

**MINUTES - TOWN COUNCIL WORKSHOP MEETING  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
691 Water Street  
NOVEMBER 8, 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.

Councilman Roth requested that Resolution No. R2021x65 be tabled.

**Roll Call:**

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

**Presentation:**

The Belvidere School District Special Education class presented a Town historical project to the Council. The following students presented story boards and each student presented a report on "why they love Belvidere":

Anthony Tortorella  
Cassidy Barrella  
Jayme Lemon  
Jack Kinney

Also in attendance was their teacher, Nicole Ehasz, Superintendent, Christopher Carrubba and Principal, Christopher Karabinus, as well as parents and friends.

**Adoption of Minutes:**

A **motion** was made by Councilwoman Miers, seconded by Councilman Roth with Councilman Zmigrodski abstaining and all others voting "yes" to adopt the October 11, 2021 regular meeting minutes of the Belvidere Town Council

**Public Comment:**

There was no public comment at this time.

**Matters to be Addressed:**

Mayor Kennedy advised that the Town has received a DOT grant for Parker Street.

A **motion** was made by Councilwoman Miers, seconded by Councilman Roth and carried authorizing Paul Sterbenz to proceed with his proposal for the Fifth Street "Area in Need of Redevelopment" study at a cost of \$11,500.

Teresa Yeisley reviewed for Council the Best Practices submission.

Council discussed the need for a new furnace at the Scout Home. Gary Sassman will be contacted to discuss a scope of work for the proper insulation of the building prior to any installation discussion.

Teresa Yeisley advised on the Belvidere American Legion's Veteran's Day services and the "Blue Light" Christmas tree lighting services.

**Resolutions:**

A **motion** was made by Councilwoman Napolitani, seconded by Councilman Roth and carried to adopt Resolution No. R2021x66.

**RESOLUTION NO. R2021x66  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE  
MORRIS COUNTY COOPERATIVE PRICING COUNCIL (MCCPC) TO RENEW  
MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2021 THROUGH  
SEPTEMBER 30, 2026**

WHEREAS, the MCCPC was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the Town of Belvidere desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency, to renew its membership in the MCCPC for the period of October 1, 2021 through September 30, 2026;

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

1. The Town Council of the Town of Belvidere hereby authorizes the execution of an Agreement with the MCCPC by the Township of Randolph as Lead Agency dated October 1, 2021 pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is for **renewal** of membership in the MCCPC for a five (5) year period from October 1, 2021 through September 30, 2026.
2. The Town of Belvidere Municipal Clerk is hereby directed to submit a copy of this adopted resolution, along with an executed Agreement to Randolph Township as Lead Agency.
3. This resolution shall take effect immediately upon final passage according to law.
4. All appropriate Town of Belvidere officials are authorized and directed to perform all required acts to affect the purpose of this resolution.

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 November 8, 2021.

**A motion** was made by Councilman Roth, seconded by Councilman Zmigrodski and carried to adopt Resolution No. R2021x67.

**RESOLUTION NO. R2021x67  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
A RESOLUTION CERTIFYING COMPLIANCE WITH THE UNITED STATES EQUAL  
EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON  
THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN  
EMPLOYMENT DECISIONS UNDER TITLES VII OF THE CIVIL RIGHTS ACT OF  
1964"**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c. 183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2021) before submitting its approved annual budget to the Division of Local Government Services in the New

Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto;

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Municipal Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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 November 8, 2021.

**A motion** was made by Councilman Roth and seconded by Councilwoman Miers to adopt Resolution No. R2021x68.

**RESOLUTION NO. R2021x68**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION ADOPTING PERSONNEL POLICIES AND PROCEDURES**

**BE IT RESOLVED** by the Mayor and Town Council of the Town of Belvidere, County of Warren, and State of New Jersey, that the Personnel Policies and Procedures Manual/Employee Handbook attached hereto is hereby adopted.

