

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
OCTOBER 11, 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
Absent - Councilman Zmigrodski

Adoption of Minutes:

A **motion** was made by Councilman Mitchell, seconded by Councilwoman Miers and carried to adopt the September 13, 2021 regular meeting minutes of the Belvidere Town Council.

Public Comment:

There was no public comment at this time.

Committee Reports:

Councilman Mitchell - the BOE appropriated \$15,000 for fire alarm work. Researching what the sale price for the Third Street property would be. The playground cameras need to be repaired. A regionalization study will be done in 2022. The Recreation Committee has scheduled the Christmas tree lighting for December 4th. The CCB is making "mask wearing" optional.

Councilman Roth - Good Will had 12 calls in September. The pumper has gone in for the scheduled repairs and Council discussed a partial payment in 2021 with the balance in 2022. In August, the Belvidere Ambulance Corps responded to approximately half of the calls for service with 60 calls having no response. There is currently a staffing issue with Belvidere Emergency Services. They have hired two additional EMT's and are conducting more interviews. Chief Scott assisted with a 911 call analysis.

Councilwoman Miers - an expenditure report has been sent to department heads and they will be requested to encumber any necessary purchases as soon as possible. The bond amount may be too low for bidding so a private bank offering may be considered. Mayor Kennedy advised that the savings on a serial bond could be \$20,000 to \$35,000 per year.

Councilwoman Napolitani - the Harmony court renewal is complete and Liberty will soon be on board. The new police officers start their academy training on October 15th.

Councilman Matlock - no report at this time.

Teresa Yeisley - the FEMA application for Winter Storm Orlena has been approved with the Town scheduled to receive \$18,197 for reimbursable expenses.

Mayor Kennedy - the Town has been chosen as an NPP grant recipient for neighborhood preservation. Congratulations to the strong team that developed the grant application. Laura Kennedy has been chosen as the acting grant coordinator.

Correspondence and Reports:

None were discussed at this time.

Previous Business:

Kevin Benbrook advised that foreclosure proceedings for the Quinn property on Greenwich Street are moving forward and will be completed by the end of the year along with a railroad parcel.

New Business:

A motion was made by Councilwoman Miers, seconded by Councilman Roth and carried to approve raffle license application RL2021-14 for the Belvidere Lions Club.

A motion was made by Councilwoman Naploitani, seconded by Councilman Roth and carried authorizing the appropriate street closure for the Belvidere Lions Club Halloween parade scheduled for October 27th.

A motion was made by Councilwoman Miers, seconded by Councilman Matlock and carried to schedule Trick-or-Treat for October 31st from 5:00 to 7:00 PM.

Resolutions:

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt Resolution No. R2021x56.

RESOLUTION NO. R2021x56

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 5, lot 34)

WHEREAS, Tax Sale Certificate 2019-003 dated October 16, 2019 on block 5, lot 34 was redeemed on August 20, 2021; and

WHEREAS, the premium paid at the sale in the amount of \$100.00 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 \$100.00 representing said refund.

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

Date: October 11, 2021
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A motion was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried to adopt Resolution No. R2021x57.

RESOLUTION NO. R2021x57

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION TO APPOINT AN ALTERNATE PROSECUTOR AND AN ALTERNATE PUBLIC DEFENDER

BE IT RESOLVED that the Town Council of the Town of Belvidere hereby appoints the following for the term 01/01/2021 through 12/31/2021:

<u>Name</u>	<u>Position</u>
John Caleca	Alternate Prosecutor
Gregory Gianforcaro	Alternate Public Defender

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 October 11, 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. R2021x58.

RESOLUTION NO. R2021x58

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION APPOINTING THE DESIGNATED EMPLOYEE REPRESENTATIVE (DER) IN ACCORDANCE WITH 49 CFR PART 40

WHEREAS, in accordance with 49 CFR Part 40 regarding DOT drug and alcohol testing regulations and consistent with the Town of Belvidere’s Policy and Procedures Manual, the Town of Belvidere, as the employer, shall appoint a Designated Employee Representative (DER); and

WHEREAS, the DER shall be an employee authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties or cause employees to be removed from these covered duties and to make decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer consistent with the requirements of 49 CFR Part 40; and

NOW, THEREFORE BE IT RESOLVED by the Belvidere Town Council that **Teresa Yeisley** is hereby appointed as the DER for the Town of Belvidere.

