

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
AUGUST 28, 2017**

Mayor Kennedy opened the regular meeting of the Belvidere Town Council with the Pledge of Allegiance. 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.

Mayor Kennedy advised that discussion on the purchase of a new server will be added to the agenda.

Roll Call:

Present - Mayor Kennedy, Councilman Fitzgerald, Councilman Makatura, Councilman McAleer, Councilwoman Miers, Councilman Tutka

Absent - Councilwoman Napolitani

Approval of Minutes:

A **motion** was made by Councilwoman Miers, seconded by Councilman Fitzgerald and carried to adopt the July 24, 2017 regular and executive meeting minutes and the August 14, 2017 workshop meeting minutes of the Belvidere Town Council with additional comments from Councilman Tutka added to the July 24th minutes.

Presentation:

Gene Brandt and BJ Wauhup, past presidents of the Belvidere Lions Club presented to Council a request to construct a pole style pavilion on Hriczak Field property. The project will be funded by the Belvidere Lions Club. This project would be undertaken as a centennial project in observance of the 100th anniversary of Lions Club International.

A **motion** was made by Councilman McAleer, seconded by Councilman Makatura and carried approving the aforementioned request of the Belvidere Lions Club and authorizing the preparation of a resolution memorializing same.

Paul Sterbenz addressed the following matters:

2018 NJDOT grant application.

A **motion** was made by Councilman Makatura, seconded by Councilman Fitzgerald and carried authorizing Paul Sterbenz to submit the 2018 NJDOT grant application for \$200,000 for the reconstruction of Fifth Street from Oxford Street to Knowlton Street.

COAH litigation and Housing Element and Fair Share Plan.

A **motion** was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Resolution No. R2017x59.

RESOLUTION NO. R2017x59

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

**A RESOLUTION ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN
AS ADOPTED BY THE TOWN OF BELVIDERE PLANNING BOARD**

WHEREAS, the Town filed for Declaratory Judgement with the New Jersey Superior Court on July 8, 2015 to comply with the March 10, 2015 NJ Supreme Court decision known as "Mount Laurel IV"; and

WHEREAS, the Town executed a Settlement Agreement with the Fair Share Housing Center (FSHC) on February 13, 2017 that identified the Town's affordable housing obligation and a preliminary indication of how the Town would satisfy the affordable housing obligation; and

WHEREAS, the settlement Agreement was subject to a Fairness Hearing on March 9, 2017, during which the Court found that the Settlement Agreement was fair to the interests of low and moderate income households; and

WHEREAS, the Court's review and approval of the Settlement Agreement is reflected in an Order of Fairness and Preliminary Compliance Hearing signed by the Honorable Thomas C. Miller, P.J. Civ. and filed on April 3, 2017; and

WHEREAS, in furtherance of the Settlement Agreement, the Planning Board of the Town of Belvidere, Warren County, State of New Jersey, adopted a Housing Element and Fair Share Plan on July 20, 2017; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Belvidere, Warren County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Town of Belvidere Planning Board; and

BE IT FURTHER RESOLVED that the Mayor and Council of the Town of Belvidere, pursuant to the provisions of N.J.S.A. 2:27D-301 et seq. and N.J.A.C. 5:96-3.2(a), submits this Housing Element and Fair Share Plan to Superior Court in a request for a Judgement of Compliance & Repose.

Mr. Sterbenz advised Council on the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A et seq) which provides power to a municipal governing body or municipal planning board to perform investigations to determine if an area or property is in need of redevelopment and to prepare and implement a redevelopment plan for an area or particular site. Council discussed various sites that may be in need of redevelopment. Kevin Benbrook advised that this could be favorable to the Town because taxes can be based on the income of the property and all taxes stay in the Town. Councilwoman Miers inquired about the cost for this type of study. Mr. Sterbenz advised that this would approximately cost between \$7,500 and \$10,000 but the costs incurred may be funded through the property owners involved. Mayor Kennedy advised that there may be grant moneys available.

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to prepare a resolution to be sent to the Belvidere Planning Board for consideration of redevelopment zones for Kasson, BASF and the Fifth Street industrial area.

Mr. Sterbenz provided updated information and training on the Town's Stormwater Program. The Town has been part of the regulatory program since 2004 as a Tier B community.

All survey and mapping work has been done for Second and Hardwick Street. Will be working with the County on a drain on Hardwick. Will meet with the Historic Commission for SHPO compliance.

Public Comment:

Sue Beale - paving Race Street would make it a raceway.

Committee Reports:

Councilwoman Napolitani - in her absence provided to Council a written report for the DPW.

Councilman McAleer - Good Will Fire Company had 21 calls for service in July with 109 man hours. Requested reports from the squad three times but have received nothing.

Councilman Makatura - the truck received through the 1033 program is up and running and the department has applied for eight new computers and a server. 119 overweight truck summons have been issued. We are still charging a \$300 fine instead of the newly adopted \$500 fine. There are additional steps needed through the judge, AOC and State. The department had 359 calls for service in July. Met with representatives from White Township regarding the emergency squad. Will schedule meeting with Belvidere, White and Belvidere Ambulance Corps some time after Labor Day.

