

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
APRIL 20, 2015**

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 Petre, Councilman Sebold
Absent - None

Approval of Minutes:

A **motion** was made by Councilman Kennedy, seconded by Councilman Sebold and carried to adopt the April 6, 2015 regular and executive meeting minutes of the Belvidere Town Council.

Proclamation:

Mayor Stettler presented the following proclamation to Gordon Meyer, Chair of the Shade Tree Commission:

Arbor Day Proclamation

- Whereas,** In 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and
- Whereas,** this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
- Whereas,** Arbor Day is now observed throughout the nation and the world, and
- Whereas,** trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and
- Whereas,** trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and
- Whereas,** trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and
- Whereas,** trees, wherever they are planted, are a source of joy and spiritual renewal.
- Now, Therefore,** I, Linda H. Stettler, Mayor of the Town of Belvidere, do hereby proclaim April 24, 2015 as:

Arbor Day

in the town of Belvidere, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

Further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

2015 Municipal Budget Public Hearing and Adoption:

A **motion** was made by Councilwoman Miers, seconded by Councilman Sebold and carried to open the public hearing on Ordinance No. O2015x01.

The ordinance brought no public comment.

A **motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to close the public hearing on Ordinance No. O2015x01.

A **motion** was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Ordinance No. O2015x01.

ORDINANCE NO. O2015x01

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

CALENDAR YEAR 2015

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 2015 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 \$36,258 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 2015 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 \$84,603 and that the CY 2015 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 March 16, 2015 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 April 20, 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 Petre, Councilman Sebold, Mayor Stettler

Nays - None
Abstentions - None
Absent - None

A motion was made by Councilman Makatura, seconded by Councilwoman Napolitani and carried to open the public hearing on the 2015 Municipal Budget.

John Mooney, Municipal Auditor advised that the Town was compliant with both the levy and expenditure caps and that there was no tax increase in this budget. He commended the Council and the CFO for the work done on the budget.

John Clemmer commented on the bond anticipation notes, tax anticipation note, sale of assets and surplus used to balance the budget. Mr. Clemmer recommended that Council not adopt this budget.

Beth Makatura asked if anyone from Council had any discussions with Mr. Clemmer regarding the budget.

A motion was made by Councilman Kennedy, seconded by Councilwoman Napolitani and carried to close the public hearing on the 2015 Municipal Budget.

Mayor Stettler commented that too much surplus and funds from other areas were used to balance the budget.

A motion was made by Councilwoman Miers and seconded by Councilwoman Napolitani to adopt Resolution No. R2015x43.

RESOLUTION NO. R2015x43

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION TO ADOPT THE 2015 MUNICIPAL BUDGET

BE IT RESOLVED by the Governing Body of the Town of Belvidere, County of Warren that the budget herein set forth is hereby adopted and shall constitute an appropriation for the purposes stated and set forth as appropriations, and authorization of the amount of:

\$ 2,055,648.17 for municipal purposes

and

\$ 58,055.36 for minimum library tax

Certification

I, Teresa A. DeMont, Municipal Clerk/Administrator, Town of Belvidere do hereby certify that the foregoing resolution was duly adopted by the Belvidere Town Council at a regular meeting held on April 20, 2015.

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

Roll call:

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

Nays - None

Abstentions - None

Absent - None

Public Comment:

Eileen Scott - Mayor's radio comments and meeting comments in conflict

Beth Makatura - Council should address posting meetings on social media to avoid "he said/she said".

Committee Reports:

Councilman Petre - will be meeting with Gordon Meyer, Chair of the Shade Tree Commission and Councilman Makatura regarding the portfolio ad-hoc committee.

Councilman Kennedy - dog park ad-hoc committee met. Spoke with Sharon Cooper and no

insurance impact and also discussed with Paul Sterbenz.

Councilwoman Miers - tennis courts will be discussed at the next Recreation Committee meeting. Scout Home electrical repairs and upgrades have been made. Attended BOE meeting. **A motion** was made by Councilwoman Miers, seconded by Councilman Kennedy and carried authorizing an expenditure of \$14,950 to Wires Electric for replacement of lights at the pool. A memorializing resolution will be prepared for the next Council meeting.

Councilman Sebold - reviewed the Good Will Fire Company activity reports for February and March. There was discussion about access through the BASF and Century Link properties. **A motion** was made by Councilman Makatura, seconded by Councilwoman Miers and carried authorizing Katrina Campbell to formalize letters of request to the afore mentioned regarding property access.

There was discussion about open burning. Chief Scott advised that the Town needs an ordinance to enforce open burning matters.

Councilwoman Napolitani - DPW repaired sink hole on South Water Street, drained and cleaned the pool and scheduled the brush pick-up.

Councilman Makatura - review of PD and firing range activity. InfoShare program will produce a savings over CODY system. PD request for signs at Riverside Park. Durango in need of major repairs so Chief instructed garage not to proceed.

There has been no movement regarding the site clean-up at BASF.

Met with Councilwoman Napolitani and Liberty Township Mayor John Inscho regarding shared court. Very optimistic about the outcome.

Correspondence:

A motion was made by Councilman Makatura, seconded by Councilwoman Miers and carried to respond to the BPU regarding the proposed New Jersey American Water increase.

Previous Business:

Mayor Stettler initiated a discussion about repairs to Howell Street. Katrina Campbell recused herself from this discussion due to a conflict of interest. John Snyder advised that he will install a street marker and stop sign.

A motion was made by Councilwoman Napolitani, seconded by Councilman Sebold and carried authorizing Paul Sterbenz to proceed with preparing a topographical map of Howell Street.

