

MINUTES - TOWN COUNCIL WORKSHOP MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
APRIL 10, 2017

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 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, Councilman McAleer, Councilwoman Miers, Councilwoman Napolitani, Councilman Tutka

Absent - None

Presentations:

Mayor Kennedy presented the following proclamation and medals to this year's inductees to the National Junior Honor Society:

Town of Belvidere Proclamation
*Honoring the 2017 inductees of the
Belvidere Chapter of the
National Junior Honor Society*

Whereas, membership in the National Junior Honor Society is one of the highest honors that can be awarded to a student;

Whereas, more than 7,500 chapters in schools across the nation strive to give practical meaning to the society's standards of scholarship, leadership, service, citizenship and character;

Whereas, no student is inducted simply because they have a high academic average. The National Junior Honor Society strives to recognize the total student;

Therefore, be it proclaimed that the Belvidere Town Council hereby congratulates all the 2017 inductees into the Belvidere Chapter of the National Junior Honor Society with hope that you remain a life-long learner and leader.

The inductees were: Emma Blake, Molly Czopath, Zoe Anglum, Brook Exley, Cory Banghart, Justin Kane, Ty Tiedman, Shane Exley, Benjamin Derr, Owen Gately and Jacob Spronz

Mayor Kennedy also recognized Kristen Kane who is the mentor for the program.

Paul Sterbenz advised Council on the following matters:

Hardwick Street - NJDOT grant has been submitted.

Stormwater compliance - 2016 report has been submitted.

Emergency Generator project - Phase one (Town Hall) is complete.

A motion was made by Councilwoman Napolitani, seconded by Councilman Makatura and carried authorizing the advertising of the bid for Phase II of the Emergency Generator project (DPW building).

Oxford Street Phase III - may need to request extension. BOE wants to widen driveway at school. Requesting to tie into Town project with full reimbursement from BOE.

A motion was made by Councilwoman Napolitani, seconded by Councilwoman Miers with Councilman Tutka voting "no" and all others voting "yes" to authorize Paul Sterbenz to move

forward with this project and to allow the Belvidere BOE driveway work to be done as part of the Town's Oxford Street Phase III project with full reimbursement for any additional cost to be paid to the Town by the Belvidere BOE.

Councilman Tutka stated that the tax payers will still be paying through the school budget for the driveway work done. The Councilman asked who was doing the masonry work. Paul Sterbenz stated the K&A Paving was the low quote at \$8,530.

COAH litigation - the court has approved the agreement. The Town is obligated to do a Housing Element and Fair Share Plan at an approximate cost of \$12,000.

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald with Councilman Tutka "abstaining" and all others voting "yes" to authorize Paul Sterbenz to move forward with the Housing Element and Fair Share Plan.

Tax Maps - tax map updates are a prerequisite by the Division of Taxation to move forward with a revaluation.

Approval of Minutes:

A motion was made by Councilman Makatura, seconded by Councilwoman Miers with Councilman Tutka "abstaining" and all others voting "yes" to adopt the March 27, 2017 regular meeting minutes of the Belvidere Town Council.

Public Comment:

There was no public comment at this time.

Matters to be Addressed:

Mayor Kennedy and Councilwoman Miers reviewed previous discussions of Council regarding various capital needs of the Town.

Mayor Kennedy asked each Councilperson their thoughts on bonding and capital purchases. The following are their responses:

Councilman Tutka:

Bonding - No. Town financially worse off than he thought.

Town Hall roof - Yes. No to paint and carpet.

DPW Trucks - No. Can't afford it. Approached by two members of Council regarding the bill list. Wants the residents to know what's going on.

A motion was made by Councilman Tutka to provide the residents with an opportunity to get the bill list on the Friday prior to the Council meeting. **No second. Motion failed.**

Senior citizens struggling to eat and get heating oil. Can't afford to continue with "business as usual".

DWP Building - No. Can be repaired at a lesser expense.

Fire Truck - No.

Revaluation - May get hit in another few years per information received at a meeting with Senator Oroho.

Councilman McAleer:

Bonding - Yes.

Town Hall roof - Yes. Paint and carpet - No.

DPW Trucks - Yes. Must consider the safety of the employees.

DPW Building - Yes. Safety of employees.

Fire Truck - Yes. Truck that is being replaced is 50 years old. Councilman Tutka - will new truck be longer than truck being replaced? Councilman McAleer - Yes. Councilman Tutka - Is truck being replaced the first truck out in a response? Councilman McAleer - No.

Revaluation - Yes.

Councilman Makatura:

Bonding - No. Asked total debt, \$2,168,713

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DPW trucks - 1 small truck. Asked what could be done with library money. Kevin Benbrook advised can be allocated to whatever you want to use it for.

