

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
JANUARY 18, 2016**

Councilwoman Napolitani opened the regular 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 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 - Councilman Fitzgerald, Councilman Makatura, Councilwoman Miers, Councilman Miller, Councilwoman Napolitani, Councilman Tutka

Absent - Mayor Kennedy

Approval of Minutes:

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt the December 21, 2015 regular meeting minutes of the Belvidere Town Council.

A motion was made by Councilman Makatura, seconded by Councilwoman Miers and carried to adopt the January 1, 2016 regular meeting minutes and the January 4, 2016 workshop meeting minutes of the Belvidere Town Council.

Public Comment:

Joe Nunes, Vice President of the Belvidere Ambulance Corps introduced himself to Council and invited them to attend a Corps meeting or visit the squad building.

Committee Reports:

Councilman Makatura - three individuals applied for the patrolman position, one withdrew and one was hired by another department. The department is partnering with Lexis/Nexis for accident reports and discoveries.

A motion was made by Councilman Makatura, seconded by Councilman Fitzgerald and carried to hire Joshua Whitman as a step 1 patrolman for the Belvidere Police Department effective February 1, 2016.

Councilman Miller - attended Planning Board meeting where they reorganized for 2016. The Selah Care Center applicants were not ready for the meeting due to an amended application and will be heard in March. Also attended the Historic Preservation Advisory Commission meeting. They will be sending a letter in support of the Warren County Courthouse improvements.

Councilwoman Miers - attended Board of Education reorganization meeting. Shawn McInerney was elected as Board president. The Recreation Committee is reorganizing and working on their 2016 budget.

Councilman Fitzgerald - viewed the new DPW building in Washington Township with Councilwoman Napolitani and John Snyder for ideas for our DPW building. Need to consider long-term funding. Meeting with fire department members and sales rep from Pierce regarding fire truck. Scheduled meeting with Bond Counsel to discuss financing options.

Councilman Tutka - attended fire company meeting. In contact with Mark Kelley from Elizabethtown Gas and will be attending meeting with JCP&L in Morristown.

Councilwoman Napolitani - DPW salted twice in December. Christmas tree pick-up complete. Extended department hours from 6:00 AM to 3:00 PM. Looking for grants for DPW building.

Correspondence:

There was no correspondence discussed at this time.

Previous Business:

There was no previous business discussed at this time.

New Business:

Council agreed to discuss credit card payments, "Cash for Crash" and any other matters the Mayor may deem necessary at the February 1st workshop meeting.

A budget meeting will be scheduled for February 23rd at 6:00 PM.

Councilman Fitzgerald advised that the Town needs to develop a ten-year capital plan for road improvements.

Ordinances:

A **motion** was made by Councilwoman Miers and seconded by Councilman Makatura to introduce Ordinance No. O2016x01.

ORDINANCE NO. O2016x01

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

AN ORDINANCE TO RELEASE, VACATE

AND EXTINGUISH ANY AND ALL

PUBLIC RIGHTS IN AND TO

THE SOUTHERLY PORTION OF HOWELL STREET

Whereas, the Town Council of the Town of Belvidere in the County of Warren is of the opinion that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which said Town may have in and to the southerly portion of Howell Street.

Now, Therefore, Be it Ordained by the Town Council of the Town of Belvidere, County of Warren, State of New Jersey, as follows:

1. The public rights and interests in and to the southerly portion of Howell Street more particularly described in **Schedule A** attached hereto are vacated, abandoned and released.

2. All rights of public utilities and CATV companies are hereby expressly reserved and excepted from this vacation, including but not limited to:

- Jersey Central Power & Light
- Centurylink
- New Jersey American Water Company
- Elizabethtown Gas
- Comcast Cable TV
- Pequest River Municipal Utilities Authority

3. This ordinance shall become effective after final passage and publication according to law and filing with the County of Warren as may be applicable.

This Ordinance shall become effective twenty (20) days after final publication in accordance with the law.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on January 18, 2016 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 February 16, 2016 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 A. Yeisley, RMC

Schedule "A"

Description of a portion of an unimproved street known as, "Howell Street", which lies between the original southerly line situated in the Town of Belvidere, Warren County, New Jersey; said unimproved right of way is known as Block 10-Lot 45, as shown on the Town of Belvidere tax map.