Councilman Makatura will have quotes for video recording equipment for the next Council meeting.

Teresa Yeisley advised Council that the manuscript and editorial analysis have been received from General Code. A meeting has been scheduled with Councilwoman Miers and Councilwoman Napolitani to begin the review of the editorial analysis.

There was discussion of a memorial for Gerald Metzgar. This matter will be researched further.

A motion was made by Councilman Makatura, seconded by Councilman Sebold and carried denying a request for the extension of hours for the sale of liquor.

New Business:

A motion was made by Councilwoman Napolitani, seconded by Councilman Petre and carried approving raffle license application R2015-07 for Belvidere American Legion Post 131.

Katrina Campbell advised Council on the court decision regarding COAH. This matter will be addressed further in executive session.

A motion was made by Councilman Makatura, seconded by Councilman Petre and carried authorizing Mayor Stettler to execute a permit fee agreement with Warren County for the Courthouse Annex renovation project.

Resolutions:

A **motion** was made by Councilwoman Napolitani, seconded by Councilwoman Miers with Councilman Sebold abstaining and all others voting “yes” to adopt Resolution No. R2015x39.

RESOLUTION NO. R2015x39

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION TO HIRE AND PAY SEASONAL LABORERS FOR THE DEPARTMENT OF PUBLIC WORKS

BE IT RESOLVED that the Belvidere Town Council hereby authorizes that the following individuals be hired as seasonal laborers for the Department of Public Works effective June 22, 2015 through August 28, 2015:

<u>Name</u>	<u>Position</u>	<u>Salary</u>
Joseph Sebold	Seasonal Laborer	\$ 10.00 per hr
Bryan Snyder	Seasonal Laborer	10.00 per hr

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

A **motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to adopt the following resolutions: R2015x40, R2015x41 and R2015x42.

RESOLUTION NO. R2015x40

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 30, lot 15)

WHEREAS, Tax Sale Certificate 2012-014 dated September 17, 2012 on block 30, lot 15 was redeemed on April 1, 2015; and

WHEREAS, the premium paid at the sale in the amount of \$400.00 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 \$400.00 representing said refund.

FWDSL & ASSOCIATES LP
5 COLD HILL RD S, STE 11
MENDHAM, NJ 07945

Date: April 20, 2015
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

RESOLUTION NO. R2015x41

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 30, lot 16)

WHEREAS, Tax Sale Certificate 2012-015 dated September 17, 2012 on block 30, lot 16 was redeemed on April 1, 2015; and

WHEREAS, the premium paid at the sale in the amount of \$6,400.00 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 \$6,400.00 representing said refund.

FWDSL & ASSOCIATES LP
5 COLD HILL RD S, STE 11
MENDHAM, NJ 07945

Date: April 20, 2015
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

RESOLUTION NO. R2015x42
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 29, lot 1)

WHEREAS, Tax Sale Certificate 2014-33 dated October 20, 2014 on block 29, lot 1 was redeemed on March 31, 2015; and

WHEREAS, the premium paid at the sale in the amount of \$1,800.00 needs to be returned to BANK CUST FOR BV001 TRUST, 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 \$1,800.00 representing said refund.

US BANK CUST BV001 TRUST
50 S 16TH ST STE 2050
PHILADELPHIA, PA 19102-2513

Date: April 20, 2015
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A **motion** was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Resolution No. R2015x44.

RESOLUTION NO. R2015x44
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
A RESOLUTION TO REFUND 2014 PROPERTY TAX OVERPAYMENTS

BE IT RESOLVED that the Belvidere Town Council hereby authorizes the return of the following 2014 property tax overpayments:

Corlogic Real Estate Tax Service Refund Department PO Box 961250 Fort Worth, TX 76161-9858	\$	1,711.96
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Corlogic Real Estate Tax Service Refund Department PO Box 961250 Fort Worth, TX 76161-9858	\$	1,752.66
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Wells Fargo Real Estate Tax Service, LLC MAC X2502-011 One Home Campus Des Moines, IA 50328-0001	\$	460.28
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Date: April 20, 2015
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Resolution No. R2015x46.

**RESOLUTION NO. R2015x46
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
RESOLUTION AUTHORIZING THE FILING
OF A RECYCLING TONNAGE GRANT FOR 2014**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs, and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Mayor and Town Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Town Council of the Town of Belvidere that the Town of Belvidere hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Jason Stout, Recycling Coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

CERTIFICATION

I, Teresa A. DeMont, 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 20, 2015.

Appointments:

There were no appointments at this time.

Approval of Purchase Orders:

A motion was made by Councilman Kennedy, seconded by Councilman Makatura and carried authorizing the payment of the purchase orders in the amount of \$241,765.12.

Public Comment:

Rheva Smickle - Gerald Metzgar memorial, stop sign at Howell and Water.

Howard Thompson - COAH in executive, Howell St., budget

Nancy Brown - Howell St.

Des Fitzgerald - sale of public property, dog park

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to recess the Council meeting.

A motion was made by Councilwoman Miers, seconded by Councilman Sebold and carried to

return to regular session.

Executive Session:

A **motion** was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Resolution No. R2015x45.

RESOLUTION NO. R2015x45

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

Dated: April 20, 2015
Teresa A. Yeisley, R.M.C./C.P.M.
Municipal Clerk/Administrator

Mayor Stettler excused herself from the proceedings during executive session. Councilman Kennedy took over to chair the meeting.

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

Katrina Campbell advised the public that Council was in executive session for 50 minutes and discussed the following matters in: Personnel, White Township sewer contract, PBA contract, COAH

A **motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adjourn the meeting of the Belvidere Town Council at 10:20 PM.

Respectfully submitted,

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