Date: October 11, 2021
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A motion was made by Councilwoman Napolitani, seconded by Councilman Roth and carried to adopt Resolution No. R2021x59 and R2021x60.

RESOLUTION NO. R2021x59

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING A TAX OVERPAYMENT REFUND

BE IT RESOLVED that the Belvidere Town Council hereby authorizes the following refund for a tax overpayment due to a 100% Disabled Veteran designation:

<u>Account</u>	<u>Year</u>	<u>Name</u>	<u>Amount</u>
427	2021	Rasely, Richard H & Linda L 59 Paul Street Belvidere, NJ 07823	\$2,623.63

Date: October 11, 2021
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

RESOLUTION NO. R2021x60

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING A TAX OVERPAYMENT REFUND

BE IT RESOLVED that the Belvidere Town Council hereby authorizes the following refund for a tax overpayment:

<u>Account</u>	<u>Year</u>	<u>Name</u>	<u>Amount</u>
8634	2021	Prebenda, Shelley Glenn 414 Hardwick Street Belvidere, NJ 07823	\$1,327.52

Date: October 11, 2021
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A motion was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried to adopt Resolution No. R2021x61.

RESOLUTION NO. R2021x61

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF HARMONY

WHEREAS, the Town of Belvidere provides shared court services to the Township of Harmony pursuant to a Shared Services Agreement expiring December 31, 2021; and

WHEREAS, for the purpose of effectuating further efficiency and cost savings, the Mayor and Council of the Town of Belvidere have determined it to be in the best interests of the citizens of the Town of Belvidere to renew the Shared Services Agreement for municipal Court services with the Township of Harmony.

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

1. The Mayor and Clerk be and hereby are authorized to date and execute a Shared Services Agreement for a shared Municipal Court with the Township of Harmony, a true copy of which is attached hereto as **Exhibit A**, the terms and conditions of which are specifically incorporated herein by reference.

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 October 11, 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. R2021x62.

RESOLUTION NO. R2021x62

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING THE TOWN ENGINEER AND MAYOR TO ENDORSE THE WATER MAIN EXTENSION APPLICATION FOR THE BELVIDERE URBAN RENEWAL LLC PROJECT LOCATED ON BLOCK 2, LOT 8 IN THE TOWN OF BELVIDERE

WHEREAS, Belvidere Urban Renewal, LLC (“BUR”) obtained preliminary and final major site plan and bulk variance approvals from the Belvidere Planning Board for a two-hundred and one (201) unit multi-family residential development on block 2, lot 8 at the July 6, 2021 meeting of the Belvidere Planning Board; and

WHEREAS, a resolution memorializing the findings of the July 6, 2021 hearing and the approvals granted by the Planning Board on August 3, 2021; and

WHEREAS, the August 3, 2021 resolution of approval contained conditions that must be addressed by BUR prior to the start of construction of the project; and

WHEREAS, condition 6 in the August 3, 2021 resolution of approval requires BUR to procure a permit to extend water mains from the NJ department of Environmental Protection (“NJDEP”) to service the development; and

WHEREAS, the water main extension application for this project must be consented to by the Belvidere Town Council in order to be filed by BUR; and

WHEREAS, block 2, lot 8 in the Town of Belvidere is situated in an area to be serviced by public water; and

WHEREAS, an estimated average daily demand to be generated by the project is 34,930 GDP; and

WHEREAS, the Belvidere Town Council is supportive of this water main extension application because block 2, lot 8 is situated in an area that is proposed for public water services;

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council authorizes the Mayor and Town Engineer, Paul M. Sterbenz, to endorse the application as required;

BE IT FURTHER RESOLVED that this resolution shall be affective immediately.

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 October 11, 2021.

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

A motion was made by Councilwoman Miers, seconded by Councilman Matlock and carried to adopt Resolution No. R2021x63.

