

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
APRIL 7, 2014**

Mayor Stettler opened the regular meeting of the Belvidere Town Council with the Pledge of Allegiance and read the following notice in compliance with the Open Public Meetings Act:

In accordance with Chapter 231 of the Public Laws of 1975, notice of this meeting was given by way of notice filed with the Star Gazette and/or the Express-Times, filed in the Municipal Clerk's Office and posted in the Belvidere Town Hall, 691 Water Street, Belvidere NJ.

Roll Call:

Present - Mayor Stettler, Councilman Kennedy, Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Sebold, Councilman Viglianco
Absent - None

Approval of Minutes:

A motion was made by Councilman Sebold, seconded by Councilwoman Miers and carried to adopt the March 13, 2014 budget meeting minutes of the Belvidere Town Council.

A motion was made by Councilman Kennedy, seconded by Councilman Sebold and carried to adopt the March 17, 2014 regular meeting minutes of the Belvidere Town Council.

Public Comment:

There was no public comment at this time.

2014 Municipal Budget Introduction:

A motion was made by Councilman Sebold and seconded by Councilwoman Napolitani to introduce Ordinance No. O2014x04.

ORDINANCE NO. O2014x04

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

CALENDAR YEAR 2014

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.14 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Town Council of the Town of Belvidere in the County of Warren finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Town Council hereby determines that a 3.0% increase in the budget for said year, amounting to \$71,884 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Town Council hereby determines that any amount authorized herein above that is not appropriated, as part of the final budget shall be retained as an

exception to final appropriation in either of the next two succeeding years;
NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Belvidere, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Town of Belvidere shall, in accordance with this ordinance and N.J.S.A.40A:4-45.14, be increased by 3.5%, amounting to \$83,865, and that the CY 2014 municipal budget for the Town of Belvidere be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with the said Director within 5 days after such adoption.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on April 7, 2014 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 May 5, 2015 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 Kennedy, Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Sebold, Councilman Viglianco, Mayor Stettler

Nays - None

Abstentions - None

Absent - None

A motion was made by Councilwoman Napolitani and seconded by Councilwoman Miers to introduce the 2014 Municipal Budget as reviewed and submitted.

Roll call:

Ayes - Councilman Kennedy, Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Sebold, Councilman Viglianco, Mayor Stettler

Nays - None

Abstentions - None

Absent - None

John Mooney, Municipal Auditor advised that the Town is compliant with both the levy cap and the expenditure cap with a 2.67% increase. The public hearing on the budget is scheduled for May 5th.

Discussion:

Council discussed the survey and title search of Howell Street.

A motion was made by Councilman Kennedy, seconded by Councilman Sebold and carried to **not** consider vacating Howell Street.

Committee Reports:

Alyssa Sebold had no report at this time.

Councilman Viglianco had no report at this time.

Councilman Kennedy reported that he attended a meeting with members of the Pool Commission, Mayor Stettler, Councilwoman Napolitani, Dave Evans and Teresa DeMont where they discussed pool budget matters.

Councilwoman Miers reported that the Sewer Committee met and agreed to decline meeting with White Township until the sewer payment is made to Belvidere..
The Shade Tree Commission has scheduled the Arbor Day ceremony on May 25th.

Councilman Sebold reviewed the police department activity report and vehicle update. The Councilman will be meeting with PBA members for contract discussion on April 21st.

Councilwoman Napolitani reviewed the DPW activities.
The Councilwoman reported that PRMUA has decided not to purchase the DPW sewer van.

Councilman Makatura reported that the Environmental Commission is studying the Safe Routes to School program and reviewing initiatives that have been obtained by the Commission over the years that can be used toward Sustainable certification.

Mayor Stettler encouraged the Council to attend the next meeting of the Warren County Economic Advisory Council and reported that the Town has received approval from the Freeholders for the use of the park for yard sales.

Correspondence:

A motion was made by Councilman Kennedy, seconded by Councilwoman Miers and carried approving street closures for the Rolling Thunder event.

Old Business:

Dominick Santini advised that there was a problem with a deed in the Riverside Park land swap.

New Business:

A motion was made by Councilman Kennedy, seconded by Councilwoman Miers and carried approving the Good Will Fire Company membership application for Andrew Rudd.

A motion was made by Councilwoman Miers, seconded by Councilman Viglianco and carried authorizing the preparation of a resolution to transfer title of Ford ambulance 21-53 from the Town of Belvidere to the Belvidere Ambulance Corps.