Fire truck - No. Need fire company total assets.

DPW building - Yes

Revaluation - Yes. A must.

Councilwoman Napolitani:

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Councilwoman Miers:

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Should not consider touching the library money.

Kevin Benbrook explained the difference between a bond and a bond anticipation note (BAN). Councilwoman Miers will continue to meet with the CFO to determine a plan for moving forward.

Resolutions:

A **motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt Resolution Nos. R2017x21, R2017x22 and R2017x23.

RESOLUTION NO. R2017x21

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 24, lot 2)

WHEREAS, Tax Sale Certificate 2016-011 dated October 28, 2016 on block 24, lot 2 was redeemed on March 26, 2017; and

WHEREAS, the premium paid at the sale in the amount of \$1,200.00 needs to be returned to FWDSL & ASSOCIATES LP, 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 \$1,200.00 representing said refund.

FWDSL & ASSOCIATES LP

17 W CLIFF STREET
SOMERVILLE, NJ 08876

Date: April 10, 2017
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

RESOLUTION NO. R2017x22
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 6, lot 26)

WHEREAS, Tax Sale Certificate 2016-003 dated October 28, 2016 on block 6, lot 26 was redeemed on March 29, 2017; and

WHEREAS, the premium paid at the sale in the amount of \$1,000.00 needs to be returned to FWDSL & ASSOCIATES LP, 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 \$1,000.00 representing said refund.

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Date: April 10, 2017
Teresa A. Yeisley, RMC/CPM
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RESOLUTION NO. R2017x23
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 11, lot 35)

WHEREAS, Tax Sale Certificate 2016-003 dated October 28, 2016 on block 11, lot 35 was redeemed on March 29, 2017; and

WHEREAS, the premium paid at the sale in the amount of \$1,200.00 needs to be returned to BANK CUST FOR CAP 4 & CRDTS, 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 \$1,200.00 representing said refund.

US BANK CUST FOR PRO CAP 4 & CRDTS
50 S 16TH ST STE 2050
PHILADELPHIA, PA 19102

Date: April 10, 2017
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. R2017x24.

RESOLUTION NO. R2017x24
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION TO CANCEL LIEN NO. 222 ON BLOCK 30, LOT 1

WHEREAS, Block 30, Lot 35 (39x100 IRRG, 246 Race Street) merged with Block 30, Lot 1 (1.96 AC, 246 Race Street); and

WHEREAS, erroneously Tax Sale Certificate 222 was struck off to the Town of Belvidere on 12/09/1994 against Block 30, Lot 35 (now known as Block 30, Lot 1) for delinquent taxes; and

WHEREAS, once a municipal lien is established, all subsequent municipal charges should accrue to the original lien;

NOW, THEREFORE, BE IT RESOLVED by the Belvidere Town Council that Lien No. 222 on Block 30, Lot 35 be cancelled;

BE IT FURTHER RESOLVED that a properly executed copy of this resolution be forwarded to the Tax Collector and Chief Financial Officer of the Town of Belvidere.

Certification

I, Teresa A. Yeisley, Municipal Clerk/Administrator of the Town of Belvidere do hereby certify that the foregoing resolution is a true and correct copy of the resolution adopted by the Belvidere Town Council at a regular meeting held on April 10, 2017.

Ordinance:

ORDINANCE NO. O2017x01

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

ORDINANCE TO REPEAL AND REPLACE CHAPTER 103 OF

THE CODE OF THE TOWN OF BELVIDERE

ENTITLED "JUNK AND JUNKED VEHICLES"

BE IT ORDAINED By the Town Council of the Town of Belvidere, in the County of Warren, New Jersey, that existing Chapter 103 entitled "Junk and Junked Vehicles" be and hereby is repealed in its entirety and replaced with a new Chapter 103 entitled, "Storage of Vehicles and Equipment" as follows:

SECTION I.

CHAPTER 103 STORAGE OF VEHICLES AND EQUIPMENT

103-1. Definitions.

PERSON -- Includes any individual, firm, partnership, association, corporation, company, organization or entity of any kind, with the exception of duly organized fire, ambulance and rescue squads.

PRIVATE PROPERTY -- Includes all non-public residential and commercial real property within the Town of Belvidere, including residential lots, multi-family dwellings, condominiums and townhouses, retail establishments, office buildings and commercial/industrial buildings.

PUBLIC PROPERTY -- All property devoted to public use, including public roads, rights-of-way and property whereon public buildings are erected.

