

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
JULY 12, 2021**

Mayor Kennedy opened the regular meeting of the Belvidere Town Council with the Pledge of Allegiance and the following notice was read 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

Adoption of Minutes:

A **motion** was made by Councilman Matlock, seconded by Councilman Zmigrodski and carried to adopt the June 14, 2021 regular and executive meeting minutes of the Belvidere Town Council.

Presentation:

Belvidere Ambulance Corps and Belvidere Emergency Medical Services (BEMS) - Tracy Marsh, President and Tyler Herb, Captain

Mr. Marsh advised the following in a report to Council:

BEMS has added a supervisor position. Only EMT's are paid a salary, all others volunteer. Tyler Herb is heading both organizations. Volunteers cover shifts of BEMS if needed. The two organizations will respond to 700-800 calls this year. BEMS is sustaining itself. Billing done by a third party. BEMS receiving very positive feedback. Answering some calls for Lopatcong. They are working to get additional staff. Belvidere will not forsake home coverage in giving mutual aid to Lopatcong.

Public Comment:

There was no public comment at this time.

Correspondence:

A letter was received from the Shade Tree Commission requesting that Council reconsider the Commission's "budget freeze" for 2021. Discussion ensued. It was the feeling of Council that any work scheduled by the Commission in 2021 could wait until 2022. No expenditures will be approved at this time.

A **motion** was made by Councilwoman Napolitani, seconded by Councilman Zmigrodski and carried to plant a tree gifted in memory of Peter Butler at the newly vacant lot at 207 Water Street and name the lot "Butler's Park".

Steve Gouin, redevelopment attorney for the Town joined the meeting via zoom to clarify the PILOT program for the Belvidere Urban Renewal, Summit at Belvidere development.

Mr. Gouin offered the following:

An alternate method of paying real estate taxes through a long-term tax exemption. The Town receives 95% and the County receives 5%. There is a benefit to the homeowner in paying slightly less taxes but a windfall for the Town. The Town will see approximately \$13,000,000 over 30 years. The development was originally planned with apartments but the updated plans have the apartments converted to stacked town homes which will add to the revenue received by the Town. There will need to be an amendment to the existing PILOT. Any sale of the development rights would have to approved by the Town. Jeff Herb asked about payment to the

school. Mr. Gouin explained that there is no payment to the school required under the PILOT but the Town could make some sort of payment if they choose.

Committee Reports:

Councilman Mitchell - masks in the school will be optional and there will only be in-person learning. The after school care program will restart in the fall. The Pool and the Pool Commission are doing very well.

Councilman Roth - no utility updates. Good Will Fire had 18 calls in June.

Councilwoman Miers - continuing to meet with the CFO to review the budget and expenditures, overseeing the Pool budget and discussing the Wall/Paul Streets project.

Councilwoman Napolitani - Court will begin in-person DUI trials. Revenue through June at \$90,384. Deputy Court Administrator has completed her first two courses. The new weapons for the PD have been ordered. There is now State funding being made available for the cloud storage for the body cam footage. Chief Scott is reviewing resumes for new PD hires.

Councilman Matlock - Environmental Commission looking for additional areas for garden planting. Historic Commission has had no applications.

Councilman Zmigrodski - street sweeping will be set up within the next month. Moving forward with the demo for the Ambulance Corps. Sign on Manunkachunk regarding truck traffic will be up soon.

Previous Business:

There was no previous business discussed at this time.

New Business:

All of Council received the 2020 Audit and sited the affidavit that they have reviewed, at the very least, the comments and recommendations.

Resolutions:

A motion was made by Councilwoman Miers, seconded by Councilman Matlock and carried to adopt Resolution No. R2021x46.

RESOLUTION NO. R2021x46

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE PARKER STREET IMPROVEMENT PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2022-Parker Street Improvement-00368 to the New Jersey Department of Transportation on behalf of the Town of Belvidere; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Belvidere and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

A motion was made by Councilwoman Miers, seconded by Councilman Matlock and carried to adopt resolution No. R2021x47.

RESOLUTION NO. R2021x47

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING AN IN REM TAX FORECLOSURE

BE IT RESOLVED by the Town Council of the Town of Belvidere, County of Warren, State of New Jersey that the Tax Sale Certificates as shown on the attached, certified foreclosure list now held by the Town of Belvidere be foreclosed by summary proceedings IN REM and as described by N.J.S.A. 54:5-104.29 to 54:5-104.71, as amended, pursuant to the Rules of Civil Practice of the Superior Court of New Jersey.

A **motion** was made by Councilman Matlock, seconded by Councilman Roth and carried to adopt Resolution No. R2021x48 and Resolution No. R2021x49.

RESOLUTION NO. R2021x48

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION TO AWARD A CONTRACT TO TOM BARTHA AND SON EXCAVATING TO CONSTRUCT DRAINAGE, CURB AND SIDEWALK IMPROVEMENTS ON WALL STREET

WHEREAS, the Town of Belvidere plans to improve Wall Street between Water Street and Paul Street; and

WHEREAS, the Town has obtained grants from the municipal aid portion of the Transportation Trust Fund to help fund the work on Wall Street and Paul Street; and

WHEREAS, the Town has appropriated monies to construct the improvements on both Wall Street and Paul Street; and

WHEREAS, the Town prepared plans and bid documents for drainage, curb and sidewalk work on Wall Street between Water Street and Paul Street; and

WHEREAS, the Town sought public bids for the drainage, curb and sidewalk work on Wall Street between Water Street and Paul Street; and