**BE IT FURTHER RESOLVED** that these personnel policies and procedures shall apply to all Town officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

**BE IT FURTHER RESOLVED** that this manual is intended to provide guidelines covering public service by Town employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Belvidere Town Council.

**BE IT FURTHER RESOLVED** that to the maximum extent permitted by law, employment practices for the Town of Belvidere shall operate under the legal doctrine known as "employment at will."

**BE IT FURTHER RESOLVED** that the Town Clerk and all managerial/supervisory personnel are responsible for these employment practices. The Town Attorney shall assist the Town Clerk in the implementation of the policies and procedures in this manual.

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 held on November 8, 2021.

**Roll call:**

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

**Nays - None**

**Abstentions - None**

**Recusal - None**

**Absent - Councilman Mitchell**

**A motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt Resolution No. R2021x69.

**RESOLUTION NO. R2021x69**

**TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PRE-  
DEVELOPMENT ESCROW AGREEMENT BETWEEN THE TOWN OF BELVIDERE  
AND SAMIA HOLDINGS, LLC**

BE IT RESOLVED that the Belvidere Town Council hereby authorizes the Mayor to execute a Pre-Development Escrow Agreement between the Town of Belvidere and Samia Holdings, LLC.

Date: November 8, 2021  
Teresa A. Yeisley, RMC/CPM  
Municipal Clerk/Administrator

**Ordinances:**

**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.

**NOTICE**

Notice is hereby given that the foregoing ordinance was adopted by the Belvidere Town Council at a regular meeting held on November 8, 2021.

**A motion** was made by Councilman Roth, seconded by Councilwoman Miers and carried to open the public hearing on Ordinance No. O2021x07.

**The ordinance brought no public comment.**

A **motion** was made by Councilman Zmigrodski and seconded by Councilman Matlock to close the public hearing and adopt Ordinance No. O2021x07.

**Roll call:**

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

**Nays - None**

**Abstentions - None**

**Recusal - None**

**Absent - Councilman Mitchell**

**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,

NOTICE

Notice is hereby given that the forgoing ordinance was adopted by the Belvidere Town Council at a regular meeting held on November 8, 2021.

**A motion** was made by Councilwoman Miers, seconded by Councilman Matlock and carried to open the public hearing on Ordinance No. O2021x08.

**The ordinance brought no public comment.**

**A motion** was made by Councilwoman Miers and seconded by Councilman Matlock to close the public hearing and adopt Ordinance No. O2021x08.

**Roll call:**

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

**Nays - None**

**Abstentions - None**

**Recusal - None**

**Absent - Councilman Mitchell**

**A motion** was made by Councilman Zmigrodski and seconded by Councilwoman Miers to introduce Ordinance No. O2021x09.

**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.

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.

**Roll call:**

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

**Nays - None**

**Abstentions - None**

**Recusal - None**

**Absent - Councilman Mitchell**

A **motion** was made by Councilwoman Miers and seconded by Councilman Roth to introduce Ordinance No. O2021x10.

**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.

#### 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.

**Roll call:**

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

**Nays - None**

**Abstentions - None**

**Recusal - None**

**Absent - Councilman Mitchell**

A **motion** was made by Councilwoman Miers and seconded by Councilman Zmigrodski to introduce Ordinance No. O2021x11.

**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:

<b>Time Length (weekly)</b>	<b>Annual Amount</b>
4 days	\$1,600
7 days	\$2,500

There shall be a 1-day license that shall have an application/license fee of \$50.00.

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

#### **Roll call:**

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

**Nays - None**

**Abstentions - None**

**Recusal - None**

**Absent - Councilman Mitchell**

#### **Appointments:**

There were no appointments 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 submitted in the amount of \$664,023.13.

#### **Public Comment:**

Sandra Bartel - Parker Street paving. Woman's Club to draw their raffle at the tree lighting.

Virginia Walton - community group participation at tree lighting. Food truck fees.

Councilman Matlock - Mansfield and Fifth Street parking.

Rheva Smickle - Scout Home heating

**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 8:11 PM.

Respectfully submitted,

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