Beginning at an iron pin found in the original southerly line of Water Street which marks the intersection of said original southerly line of Water Street with the westerly line of Howell Street; said iron pin also marks the point of beginning in a deed to Jeffrey T. Berezny and Traci Berezny, h/w, dated August 5, 2009, recorded at the Warren County Clerk's Office in Book 2272 on Page 167; and running,

- 1) Along the original southerly line of Water Street, North 88 degrees 24 minutes East, 52.80 feet, to an iron rod (with E. Allen cap) set; thence,
- 2) By line of a parcel of land of unknown ownership, South 01 degree 47 minutes 22 seconds East, 148.18 feet, to a point near the westerly edge of the Pequest River and being in line of Block 10-Lot 3 conveyed to the State of New Jersey Department of Environmental Protection by deed dated March 16, 2000, recorded at the Warren County Clerk's Office in Book 1677 on Page 232, etc.; thence
- 3) Approximately along the westerly edge of the Pequest River and by line of said Block 10-Lot 3, South 25 degrees 09 minutes 56 seconds West, 116.48 feet, to a point; thence
- 4) By a line which departs from the Pequest River and at first by line of Block 10-Lot 42 conveyed to Virginia Walton by deed dated February 27, 2013, recorded at the Warren County Clerk's Office in Book 2477 on Page 147 and then by line of Block 10-Lot 44 conveyed to said Jeffrey T. and Traci Berezny, h/w, North 01 degree 47 minutes 22 seconds West, 252.18 feet, to the point of beginning.

All bearings being in accordance with the fifth course in a deed to Jeffrey T. and Traci Berezny, h/w dated August 5, 2009, recorded at the Warren County Clerk's Office in Book 2272 on page 167 and the parcel or tract contains a calculated area of 0.242 acre of land, more or less, as surveyed during September of 2014 by Eldon D. Allen, Professional Land Surveyor, New Jersey license number 14457.

Subject to whatever rights of the public may exist within the above described property known as Block 10-Lot 45.

Subject to the flood plain along the Pequest River and subject to New Jersey stream encroachment regulations.

Subject to all current state, county and Town of Belvidere zoning regulations.

The existence and locations of any subsurface facilities on Block 10-Lot 45 are not known by the surveyor hereon. Prior to any excavation on or in the vicinity of Lot 45, call 1-800-272-1000 for a utility line mark-out.

Subject to conditions as shown on a map entitled in part "Property and Location Survey on a Portion of Howell Street which is located between Water Street and the Pequest River", dated October 22, 2014, prepared by Eldon D. Allen, New Jersey Professional Land Surveyor.

Being the southerly portion of Howell Street as shown on a map entitled in part, "Map of the Town of Mercer", on file at the Warren County Clerk's Office in Vol. 2 of Maps on Page 40 and as shown on the Town of Belvidere tax map as Block 10-Lot 45.

Above description prepared by:

Eldon D. Allen
N.J. P.L.S. #14457

Roll Call:

Ayes - Councilman Fitzgerald, Councilman Makatura, Councilwoman Miers, Councilman Miller, Councilwoman Napolitani, Councilman Tutka

Nays - None

Abstentions - None

Absent - Mayor Kennedy

A **motion** was made by Councilman Makatura and seconded by Councilwoman Miers to introduce Ordinance No. O2016x02.

ORDINANCE NO. O2016x02

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

**AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT CHAPTER 155
“VEHICLES AND TRAFFIC” ARTICLE IIA, “MUNICIPAL PARKING LOTS” OF
THE CODE OF THE TOWN OF BELVIDERE**

WHEREAS, the Town of belvidere has recently taken title to the parking area located at Riverside Park and has negotiated a lease for the “Skoogy’s” parking area in the downtown section of Belvidere; and

WHEREAS, the Belvidere Town Council wishes to revise the parking restrictions to create uniform restrictions for all parking lots; and

WHEREAS, the Belvidere Town Council has determined that Chapter 155 “Vehicles and Traffic, Article IIA of the Code of the Town of Belvidere shall be amended, revised and supplemented a follows:

Section 1:

Chapter 155, “Vehicles and Traffic, “Article IIA, “Municipal Parking Lots” shall be deleted in its entirety and replaced with the following:

**Chapter 155
Vehicles and Traffic**

**Article IIA
Municipal Parking Lots**

§ 155-9.2 Establishment

- A. A municipal parking lot designated as “Parking Lot 1” is hereby established at 236 South Water Street, Block 14, Lot 10 as shown on the Official Tax Map of the Town of Belvidere, more commonly known as “Riverside Park”.
- B. A municipal parking lot designated as “Parking Lot 2” is hereby established at a location east of Greenwich Street on the easterly end of South Water Street, Block 11, Lot 30 as shown on the Official Tax Map of the Town of Belvidere.
- C. From time to time, the Town may lease additional parking lots from private land owners. These parking lots shall be herein referred to as “Leased Parking Lots” and a list of all such lots shall be kept on file with the Belvidere Municipal Clerk. All regulations for municipal parking lots shall apply to the leased parking lots.

§ 155-9.3 Use of parking lots, exemptions

- A. All municipal parking lots (owned and leased) shall be available for daytime parking during the hours of 8:00 Am to 8:00 PM for use by the public.
- B. Parking during the day shall be for a two-hour term.
- C. Overnight parking is prohibited in all municipal parking lots.