VEHICLE -- With respect to private property, the term "vehicle" shall be defined to mean passenger automobiles, motorcycles, and commercial automobiles, as defined in The Motor Vehicles and Traffic Regulations on the State of New Jersey, N.J.S.A. 39:1-1 Vehicle shall also include all parts, tools, tires and other vehicle accessories and equipment. With respect to public property, the term

“vehicle” shall be defined to mean every device in, upon or by which a person or property is or may be transported upon a highway, including trailers, as these terms are defined in The Motor Vehicles and Traffic Regulations on the State of New Jersey, N.J.S.A. 39:1-1.

103-2. Parking/Storage Prohibited.

A. No person shall park, abandon, leave, keep or otherwise store any vehicle on private property in the Town of Belvidere, for a period of more than 30 days, except in an enclosed garage, barn or other building, or behind a fence that prevents the vehicle from being visible to adjoining property owners or the public at large.

B. No person shall park, store, abandon or otherwise keep any motor vehicle on public lands, except as expressly permitted by parking regulations or as authorized by an officer of the Belvidere Police Department.

103-3. Exceptions.

The prohibition on the outdoor storage of vehicles on private property as set forth in Section 103-2 (A) shall be subject to the following exceptions:

A. Vehicles that have a current registration and display proper license plates such as to be operable on the public highways in the State of New Jersey.

B. Any vehicle that is unregistered, or whose registration is expired, provided that said vehicle is owned by the owner or occupant of the property where stored and (1) is properly covered with a car cover, tarpaulin or other appropriate cover suitable for the type of vehicle in question; (2) the area around where the vehicle is stored is properly maintained and kept clear of brush, grass and weeds; (3) is not be kept in the front yard; (4) is set back at least 10 feet from any property line; and (5) all parts, tools, tires, or other vehicle accessories and equipment are properly covered.

C. Vehicles properly registered as historic vehicles pursuant to the rules and regulations of The New Jersey Division of Motor Vehicles.

D. Vehicles utilized in conjunction with a designated commercial farm as defined in the Right to Farm Act.

E. New or used automobile dealers that are licensed by the State of New Jersey for the purpose of displaying vehicles for sale to the general public and have received zoning approval will be exempt from this article as long as they hold a current dealer's license and do not retain vehicles on their lot that are not salable vehicles.

F. Licensed service stations (repair garages) and auto body repair shops will also be exempt from the provisions of this article as long as they are licensed by the State of New Jersey for the type of business they are conducting and have received zoning approval for the area where they are operating. They shall maintain a neat and orderly lot and limit the number of vehicles that are being kept on the lot for repairs, according to the size of the available space. No vehicle shall be kept on the lot for more than 30 days awaiting repairs.

103-4. Enforcement.

A. The agencies and officers in the Town of Belvidere that shall be charged with the enforcement of this Chapter are the Zoning Officer, the Belvidere Police Department and its Police Officers and the County Board of Health or its designated representative. These agencies or officers may act individually or in conjunction with one another in the enforcement of this Chapter.

B. When a violation is observed, other than on municipal property or a public street, the enforcing officer or agency may, in the exercise of discretion, provide reasonable notice and an opportunity to abate the violation to the owner or occupant of the property that a violation occurs. Notice may be verbal or in writing and under no circumstances shall notice be a precondition for the issuance of a Summons or Complaint.

103-5. Violations on Public Property.

Whenever a violation of this Chapter occurs on town property or any public roads or right of ways within the Town Belvidere, enforcement of this Chapter shall be exclusively by the Belvidere Police Department, in accordance with the following standards:

A. If a vehicle constitutes or may constitute a traffic hazard to the public, it may be removed by a licensed towing operator to the place of business of the tow operator until the owner shall come to claim it.

B. If a vehicle is not creating a traffic hazard, the police department shall endeavor to make a good faith effort to contact the registered owner of the vehicle and arrange for its removal prior to having the same removed by a licensed towing operator.

C. If a vehicle is parked on public property due to it becoming mechanically disabled during operation, the owner/operator shall be afforded a reasonable opportunity to arrange for its removal by a towing service of the owner's choice, provided the owner timely alerts the Belvidere Police Department when the vehicle becomes inoperable, and the same is not creating a hazard.

D. The owner or person entitled to possession of any vehicle removed from public property shall be responsible for all reasonable costs of removal and storage in conjunction with recovering possession of the vehicle.

E. If the vehicle is not claimed by the owner or other person entitled thereto, or if the cost of removal, storage, fine and/or Court costs remain unpaid, the Chief of Police may cause the vehicle to be sold or disposed of, as provided by N.J.S.A. 39:10A-1, et seq.

F. Enforcement as set forth in this section with respect to violations on public property shall be in addition to the authority of the Police Department to issue Summonses for any applicable violations of the motor vehicle laws of the State of New Jersey.

