

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
APRIL 4, 2016**

Mayor Kennedy 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 - Mayor Kennedy, Councilman Fitzgerald, Councilman Makatura, Councilwoman Miers, Councilman Miller, Councilwoman Napolitani, Councilman Tutka

Absent - None

Approval of Minutes:

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt the March 3, 2016 budget meeting minutes of the Belvidere Town Council.

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt the March 7, 2016 workshop meeting minutes of the Belvidere Town Council.

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt the March 21, 2016 regular and executive meeting minutes of the Belvidere Town Council.

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt the March 24, 2016 budget meeting minutes of the Belvidere Town Council.

Presentation:

Paul Sterbenz advised Council on the following:

The Town has been awarded a \$137,000 DOT grant for Second Street.

Survey and topo needed for DPW property to determine layout of proposed garage.

A motion was made by Councilwoman Napolitani and seconded by Councilwoman Miers authorizing Paul Sterbenz to move forward with the proposal for a survey and topo of the DPW property at a cost of \$5,800.

Roll call:

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

Nays - None

Abstentions - None

Absent - None

Oxford Street Phase III budget approximately \$110,000 with a DOT grant of \$90,000.

Public Comment:

Linda Stettler asked if there would be any items of discussion that would not be on the agenda. Mayor Kennedy responded that there would not.

2016 Municipal Budget:

John Mooney, Municipal Auditor advised Council and the public on the budget, COLA ordinance and self-exam resolution.

A motion was made by Councilman Fitzgerald, seconded by Councilwoman Napolitani and carried to adopt Resolution No. R2016x17.

RESOLUTION NO. R2016x17

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

**A RESOLUTION AUTHORIZING SELF-EXAMINATION
OF THE 2016 MUNICIPAL BUDGET**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget

examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Town of Belvidere has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2013 budget year.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Town of Belvidere that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. The with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitations on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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 April 4, 2016.

A motion was made by Councilman Fitzgerald and seconded by Councilwoman Miers to introduce Ordinance No. O2016x04.

ORDINANCE NO. O2016x04

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

CALENDAR YEAR 2016

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 2016 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 1.5% increase in the budget for said year, amounting to \$87,083 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 2016 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 \$87,083 and that the CY 2016 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 4, 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 May 2, 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, Councilman Miller, Councilwoman Napolitani, Councilman Tutka, Mayor Kennedy

Nays - None

Abstentions - None

Absent - None

A motion was made by Councilman Fitzgerald and seconded by Councilwoman Miers to introduce the 2016 Municipal Budget as submitted.

Roll call:

Ayes - Councilman Fitzgerald, Councilman Makatura, Councilwoman Miers, Councilman Miller, Councilwoman Napolitani, Mayor Kennedy

Nays - None

Abstentions - Councilman Tutka

Absent - None

Matters to be Addressed:

Good Will Fire Company request for funding toward purchase of fire truck:

Chief Delmont Cole gave a presentation reviewing the fire company equipment, history of truck purchases, man hours, calls, etc.

Discussion ensued. Councilwoman Miers initiated discussion regarding the need to seek funding from other entities including Brookfield, DSM, Warren County and others. Councilman Makatura added that the fire company needs to provide the Town with man hours for Belvidere calls and White Township calls separately.

A motion was made by Councilman Fitzgerald and seconded by Councilman Makatura to move forward with a decision by September. **Motion and second withdrawn.**

Council agreed to assist the fire company in pursuing funding from other entities and to make a decision on the funding of a truck in July.

Sewer appeal:

Councilwoman Miers advised that Robert Blum has twice requested and been denied an appeal of his sewer billing. Mr. Blum has sent a third request in reference to the same property. Teresa Yeisley suggested that this matter be sent to our municipal attorney to respond to Mr. Blum.

Resolution:

A **motion** was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Resolution No. R2016x18.

RESOLUTION NO. R2016x18

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 1, lot 21)

WHEREAS, Tax Sale Certificate 2013-001 dated October 16, 2013 on block 1, lot 21 was redeemed on March 30, 2016; and

WHEREAS, the premium paid at the sale in the amount of \$700.00 needs to be returned to BANK CUST FOR PRO CAP III, LLC 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 \$700.00 representing said refund.

US BANK CUST FOR PRO CAP III, LLC
50 S 16TH ST STE 2050
PHILADELPHIA, PA 19102-2513

Date: April 4, 2016
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

Appointments:

A **motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to appoint Ray Smickle to the Historic Preservation Advisory Commission.

Approval of Purchase Orders:

A **motion** was made by Councilman Fitzgerald, seconded by Councilwoman Miers and carried to authorize the payment of the purchase orders in the amount of \$382,674.97.

Public Comment:

Rheva Smickle - will attend Freeholder meeting in support of donation toward fire truck.
Eileen Scott - asked Councilman Tutka why he abstained on the budget introduction.
Councilman Tutka responded that he did not have enough information and felt uncomfortable.

A **motion** was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried to adjourn the workshop meeting of the Belvidere Town Council.

Respectfully submitted,

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