Mayor Stettler initiated a discussion about appointing ad-hoc committees to work on the creation of a Town portfolio and to research snow emergency legislation.

Councilman Makatura initiated a discussion about annual police physicals.
Councilman Sebold will review this matter with Chief Yeisley.

Resolutions:

A motion was made by Councilwoman Miers, seconded by Councilman Sebold and carried to adopt Resolution No. R2014x40.

RESOLUTION NO. R2014x40

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION TO AWARD A COMPETITIVE BID FOR THE “SCOUT HOME RE-SIDING” PROJECT

WHEREAS a competitive bid was received on March 12, 2014 for the “Belvidere Scout Home Re-Siding Project” and said bid has been reviewed by the Director of the

Department of Public Works and the Municipal Attorney for compliance;

BE IT RESOLVED that the Belvidere Town Council hereby authorizes the award of a competitive bid for the “Belvidere Scout Home Re-Siding Project” in the amount of \$25,000 and contingent upon grant extension approval from the Warren County Board of Chosen Freeholders to the following:

Woop Brothers Contracting, LLC
67 Gunn Road
Branchville, NJ

Date: April 7, 2014
Teresa A. DeMont, RMC/CPm
Municipal Clerk/Administrator

A motion was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried to adopt Resolution No. R2014x41.

**RESOLUTION NO. R2014x41
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION TO AWARD A COMPETITIVE BID FOR THE “BELVIDERE FREE
PUBLIC LIBRARY RENOVATION PROJECT”**

WHEREAS a competitive bid was received on March 5, 2014 for the “Belvidere Free public Library Renovation Project” and said bid has been reviewed by the Director of the Department of Public Works and the Municipal Attorney for compliance;

BE IT RESOLVED that the Belvidere Town Council hereby authorizes the award of a competitive bid for the “Belvidere Free Public Library Renovation Project” in the amount of \$54,200 and contingent upon grant extension approval from the Warren County Board of Chosen Freeholders to the following:

Coopersmith Bros., Inc.
11 N. 4th Street
Phillipsburg, NJ 08865

Date: April 7, 2014
Teresa A. DeMont, RMC/CPM
Municipal Clerk/Administrator

A motion was made by Councilman Sebold, seconded by Councilman Viglianco with Mayor Stettler voting “no” and all others voting “yes” to adopt Resolution No. R2014x42.

**RESOLUTION NO. R2014x42
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION AUTHORIZING THE LEASE/PURCHASE OF A 2014 FORD
INTERCEPTOR SEDAN W/POLICE PACKAGE**

BE IT RESOLVED that the Governing Body of the Town of Belvidere hereby authorizes the lease/purchase of a Ford Interceptor Sedan w/Police Package through Ford Motor Credit Company with the following schedule:

Term on Months:	36
Payment Timing:	Annual in Advance
Payment Amount:	\$11,567.64
Underwriting Fee:	\$425.00, Financed
Payment Factor:	0.354531

Total Amount Financed \$32,628.00
Annual Percentage Rate (APR) 6.50%

Certification

I, Teresa A. DeMont, Municipal Clerk/Administrator, Town of Belvidere do hereby certify that the foregoing resolution was duly adopted by the Governing Body of the Town of Belvidere at a regular meeting held on April 7, 2014.

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Resolution No. R2014x43.

RESOLUTION NO. R2014x43

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION TO AFFIRM THE TOWN OF BELVIDERE'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS it is the policy of the Town of Belvidere to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to, Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

WHEREAS the governing body of the Town of Belvidere has determined that certain procedures need to be established to accomplish this policy;

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

Section 1: No official, employee, appointee or volunteer of the Town of Belvidere by whatever title known, or any entity that is in any way a part of the Town of Belvidere shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Town of Belvidere's business or using the facilities or property of the Town of Belvidere.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in way from the Town of Belvidere to provide services that otherwise could be performed by the Town of Belvidere.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Sections 4: The Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Town of Belvidere as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Administrator shall establish a system to monitor compliance and shall at least annually to the governing body the results of the monitoring.

Section 8: At least annually the Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Town of Belvidere. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Town of Belvidere's website.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Town of Belvidere in order for the public to be made aware of this policy and the Town of Belvidere's commitment to the implementation and enforcement of this policy.

Certification

I, Teresa A. DeMont, Municipal Clerk/Administrator, Town of Belvidere do hereby certify that the foregoing resolution was duly adopted by the Governing Body of the Town of Belvidere at a regular meeting held on April 7, 2014.