103-6. Violations and Penalties.

A. Any person who shall violate any provision of the restrictions on the parking and storage of vehicles on private property as set forth in this Chapter, shall upon conviction thereof, be subject to the following penalties:

1. A fine of not more than \$100.00 for a first offense.
2. For a second offense, the fine shall be not less than \$100.00 nor exceed \$500.00.
3. For a third and subsequent offense, the fine shall be \$1,000.00 or imprisonment for a term of not more than 90 days, or both.

B. The imposition of a penalty or penalties for any violation shall not excuse or be deemed to permit to continue, and all such persons convicted shall be required to correct or remedy such violations within a reasonable time. If said violations are not corrected within 10 days following conviction, the prohibited condition shall be deemed a separate offense hereunder.

103-7. Effect of Other Provisions.

This Chapter shall not be deemed to limit any other remedy or enforcement of remedy provided by state statute or local ordinance.

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.

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to open the public hearing on Ordinance No. O2017x01.

The ordinance brought no public comment.

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to close the public hearing on Ordinance No. O2017x01.

A motion was made Councilman Makatura and seconded by Councilman McAleer to adopt Ordinance No. O2017x01.

Roll call:

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

Nays - None

Abstentions - Councilman Tutka

Absent - None

Appointments:

There were no appointments at this time.

Approval of Purchase Orders:

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to authorize the payment of the purchase orders in the amount of \$337,676.61.

Councilman Tutka asked about the storm charges for shoveling and plowing and asked John Snyder if would try to hire people from Town first. Mr. Snyder responded that he would attempt to do this.

Public Comment:

John Snyder - Clothing bins have been placed at Town Hall and the DPW garage and will generate \$200 per month in revenue for the Town. The 1998 Ford dump truck is out of service. Did not pass inspection and not safe to drive. Cost to replace chasis 15,000 to \$25,000. Would bring \$3500 in scrap. Purchased drill for concrete and coring.

Linda Stettler - When will video of last meeting be up? Councilman Makatura - Not sure. Mrs. Stettler stated that this was one of the longest meetings she has attended recently and thanked Councilman Tutka.

Councilman Tutka commented on the video posting and asked about live streaming.

Councilman Makatura stated that he would give up recording and posting the meetings and let someone else do it.

A motion was made by Councilman Makatura to adjourn the meeting of the Belvidere Town Council.

Respectfully submitted,

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

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Absent - None

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Resolutions:

A **motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt Resolution Nos. R2017x21, R2017x22 and R2017x23.

RESOLUTION NO. R2017x21

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WARREN COUNTY, NEW JERSEY

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17 W CLIFF STREET
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A RESOLUTION TO CANCEL LIEN NO. 222 ON BLOCK 30, LOT 1

WHEREAS, Block 30, Lot 35 (39x100 IRRG, 246 Race Street) merged with Block 30, Lot 1 (1.96 AC, 246 Race Street); and

WHEREAS, erroneously Tax Sale Certificate 222 was struck off to the Town of Belvidere on 12/09/1994 against Block 30, Lot 35 (now known as Block 30, Lot 1) for delinquent taxes; and

WHEREAS, once a municipal lien is established, all subsequent municipal charges should accrue to the original lien;

NOW, THEREFORE, BE IT RESOLVED by the Belvidere Town Council that Lien No. 222 on Block 30, Lot 35 be cancelled;

BE IT FURTHER RESOLVED that a properly executed copy of this resolution be forwarded to the Tax Collector and Chief Financial Officer of the Town of Belvidere.

Certification

I, Teresa A. Yeisley, Municipal Clerk/Administrator of the Town of Belvidere do hereby certify that the foregoing resolution is a true and correct copy of the resolution adopted by the Belvidere Town Council at a regular meeting held on April 10, 2017.

Ordinance:

ORDINANCE NO. O2017x01

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

ORDINANCE TO REPEAL AND REPLACE CHAPTER 103 OF

THE CODE OF THE TOWN OF BELVIDERE

ENTITLED “JUNK AND JUNKED VEHICLES”

BE IT ORDAINED By the Town Council of the Town of Belvidere, in the County of Warren, New Jersey, that existing Chapter 103 entitled “Junk and Junked Vehicles” be and hereby is repealed in its entirety and replaced with a new Chapter 103 entitled, “Storage of Vehicles and Equipment” as follows:

SECTION I.

CHAPTER 103 STORAGE OF VEHICLES AND EQUIPMENT

103-1. Definitions.

PERSON -- Includes any individual, firm, partnership, association, corporation, company, organization or entity of any kind, with the exception of duly organized fire, ambulance and rescue squads.