WHEREAS, proposals were received on Thursday, July 1, 2021; and

WHEREAS, bids were received from two (2) contractors; and

WHEREAS, the lowest bid received from Tom Bartha and Son Excavating (“Bartha”) of Belvidere, NJ in the amount of \$265,240.00 (base bid) and \$271,800.00 (alternate bid); and

WHEREAS, Bartha’s bid was reviewed by the Town and the bidder was found to be qualified and the bid was found to be in compliance with the contract documents and technical specifications; and

NOW THEREFORE, BE IT RESOLVED, that the Belvidere Town Council at its meeting of July 12, 2021, hereby awards a contract to barhta for the alternate bid to construct drainage, curb and sidewalk improvements on Wall Street between Water Street and Paul Street; and

BE IT FURTHER RESOLVED, that copies of this resolution shall be forwarded to the N.J.D.O.T.’s Division of Local Aid and Economic Development.

Certification

I, Teresa A. Yeisley, Municipal Clerk/ Administrator, Town of Belvidere do hereby certify that the foregoing resolution was duly adopted by the Belvidere Town Council at a regular meeting held on July 12, 2021.

RESOLUTION NO. R2021x49

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION TO AWARD A CONTRACT TO SOUTH STATE, INC. TO PERFORM IMPROVEMENTS ON WALL STREET AND PAUL STREET

WHEREAS, the Town of Belvidere plans to improve both Wall Street and Paul Street in the Town of Belvidere; and
 WHEREAS, the Town has obtained grants from the municipal aid portion of the Transportation Trust Fund to help fund the work on Wall Street and Paul Street; and
 WHEREAS, the Town has appropriated monies to construct the improvements on both Wall Street and Paul Street; and
 WHEREAS, the Town Council previously awarded a contract to Tom Bartha and Son Excavating (Bartha) to construct drainage, curb and sidewalk work on Wall Street between Water Street and Paul Street; and
 WHEREAS, the Bartha bid does not include the required milling and paving work on Wall Street and Paul Street nor the construction of curbs on Paul Street; and
 WHEREAS, another contractor needs to be retained to perform this work; and
 WHEREAS, the Town plans on utilizing South State, Inc. (“South State”) through its membership in the Morris County Cooperative Pricing Council (“MCCPC”) to perform the required milling and paving work on Wall Street and Paul Street; and
 WHEREAS, the Town also plans to utilize Cifelli and Sons (“Cifelli”) to construct curbing on Paul Street between Market Street and Wall Street through its membership in the Morris County Cooperative Pricing Council (“MCCPC”); and
 WHEREAS, both South State and Cifelli are qualified contractor that has been found to be in compliance with the contract documents and technical specifications; and

NOW THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Belvidere that the Town shall utilize South State for the milling and paving work on Wall Street and Paul Street through the Town’s membership in the MCCPC in the amount of \$112,260.00 base on the following:

7,500 square yards of HMA Milling (2”) at \$2.70 per square yard = \$20,250.00
 1,130 Tons of HMA 9.5M64 Surface Course at \$67.00/ton = \$75,710.00
 8 units of Sanitary Sewer Manhole Resets at \$600.00 = \$4,800.00
 Fuel Price Adjustment at \$1,500.00
 Asphalt Price Adjustment at \$10,000.00

BE IT FURTHER RESOLVED, that copies of this resolution shall be forwarded to the N.J.D.O.T.’s Division of Local Aid and Economic Development.

A motion was made by Councilman Zmigrodski, seconded by Councilwoman Napolitani and carried to adopt Resolution No. R2021x50.

RESOLUTION NO. R2021x50

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION APPOINTING A PLUMBING SUB-CODE OFFICIAL

BE IT RESOLVED, that the Belvidere Town hereby appoints the following individual as Plumbing Sub-Code Official:

<u>Name</u>	<u>Title</u>	<u>Salary</u>
Timothy Dieterman	Plumbing Sub-Code Official	\$4,000 per annum effective 4/5/2021

Date: July 12, 2021
 Teresa A. Yeisley, RMC/CPM
 Municipal Clerk/Administrator

Ordinances:

No ordinances were considered at this time.

Appointments:

There were no appointments made at this time.

Authorization to Pay Purchase Orders:

A **motion** was made by Councilwoman Miers, seconded by Councilman Zmigrodski and carried to pay the purchase orders as submitted in the amount of \$440,486.54.

Kevin Benbrook advised that no response has been received by from the DCA regarding Mr. Rossi's issue with the Skoog property on Front Street. Mr. Rossi reinstated the Skoog permit and the Skoog's withdrew their appeal.

Public Comment:

Rheva Smickle - thank you to the members of the Belvidere Ambulance Corps for all their hard work and volunteer hours.

Executive Session:

A **motion** was made by Councilman Roth, seconded by Councilman Matlock and carried to adopt Resolution No. R2021x51.

RESOLUTION NO. R2021x51

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: Litigation
3. It is anticipated at this time that the above stated subject matter will be made public:
When Resolved.

Date: July 12, 2021

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

Municipal Clerk/Administrator

A **motion** was made by Councilman Matlock, seconded by Councilwoman Napolitani and carried to return to regular session.

Kevin Benbrook advised that Council discussed a residential tax foreclosure and has agreed to allow the resident an additional 90 days to make the necessary financial arrangements.

A **motion** was made by Councilwoman Napolitani to adjourn the meeting of the Belvidere Town Council at 9:00 PM.

Respectfully submitted,

Teresa A. Yeisley, RMC/CPM

Municipal Clerk/Administrator