RESOLUTION NO. R2021x63

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

**A RESOLUTION AUTHORIZING THE TOWN ENGINEER AND MAYOR TO
ENDORSE THE TREATMENT WORKS APPROVAL (“TWA”) FOR THE BELVIDERE
URBAN RENEWAL LLC PROJECT LOCATED ON BLOCK 2, LOT 8 IN THE TOWN
OF BELVIDERE**

WHEREAS, Belvidere Urban Renewal, LLC (“BUR”) obtained preliminary and final major site plan and bulk variance approvals from the Belvidere Planning Board for a two-hundred and one (201) unit multi-family residential development on block 2, lot 8 at the July 6, 2021 meeting of the Belvidere Planning Board; and

WHEREAS, a resolution memorializing the findings of the July 6, 2021 hearing and the approvals granted by the Planning Board on August 3, 2021; and

WHEREAS, the August 3, 2021 resolution of approval contained conditions that must be addressed by BUR prior to the start of construction of the project; and

WHEREAS, condition 6 in the August 3, 2021 resolution of approval requires BUR to procure a TWA from the NJ department of Environmental Protection (“NJDEP”) to service the development; and

WHEREAS, the TWA for this project must be consented to by the Belvidere Town Council in order to be filed by BUR; and

WHEREAS, block 2, lot 8 in the Town of Belvidere is situated in the future wastewater service area indicated in the Belvidere future wastewater service area indicated in the Belvidere future wastewater service area map (“FWWA”) adopted by the NJDEP on April 17, 2013; and

WHEREAS, an estimated average daily flow to be generated by the project is 50,925 GPD can be accommodated by the Town’s sewer collection system; and

WHEREAS, the Belvidere Town Council is supportive of this TWA permit because block 2, lot 8 is situated in an approved sewer service area and the collection system has the capacity to accommodate the estimated flows;

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council authorizes the Mayor and Town Engineer, Paul M. Sterbenz, to endorse the application as required;

BE IT FURTHER RESOLVED that this resolution shall be affective immediately.

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 October 11, 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. R2021x64.

RESOLUTION NO. R2021x64

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING THE ADDITION OF BLOCK 44, LOT 11 TO THE PREVIOUSLY AUTHORIZED REDEVELOPMENT STUDY FOR THE INDUSTRIAL ZONE - FIFTH STREET

BE IT RESOLVED that the Belvidere Town Council hereby requests that the Belvidere Planning Board perform an investigation to determine if the following properties are in need of redevelopment and can be considered as “Area in Need of Development” designation conditions outlined in N.J.S.A. 40A:12 et seq.

Industrial Zone - Fifth Street, plus block 44, lot 11

BE IT FURTHER RESOLVED that said investigation will not begin until availability of funds have been determined by the Chief Financial Officer.

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 October 11, 2021.

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

Ordinances:

A **motion** was made by Councilman Matlock and seconded by Councilwoman Miers to introduce Ordinance No. O2021x07.

ORDINANCE NO. O2021x07

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

AN ORDINANCE TO AUTHORIZE CHARITABLE ORGANIZATIONS TO SOLICIT CONTRIBUTIONS IN THE ROADWAYS OF THE TOWN OF BELVIDERE

BE IT ORDAINED By the Town Council of the Town of Belvidere, in the County of Warren, New Jersey, that, pursuant to N.J.S.A. 39:4-60, that the Good Will Fire Company No. 1 and the Belvidere Ambulance Corps. be and hereby are authorized to solicit contributions on any municipal or county highway or intersection located within the Town of Belvidere; and

BE IT FURTHER ORDAINED that any other charitable organization as defined in N.J.S.A. 45:17A-20 may, upon written request and approval by the Town Council, solicit contributions on any municipal county highway or intersection located within the Town of Belvidere; and

BE IT FURTHER ORDAINED that solicitation on any county highway or intersection is herein made subject to the approval of the Warren County Board of Commissioners.

SECTION II.

All ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

SECTION III.

This ordinance shall be in full force and take effect immediately after final passage and publication, as required by law.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on October 11, 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 November 8, 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. or on the municipal website, belviderenj.net

Roll call:

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

Nays - None

Abstentions - None

Recusal - None

Absent - Councilman Zmigrodski

A **motion** was made by Councilman Mitchell and seconded by Councilwoman Miers to introduce Ordinance No. O2021x08.