PRIVATE PROPERTY -- Includes all non-public residential and commercial real property within the Town of Belvidere, including residential lots, multi-family dwellings, condominiums and townhouses, retail establishments, office buildings and commercial/industrial buildings.

PUBLIC PROPERTY -- All property devoted to public use, including public roads, rights-of-way and property whereon public buildings are erected.

VEHICLE – With respect to private property, the term “vehicle” shall be defined to mean passenger automobiles, motorcycles, and commercial automobiles, as defined in The Motor Vehicles and Traffic Regulations on the State of New Jersey, N.J.S.A. 39:1-1 Vehicle shall also include all parts, tools, tires and other vehicle accessories and equipment. With respect to public property, the term

“vehicle” shall be defined to mean every device in, upon or by which a person or property is or may be transported upon a highway, including trailers, as these terms are defined in The Motor Vehicles and Traffic Regulations on the State of New Jersey, N.J.S.A. 39:1-1.

103-2. Parking/Storage Prohibited.

A. No person shall park, abandon, leave, keep or otherwise store any vehicle on private property in the Town of Belvidere, for a period of more than 30 days, except in an enclosed garage, barn or other building, or behind a fence that prevents the vehicle from being visible to adjoining property owners or the public at large.

B. No person shall park, store, abandon or otherwise keep any motor vehicle on public lands, except as expressly permitted by parking regulations or as authorized by an officer of the Belvidere Police Department.

103-3. Exceptions.

The prohibition on the outdoor storage of vehicles on private property as set forth in Section 103-2 (A) shall be subject to the following exceptions:

A. Vehicles that have a current registration and display proper license plates such as to be operable on the public highways in the State of New Jersey.

B. Any vehicle that is unregistered, or whose registration is expired, provided that said vehicle is owned by the owner or occupant of the property where stored and (1) is properly covered with a car cover, tarpaulin or other appropriate cover suitable for the type of vehicle in question; (2) the area around where the vehicle is stored is properly maintained and kept clear of brush, grass and weeds; (3) is not be kept in the front yard; (4) is set back at least 10 feet from any property line; and (5) all parts, tools, tires, or other vehicle accessories and equipment are properly covered.

C. Vehicles properly registered as historic vehicles pursuant to the rules and regulations of The New Jersey Division of Motor Vehicles.

D. Vehicles utilized in conjunction with a designated commercial farm as defined in the Right to Farm Act.

E. New or used automobile dealers that are licensed by the State of New Jersey for the purpose of displaying vehicles for sale to the general public and have received zoning approval will be exempt from this article as long as they hold a current dealer's license and do not retain vehicles on their lot that are not salable vehicles.

F. Licensed service stations (repair garages) and auto body repair shops will also be exempt from the provisions of this article as long as they are licensed by the State of New Jersey for the type of business they are conducting and have received zoning approval for the area where they are operating. They shall maintain a neat and orderly lot and limit the number of vehicles that are being kept on the lot for repairs, according to the size of the available space. No vehicle shall be kept on the lot for more than 30 days awaiting repairs.

103-4. Enforcement.

A. The agencies and officers in the Town of Belvidere that shall be charged with the enforcement of this Chapter are the Zoning Officer, the Belvidere Police Department and its Police Officers and the County Board of Health or its designated representative. These agencies or officers may act individually or in conjunction with one another in the enforcement of this Chapter.

B. When a violation is observed, other than on municipal property or a public street, the enforcing officer or agency may, in the exercise of discretion, provide reasonable notice and an opportunity to abate the violation to the owner or occupant of the property that a violation occurs. Notice may be verbal or in writing and under no circumstances shall notice be a precondition for the issuance of a Summons or Complaint.

103-5. Violations on Public Property.

Whenever a violation of this Chapter occurs on town property or any public roads or right of ways within the Town Belvidere, enforcement of this Chapter shall be exclusively by the Belvidere Police Department, in accordance with the following standards:

A. If a vehicle constitutes or may constitute a traffic hazard to the public, it may be removed by a licensed towing operator to the place of business of the tow operator until the owner shall come to claim it.

B. If a vehicle is not creating a traffic hazard, the police department shall endeavor to make a good faith effort to contact the registered owner of the vehicle and arrange for its removal prior to having the same removed by a licensed towing operator.

C. If a vehicle is parked on public property due to it becoming mechanically disabled during operation, the owner/operator shall be afforded a reasonable opportunity to arrange for its removal by a towing service of the owner's choice, provided the owner timely alerts the Belvidere Police Department when the vehicle becomes inoperable, and the same is not creating a hazard.

D. The owner or person entitled to possession of any vehicle removed from public property shall be responsible for all reasonable costs of removal and storage in conjunction with recovering possession of the vehicle.

