2021 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.

Teresa Yeisley, RMC/CPM
Municipal Clerk/Administrator

NOTICE

The foregoing ordinance was duly adopted by the Belvidere Town Council at a regular meeting held on December 13, 2021.

A motion was made by Councilman Mitchell, seconded by Councilwoman Napolitani and carried to open the public hearing for Ordinance No. O2021x11.

The ordinance brought no public comment.

A motion was made by Councilwoman Napolitani and seconded by Councilman Mitchell to close the public hearing and adopt Ordinance No. O2021x11.

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:

There were no appointments made at this time.

Authorization to Pay Purchase Orders:

A motion was made by Councilman Roth, seconded by Councilwoman Miers and carried authorizing the payment of the purchase orders in the amount of \$384,589.88.

Mayor Kennedy advised that many property maintenance ordinances will be amended during the recodification process and that these ordinances will be strictly enforced by the Zoning Official.

Public Comment:

Bob Sheldon - codification

Linda Stettler - naming alleys, Riverbend property

Sure Beale - NPP committee

Peter Koop - person living in storage unit off Adams Street.

Rheva Smickle - Scout Home furnace

Mark Young - street lighting on lower portion of Second Street

Executive Session:

No executive session was needed at this time.

A motion was made by Councilwoman Napolitani to adjourn the meeting of the Belvidere Town Council at 8:23 PM.

Respectfully submitted,

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