- D. The Town shall be permitted to exempt certain spaces and/or vehicles from the municipal parking lot time restrictions as part of the lease with an owner of a privately owned parking lot. The Town shall provide a Police Department approved placard to the landlord for such exempt vehicles. It shall be the sole responsibility of the owner of the vehicle to display his/her exempt placard in the front windshield of the vehicle at all times while parking in the leased municipal lot.

§ 155-9.4 Signs

Signs designating the parking area for members of the general public shall be placed in the parking lot designating the hours of operation, parking limits and designated handicapped parking spaces.

§ 155-5 Violations

Unless another penalty is expressly provided by statute, any persons convicted on said violation shall be punished by a fine not to exceed \$50.00 per day. This includes, but is not limited to, overnight parking and abandoned vehicles. Vehicles in violation will be impounded and towed at the owners expense in accordance with N.J.S.A. 39:4-56. The Town of Belvidere Police Department and its agents shall have the authority to enforce this Chapter.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on January 18, 2016 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 February 16, 2016 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 Fitzgerald, Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani

Nays - None

Abstentions - Councilman Miller, Councilman Tutka

Absent - Mayor Kennedy

Resolutions:

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Resolution No. R2016x08.

RESOLUTION NO. R2016x08

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION REQUESTING PERMISSION FOR A DEDICATION BY RIDER FOR THE HISTORIC PRESERVATION ADVISORY COMMISSION

WHEREAS, permission is required on the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of Local Government Services may approve expenditures or moneys by dedication by rider; and

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

1. The Belvidere Town Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures under the Provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999, c.292, for the exclusive purpose of

depositing and expending funds paid by individuals to offset the costs of operating the Historic Preservation Advisory Commission programs.

2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Certification

I, Teresa A. Yeisley, Municipal Clerk, 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 January 18, 2016.

A motion was made by Councilman Makatura, seconded by Councilman Fitzgerald and carried to adopt Resolution No. R2016x09.

RESOLUTION NO. R2016x09

TOWN OF BELVIDERE

WARREN COUNTY, STATE OF NEW JERSEY

A RESOLUTION TO PAY

POLICE OFFICERS OF THE TOWN OF BELVIDERE

BE IT RESOLVED by the Town Council of the Town of Belvidere, County of Warren, State of New Jersey, that the following salaries be paid to the Police Department officers of the Town of Belvidere effective January 1, 2016:

Section 2

<u>Name</u>	<u>Title</u>	<u>Salaries</u>
Christopher Pappalardo	Patrolman Step 1	\$50,336.00
David Mariani	Patrolman Step 6	\$69,534.00
Matthew Frauen	Patrolman Step 10	\$84,065.00
Frank Tootle	Corporal	\$86,465.00
	Sergeant	\$88,865.00

Dated: January 18, 2016
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A motion was made by Councilman Fitzgerald, seconded by Councilwoman Miers and carried to adopt Resolution No. R2016x10.

RESOLUTION NO. R2016x10

TOWN OF BELVIDERE

WARREN COUNTY, STATE OF NEW JERSEY

A RESOLUTION TO PAY

DPW OF THE TOWN OF BELVIDERE

BE IT RESOLVED by the Town Council of the Town of Belvidere, County of Warren, State of New Jersey, that the following salaries be paid (pursuant to contract) to the Department of Public Works employees of the Town of Belvidere effective January 1, 2016:

Section 2

<u>Name</u>	<u>Title</u>	<u>Salaries</u>
Charles Beers	Laborer	\$25.11 per hour
Jason Stout	Driver/Laborer	\$23.14 per hour

January 18, 2016
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A **motion** was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to adopt Resolution No. R2016x11.

RESOLUTION NO. R2016x11

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION TO HIRE AND PAY A PLUMBING SUBCODE INSPECTOR FOR THE TOWN OF BELVIDERE

BE IT RESOLVED by the Town Council of the Town of Belvidere that the following be hires and paid effective January 18, 2016:

Section 1

<u>Name</u>	<u>Title</u>	<u>Salary/Hourly</u>
Duane Cowley	Plumbing Subcode Inspector	3,500 per annum

Date: January 18, 2016
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A **motion** was made by Councilman Makatura, seconded by Councilwoman Miers and carried to adopt Resolution No. R2016x12. **Motion and second withdrawn.**

Appointments:

A **motion** was made by Councilwoman Miers, seconded by Councilman Makatura and carried to make the following appointments:

Recreation Committee - Sarah Pawoski, Jared Coffin, Amanda Esposito
Planning Board Alternate #2 term expires 12/31/2016 - Claudia Howard
Public Defender - Scott Wilhelm

A **motion** was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to authorize the payment of the purchase orders in the amount of \$499,616.67.

Public Comment:

Eileen Scott - Elizabethtown Gas, PDW building, revaluation

A **motion** was made by Councilman Fitzgerald, seconded by Councilwoman Miers and carried to adjourn the regular meeting of the Belvidere Town Council at 8:03 PM.

Respectfully submitted,

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