E. If the vehicle is not claimed by the owner or other person entitled thereto, or if the cost of removal, storage, fine and/or Court costs remain unpaid, the Chief of Police may cause the vehicle to be sold or disposed of, as provided by N.J.S.A. 39:10A-1, et seq.

F. Enforcement as set forth in this section with respect to violations on public property shall be in addition to the authority of the Police Department to issue Summonses for any applicable violations of the motor vehicle laws of the State of New Jersey.

103-6. Violations and Penalties.

A. Any person who shall violate any provision of the restrictions on the parking and storage of vehicles on private property as set forth in this Chapter, shall upon conviction thereof, be subject to the following penalties:

1. A fine of not more than \$100.00 for a first offense.
2. For a second offense, the fine shall be not less than \$100.00 nor exceed \$500.00.
3. For a third and subsequent offense, the fine shall be \$1,000.00 or imprisonment for a term of not more than 90 days, or both.

B. The imposition of a penalty or penalties for any violation shall not excuse or be deemed to permit to continue, and all such persons convicted shall be required to correct or remedy such violations within a reasonable time. If said violations are not corrected within 10 days following conviction, the prohibited condition shall be deemed a separate offense hereunder.

103-7. Effect of Other Provisions.

This Chapter shall not be deemed to limit any other remedy or enforcement of remedy provided by state statute or local ordinance.

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.

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to open the public hearing on Ordinance No. O2017x01.

The ordinance brought no public comment.

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to close the public hearing on Ordinance No. O2017x01.

A motion was made Councilman Makatura and seconded by Councilman McAleer to adopt Ordinance No. O2017x01.

Roll call:

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

Nays - None

Abstentions - Councilman Tutka

Absent - None

Appointments:

There were no appointments at this time.

Approval of Purchase Orders:

A motion was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to authorize the payment of the purchase orders in the amount of \$337,676.61.

Councilman Tutka asked about the storm charges for shoveling and plowing and asked John Snyder if would try to hire people from Town first. Mr. Snyder responded that he would attempt to do this.

Public Comment:

John Snyder - Clothing bins have been placed at Town Hall and the DPW garage and will generate \$200 per month in revenue for the Town. The 1998 Ford dump truck is out of service. Did not pass inspection and not safe to drive. Cost to replace chasis 15,000 to \$25,000. Would bring \$3500 in scrap. Purchased drill for concrete and coring.

Linda Stettler - When will video of last meeting be up? Councilman Makatura - Not sure. Mrs. Stettler stated that this was one of the longest meetings she has attended recently and thanked Councilman Tutka.

Councilman Tutka commented on the video posting and asked about live streaming.

Councilman Makatura stated that he would give up recording and posting the meetings and let someone else do it.

A motion was made by Councilman Makatura to adjourn the meeting of the Belvidere Town Council.

Respectfully submitted,

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

MINUTES - TOWN COUNCIL WORKSHOP MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
APRIL 10, 2017

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 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, Councilman McAleer, Councilwoman Miers, Councilwoman Napolitani, Councilman Tutka

Absent - None

Presentations:

Mayor Kennedy presented the following proclamation and medals to this year's inductees to the National Junior Honor Society:

Town of Belvidere Proclamation
*Honoring the 2017 inductees of the
Belvidere Chapter of the
National Junior Honor Society*

Whereas, membership in the National Junior Honor Society is one of the highest honors that can be awarded to a student;

Whereas, more than 7,500 chapters in schools across the nation strive to give practical meaning to the society's standards of scholarship, leadership, service, citizenship and character;

Whereas, no student is inducted simply because they have a high academic average. The National Junior Honor Society strives to recognize the total student;

Therefore, be it proclaimed that the Belvidere Town Council hereby congratulates all the 2017 inductees into the Belvidere Chapter of the National Junior Honor Society with hope that you remain a life-long learner and leader.

The inductees were: Emma Blake, Molly Czopath, Zoe Anglum, Brook Exley, Cory Banghart, Justin Kane, Ty Tiedman, Shane Exley, Benjamin Derr, Owen Gately and Jacob Spronz

Mayor Kennedy also recognized Kristen Kane who is the mentor for the program.

Paul Sterbenz advised Council on the following matters:

Hardwick Street - NJDOT grant has been submitted.

Stormwater compliance - 2016 report has been submitted.

Emergency Generator project - Phase one (Town Hall) is complete.

A motion was made by Councilwoman Napolitani, seconded by Councilman Makatura and carried authorizing the advertising of the bid for Phase II of the Emergency Generator project (DPW building).