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Resolution No. R2014x44.

**RESOLUTION NO. R2014x44
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION AUTHORIZING AMENDMENTS TO THE PERSONNEL POLICIES
AND PROCEDURES MANUAL OF THE TOWN OF BELVIDERE PURSUANT TO THE
RECOMMENDATIONS OF THE PUBLIC ALLIANCE INSURANCE COVERAGE
FUND (PAIC)**

BE IT RESOLVED that the Belvidere Town Council hereby authorizes the following amendments to the Town of Belvidere Personnel Policies and Procedures Manual as recommended by PAIC:

Synopsis of Changes

Section Two:

- Systems Privacy (including Email, Voice Mail and Internet Usage Policy) has been revised and expanded into a Communications Media Policy and Video Surveillance Policy.

Section Three:

- Family Medical Leave Policy was amended to include among other things a leave for the care of covered veterans for certain qualifying events; and

- Domestic Violence Leave Policy was added in light of New Jersey's adoption of the Safe Act.

Section Four:

- New Section - Time Sheets: Added a section to require personnel to complete time sheets and submit them to their supervisor;
- New Section - Payment for Accumulated Absence: Added a section to provide for the process to pay for accumulated absences in accordance with N.J.A.C § 5:30-15.
- Workers Compensation Policy: Added a provision prohibiting the payment of benefits above those provided for under the Workers Compensation Act.

Certification

I, Teresa A. DeMont, Municipal Clerk/Administrator, Town of Belvidere do hereby certify that the foregoing resolution was duly adopted by the Governing Body of the Town of Belvidere at a regular meeting held on April 7, 2014.

Ordinances:

A motion was made by Councilwoman Napolitani and seconded by Councilwoman Miers to introduce Ordinance No. O2014x05.

ORDINANCE NO. O2014x05

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

AN ORDINANCE APPROPRIATING THE SUM OF NOT MORE THAN \$55,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF VARIOUS DPW EQUIPMENT

WHEREAS, the Council of the Town of Belvidere has determined that it needs to appropriate the sum up to \$55,000 from the Capital Improvement Fund for the Purchase of Various DPW Equipment; and

NOW, THEREFORE, BE IT ORDAINED, by the Belvidere Town Council that:

7. There are funds available in the Capital Improvement Fund in the Municipal Budget of the Town of Belvidere for costs attributable DPW equipment.
8. There is hereby appropriated that sum of up to \$55,000 from the Capital Improvement Fund in the Municipal Budget of the Town of Belvidere for the aforementioned purpose.
9. There is no debt authorized by this ordinance.
10. This ordinance shall take effect upon passage following a public hearing to be conducted thereon and publication of notice of final passage with the requirements of the law.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on April 7, 2014 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 May 5, 2014 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 Kennedy, Councilman Makatura, Councilwoman Miers,

Councilwoman Napolitani, Councilman Sebold, Councilman Viglianco, Mayor Stettler

Nays - None

Abstentions - None

Absent - None

Appointments:

Mayor Stettler made the following appointments to the Belvidere Shade Tree Commission:

Sarah Angus to fill an unexpired regular member term. Term expires 12/31/2015

Michael Bullis - regular member term expires 12/31/2018

Michael Belby to fill an unexpired Alternate #1 term. Term expires 12/31/2015

Approval of Purchase Orders:

A motion was made by Councilwoman Napolitani, seconded by Councilman Makatura and carried to authorize the payment of the purchase orders in the amount of \$412,421.21.

Public Comment:

Rheva Smickle - library bid

Debbie Fuhrmann - diversity in appointed positions and urging young people to participate

Howard Thompson - snow ordinance and Citizen Leadership application

Beth Makatura - bonding for purchases and Citizen Leadership application

Nick Weinstock - reverse 911

Executive Session:

A motion was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to adopt Resolution No. R2014x45.

RESOLUTION NO. R2014x45

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: Personnel (CFO position)
3. It is anticipated at this time that the above stated subject matter will be made public:
When Resolved.

Dated: April 7, 2014

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

Municipal Clerk/Administrator

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

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to extend the appointment of Christine Rolef for an additional 90 days at the same salary and give the Mayor the authority to pursue an interlocal agreement with Blairstown for CFO services.

A motion was made by Councilman Kennedy, seconded by Councilman Makatura and carried to adjourn the meeting of the Belvidere Town Council at 8:48 PM.

Respectfully submitted,

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