ORDINANCE NO. O2021x08

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

ORDINANCE TO REPEAL AND REPLACE CHAPTER 140 OF THE CODE OF THE TOWN OF BELVIDERE

ENTITLED “SWIMMING POOL COMMISSION”

BE IT ORDAINED By the Town Council of the Town of Belvidere, in the County of Warren, New Jersey, that existing Chapter 140 entitled “Swimming Pool Commission” be and hereby is repealed in its entirety and replaced with a new Chapter 140 entitled, “Swimming Pool Advisory Committee” as follows:

SECTION I.

CHAPTER 140 SWIMMING POOL ADVISORY COMMITTEE

140-1. Establishment.

There is hereby established the Swimming Pool Advisory Committee of the Town of Belvidere.

140-2. Members; terms; appointment.

The Committee shall consist of one member of the Town Council, three members of the general populace who shall be residents of the Town of Belvidere, and the Mayor or the Mayor’s designee. The Committee member shall be appointed for terms of two years, except the Council member and Mayor, who shall be appointed annually for one-year terms. There shall be allowed up to two alternate members appointed at large. All members shall be appointed or removed by the Mayor with the advice and consent of the Council.

140-3. Organization.

A. The members of the Swimming Pool Advisory Committee shall choose annually from among its members a Chairman and such other officers as they may deem necessary. The Chairman and other officers shall be chosen at the first meeting of the Committee to be held in January of each year. The Committee shall also select a secretary who may be a member (either regular or alternate) or a municipal employee.

B. Alternate members may participate in discussions of the proceeding but may not vote except in the absence or disqualification of a regular member. Three members shall constitute a quorum, and a majority vote of the members present shall determine the outcome of Committee business. An alternate member may be utilized to establish a quorum, and in that event, shall be permitted to vote.

140-4. Powers and Duties.

The Swimming Pool Advisory Committee shall have the following powers and duties:

A. To exercise the general supervision and control of over the maintenance, operation and regulation of the Belvidere Public Swimming Pool and associated recreational facility, subject to the review and approval of the Town Council.

B. Publicize the extent, advantages and utility of vacant land in the Town which is zoned for commercial or industrial purposes.

C. To propose plans for the development and improvements of the facility.

D. To propose methods or arrangements for the proper maintenance of the facility.

E. To formulate proposed rules, regulations, fees, rents or other charges for the admission to, use or enjoyment of the facility.

F. To carry out the administrative, supervisory authority to implement the plans, methods,

arrangements, rules, regulations, fees, rents and other charges as approved and authorized by the Mayor and Town Council of the Town of Belvidere.

140-5. Meetings.

The Swimming Pool Advisory Committee shall meet at least monthly and at the call of the Chairman. Meetings shall be open to the public.

§140-6. Staff and Expenditures.

A. The Town Council shall provide for the Committee in its budget and shall appropriate such funds for the expenses of the Committee as the Town Council, in its sole discretion, shall determine. The Committee shall employ, contract for and fix the compensation of experts and other staff and services as it shall deem necessary, except that the Committee shall obtain legal counsel from the Town Attorney at the rate of compensation determined by the Town Council unless the Town Council, by appropriation, provides for separate legal counsel for the Committee. Expenditures pursuant to this subsection shall not exceed, exclusive of gifts or grants, the amount appropriated by the Town Council for the Committee's use.

B. The Committee shall not maintain a separate bank account. All gifts, grants and funds appropriated by the Town Council shall be maintained by the Town's Chief Financial Officer and Auditor. All disbursements shall be vouchered.

SECTION II.

All ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

SECTION III.

This ordinance shall be in full force and take effect immediately after final passage and publication, as required by law.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on October 11, 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 November 8, 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. or on the municipal website, belviderenj.net.

Roll call:

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

Nays - None

Abstentions - None

Recusal - None

Absent - Councilman Zmigrodski

Appointments:

There were no appointments made at this time.

Authorization to Pay Purchase Orders:

A motion was made by Councilwoman Miers, seconded by Councilman Matlock and carried to authorize the payment of the purchase orders as presented in the amount of \$547,087.60.

Public Comment:

Susan Beale - street light placement
Virginia Walton - still no new members for the Heritage Day team

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 7:40 PM.

Respectfully submitted,

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