Oxford Street Phase III - may need to request extension. BOE wants to widen driveway at school. Requesting to tie into Town project with full reimbursement from BOE.

A motion was made by Councilwoman Napolitani, seconded by Councilwoman Miers with Councilman Tutka voting "no" and all others voting "yes" to authorize Paul Sterbenz to move

forward with this project and to allow the Belvidere BOE driveway work to be done as part of the Town's Oxford Street Phase III project with full reimbursement for any additional cost to be paid to the Town by the Belvidere BOE.

Councilman Tutka stated that the tax payers will still be paying through the school budget for the driveway work done. The Councilman asked who was doing the masonry work. Paul Sterbenz stated the K&A Paving was the low quote at \$8,530.

COAH litigation - the court has approved the agreement. The Town is obligated to do a Housing Element and Fair Share Plan at an approximate cost of \$12,000.

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald with Councilman Tutka "abstaining" and all others voting "yes" to authorize Paul Sterbenz to move forward with the Housing Element and Fair Share Plan.

Tax Maps - tax map updates are a prerequisite by the Division of Taxation to move forward with a revaluation.

Approval of Minutes:

A motion was made by Councilman Makatura, seconded by Councilwoman Miers with Councilman Tutka "abstaining" and all others voting "yes" to adopt the March 27, 2017 regular meeting minutes of the Belvidere Town Council.

Public Comment:

There was no public comment at this time.

Matters to be Addressed:

Mayor Kennedy and Councilwoman Miers reviewed previous discussions of Council regarding various capital needs of the Town.

Mayor Kennedy asked each Councilperson their thoughts on bonding and capital purchases. The following are their responses:

Councilman Tutka:

Bonding - No. Town financially worse off than he thought.

Town Hall roof - Yes. No to paint and carpet.

DPW Trucks - No. Can't afford it. Approached by two members of Council regarding the bill list. Wants the residents to know what's going on.

A motion was made by Councilman Tutka to provide the residents with an opportunity to get the bill list on the Friday prior to the Council meeting. **No second. Motion failed.**

Senior citizens struggling to eat and get heating oil. Can't afford to continue with "business as usual".

DWP Building - No. Can be repaired at a lesser expense.

Fire Truck - No.

Revaluation - May get hit in another few years per information received at a meeting with Senator Oroho.

Councilman McAleer:

Bonding - Yes.

Town Hall roof - Yes. Paint and carpet - No.

DPW Trucks - Yes. Must consider the safety of the employees.

DPW Building - Yes. Safety of employees.

Fire Truck - Yes. Truck that is being replaced is 50 years old. Councilman Tutka - will new truck be longer than truck being replaced? Councilman McAleer - Yes. Councilman Tutka - Is truck being replaced the first truck out in a response? Councilman McAleer - No.

Revaluation - Yes.

Councilman Makatura:

Bonding - No. Asked total debt, \$2,168,713

Town Hall roof - Yes. Carpet and paint - No.

DPW trucks - 1 small truck. Asked what could be done with library money. Kevin Benbrook advised can be allocated to whatever you want to use it for.

Fire truck - No. Need fire company total assets.

DPW building - Yes

Revaluation - Yes. A must.

Councilwoman Napolitani:

Bonding - No.

Town Hall roof - Yes to back side. Yes to carpet in Clerk's office.

DPW trucks - Yes.

DPW building - Yes.

Fire truck - No.

Revaluation - Yes.

Councilwoman Miers:

Met with CFO annual debt 350,000

Bonding - Not without a ballot referendum.

Town Hall - Yes to roof, carpet and paint

DPW trucks - Yes to small truck. Higher need.

DPW building - No until a final price is reached.

Fire truck - No for 2017.

Revaluation - Yes.

Councilman Fitzgerald:

Bonding - Yes. Current process is irresponsible chaos.

Town Hall - Roof first year, carpet second year, paint third year

DPW trucks - Yes.

DPW building - Yes.

Fire truck - Yes but not in 2017.

Revaluation - No. Wait to see what market does.

Mayor Kennedy:

Bonding - No. Annual increases out of our control. Need to start living within our means.

Revaluation - Will need to be done at some point.

Fire truck - 2019 issue.

DPW building - There is work that needs to be done. Scale of project needs to be determined.

DPW trucks - Yes to one truck.

Town Hall - Yes. In three phases starting with roof.

Should not consider touching the library money.

Kevin Benbrook explained the difference between a bond and a bond anticipation note (BAN). Councilwoman Miers will continue to meet with the CFO to determine a plan for moving forward.

Resolutions:

A **motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt Resolution Nos. R2017x21, R2017x22 and R2017x23.