Councilman Tutka - people very satisfied with conditions at the pool. Water quality very good. Will have final stats after season closing. Recreation Committee will have a silent auction at Ghoul's Night Out. Christmas tree lighting date is pending. Elizabethtown Gas waiting on four more contracts for Greenwich Street. Report on removal of poles. JCP&L will test the LED pole light in Washington rather than on Fourth Street.

Councilman Fitzgerald - Shade Tree provided list of tree work. Historic preservation to follow up on conditional approvals to assure that all work has been completed.

Councilwoman Miers - budget expenditure update was sent to Council and department heads. This will be provided monthly. Initiated discussion regarding online credit card payments and closing the administrative offices for lunch

A motion was made by Councilman McAleer, seconded by Councilwoman Miers with Councilman Tutka voting "no" and all others voting "yes" authorizing that the Town Hall administrative offices be closed daily from 12:30 PM to 1:30 PM for lunch effective September 15, 2017.

Correspondence:

There was no correspondence discussed at this time.

Previous Business:

Mayor Kennedy thanked all that worked on National Night Out and the fireworks.

A motion was made by Councilwoman Miers, seconded by Councilman Fitzgerald authorizing the Mayor and Municipal Clerk to execute the Warren County Housing Plan agreement.

New Business:

Teresa Yeisley advised Council that the server for the administrative offices needed to be replaced and the backup systems upgraded due to a recent hacking issue. Discussion ensued.

A motion was made by Councilman Makatura and seconded by Councilman Fitzgerald to introduce Ordinance No. O2017x09.

ORDINANCE NO. O2017x09

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

AN ORDINANCE APPROPRIATING THE SUM OF NOT MORE THAN \$14,000 FOR TOWN HALL SERVER, DATTO BACKUP APPLIANCE AND BATTERY

WHEREAS, the Council of the Town of Belvidere has determined that it needs to appropriate the sum up to \$14,000.00 from the Capital Fund Balance for a Town Hall Server, Datto Backup Appliance and Battery;

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

1. There are funds available in the Capital Improvement Fund of the General Capital Fund for costs attributable to said Town Hall Server, Datto Backup Appliance and Battery.
2. There is hereby appropriated that sum of up to \$14,000.00 from the Capital Improvement Fund Balance of the General Capital Fund for the aforementioned purpose.
3. There is no debt authorized by this ordinance.
4. This ordinance shall take effect upon passage following a public hearing to be conducted thereon and publication of notice of final passage with the requirements of the law.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on August 28, 2017 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 September 11, 2017 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, and Monday through Friday from 9:00 A.M. to 4:30 P.M.

Roll Call:

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

Nays - None

Abstentions - None

Absent - Councilwoman Napolitani

A motion was made by Councilwoman Miers, seconded by Councilman McAleer and carried approving raffle license applications RL2017-18 for BHS Football Boosters and RL2017-19 and RL2017-20 for BHS Project Graduation.

Resolutions:

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Resolution Nos. R2017x57 and R2017x58.

RESOLUTION NO. R2017x57

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 31, lot 12)

WHEREAS, Tax Sale Certificate 2016-015 dated October 28,2016 on block 31, lot 12 was redeemed on August 9, 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: August 28, 2017
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

RESOLUTION NO. R2017x58

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 32, lot 22)

WHEREAS, Tax Sale Certificate 2016-016 dated October 28,2016 on block 32, lot 22 was redeemed on August 9, 2017; and

WHEREAS, the premium paid at the sale in the amount of \$1,200.00 needs to be returned to STUART LASHER, 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.

STUART LASHER
PO BOX 83
MILLTOWN, NJ 08850

Date: August 28, 2017
Teresa A. Yeisley, RMC/CPM
Municipal Clerk/Administrator

Appointments:

There were no appointments at this time.

Approval of Purchase Orders:

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried authorizing the payment of the purchase orders in the amount of \$21,705.42.

Public Comment:

Esther Sweigert initiated a discussion about the maintenance of the recently installed flags. Councilman Fitzgerald stated that he accepts some level of responsibility for the issue of the time the flags would be up, adding that the DPW should be allowed to address any problems with the flags during regular business hours. Mayor Kennedy stated that Council has addressed this issue at two or three meetings and that the problem needs to be resolved, adding that Councilman Fitzgerald and Councilwoman Napolitani have until Labor Day to fix this problem. Councilman Fitzgerald stated that the Mayor told the DPW not to touch the flags during regular business hours. Mayor Kennedy responded that was not so.

Sue Beale - commented on work done at the boat launch

Rheva Smickle - dip on Second Street was installed to slow traffic

Beth Makatura - not good practice for employees not to have a lunch hour. Council members please read all material that you have been provided prior to the meeting so that you are prepared and matters don't have to be readdressed.

Mayor Kennedy commented that Belvidere's 175th anniversary is in 2020 and that we need to begin discussion on this celebration soon.

A motion was made by Councilman Makatura, seconded by Councilman McAleer and carried to adjourn the meeting of the Belvidere Town Council at 9:02 PM.

Respectfully submitted,

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