RESOLUTION NO. R2017x21

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 24, lot 2)

WHEREAS, Tax Sale Certificate 2016-011 dated October 28, 2016 on block 24, lot 2 was redeemed on March 26, 2017; and

WHEREAS, the premium paid at the sale in the amount of \$1,200.00 needs to be returned to FWDSL & ASSOCIATES LP, 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 \$1,200.00 representing said refund.

FWDSL & ASSOCIATES LP

17 W CLIFF STREET
SOMERVILLE, NJ 08876

Date: April 10, 2017
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

RESOLUTION NO. R2017x22
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 6, lot 26)

WHEREAS, Tax Sale Certificate 2016-003 dated October 28, 2016 on block 6, lot 26 was redeemed on March 29, 2017; and

WHEREAS, the premium paid at the sale in the amount of \$1,000.00 needs to be returned to FWDSL & ASSOCIATES LP, 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 \$1,000.00 representing said refund.

FWDSL & ASSOCIATES LP
17 W CLIFF STREET
SOMERVILLE, NJ 08876

Date: April 10, 2017
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

RESOLUTION NO. R2017x23
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 11, lot 35)

WHEREAS, Tax Sale Certificate 2016-003 dated October 28, 2016 on block 11, lot 35 was redeemed on March 29, 2017; and

WHEREAS, the premium paid at the sale in the amount of \$1,200.00 needs to be returned to BANK CUST FOR CAP 4 & CRDTS, 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 \$1,200.00 representing said refund.

US BANK CUST FOR PRO CAP 4 & CRDTS
50 S 16TH ST STE 2050
PHILADELPHIA, PA 19102

Date: April 10, 2017
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. R2017x24.

RESOLUTION NO. R2017x24
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION TO CANCEL LIEN NO. 222 ON BLOCK 30, LOT 1

WHEREAS, Block 30, Lot 35 (39x100 IRRG, 246 Race Street) merged with Block 30, Lot 1 (1.96 AC, 246 Race Street); and

WHEREAS, erroneously Tax Sale Certificate 222 was struck off to the Town of Belvidere on 12/09/1994 against Block 30, Lot 35 (now known as Block 30, Lot 1) for delinquent taxes; and

WHEREAS, once a municipal lien is established, all subsequent municipal charges should accrue to the original lien;

NOW, THEREFORE, BE IT RESOLVED by the Belvidere Town Council that Lien No. 222 on Block 30, Lot 35 be cancelled;

BE IT FURTHER RESOLVED that a properly executed copy of this resolution be forwarded to the Tax Collector and Chief Financial Officer of the Town of Belvidere.

Certification

I, Teresa A. Yeisley, Municipal Clerk/Administrator of the Town of Belvidere do hereby certify that the foregoing resolution is a true and correct copy of the resolution adopted by the Belvidere Town Council at a regular meeting held on April 10, 2017.

Ordinance:

ORDINANCE NO. O2017x01

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

ORDINANCE TO REPEAL AND REPLACE CHAPTER 103 OF

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ENTITLED "JUNK AND JUNKED VEHICLES"

BE IT ORDAINED By the Town Council of the Town of Belvidere, in the County of Warren, New Jersey, that existing Chapter 103 entitled "Junk and Junked Vehicles" be and hereby is repealed in its entirety and replaced with a new Chapter 103 entitled, "Storage of Vehicles and Equipment" as follows:

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CHAPTER 103 STORAGE OF VEHICLES AND EQUIPMENT

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E. New or used automobile dealers that are licensed by the State of New Jersey for the purpose of displaying vehicles for sale to the general public and have received zoning approval will be exempt from this article as long as they hold a current dealer's license and do not retain vehicles on their lot that are not salable vehicles.

F. Licensed service stations (repair garages) and auto body repair shops will also be exempt from the provisions of this article as long as they are licensed by the State of New Jersey for the type of business they are conducting and have received zoning approval for the area where they are operating. They shall maintain a neat and orderly lot and limit the number of vehicles that are being kept on the lot for repairs, according to the size of the available space. No vehicle shall be kept on the lot for more than 30 days awaiting repairs.

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B. The imposition of a penalty or penalties for any violation shall not excuse or be deemed to permit to continue, and all such persons convicted shall be required to correct or remedy such violations within a reasonable time. If said violations are not corrected within 10 days following conviction, the prohibited condition shall be deemed a separate offense hereunder.

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SECTION III.

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The ordinance brought no public comment.

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A motion was made Councilman Makatura and seconded by Councilman McAleer to adopt Ordinance No. O2017x01.

Roll call:

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

Nays - None

Abstentions - Councilman Tutka

Absent - None

Appointments:

There were no appointments at this time.

Approval of Purchase Orders:

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Respectfully submitted,

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

