

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
SEPTEMBER 15, 2014**

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 Sebold, Councilman Viglianco
Absent - None

Approval of Minutes:

A motion was made by Councilwoman Napolitani, seconded by Councilman Sebold with Councilwoman Miers abstaining and all others voting "yes" to adopt the August 18, 2014 regular and executive meeting minutes of the Belvidere Town Council.

A motion was made by Councilwoman Miers, seconded by Councilman Viglianco and carried to adopt the September 2, 2014 regular and executive meeting minutes of the Belvidere Town Council.

Presentation:

Gene Brandt, representing the Belvidere Lions Club, addressed Council regarding the repairs and refurbishment of the tennis courts. The Lions Club reviewed proposals for the work needed and recommended a contractor to perform the work. They also are requesting a commitment from the Town to budget funds for all future maintenance.

Sarah Johnson, representing the Recreation Committee, addressed Council regarding the Harvest Festival scheduled for October 12th with a rain date of October 19th.

Proclamations:

Mayor Settler presented the following proclamation:

**Town of Belvidere
Proclamation**

Whereas, September 17, 2014 marks the two hundred and twenty-seventh anniversary of the drafting of the Constitution of the United State of America by the Constitutional Convention; and

Whereas, it is fitting and proper to recognize this magnificent document and the anniversary of its creation;

Whereas, public law 915 guarantees the issuing of a proclamation each year by the President of the Untied States of America designating September 17th through the 23rd as constitution week;

Now, Therefore, Be it Proclaimed by the Mayor and Town Council of the Town of Belvidere that September 17th through September 23rd, 2014, be designated as:

Constitution Week

In the Town of Belvidere, and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

Executive Session:

A **motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt Resolution No. R2014x88.

RESOLUTION NO. R2014x88

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

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

A **motion** was made by Councilman Sebold and seconded by Councilman Makatura to authorize Robert Yeisley to rescind his retirement and return to employment as Acting Chief of Police at the Sergeant's salary of \$88,000.00 plus over-time for any hours worked retroactive to January 1, 2014.

Roll call:

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

Nays - None

Abstentions - None

Absent - None

Public Comment:

Rheva Smickle - thanked John Snyder for removing the stump near her home.

Des Fitzgerald - inquired about the status of the Riverside Park land swap. Dominick Santini advised the State is still considering their options regarding a title search.

Committee Reports:

Councilman Makatura reported that there has been no movement on the town portfolio because BASF has made no movement in the rehabilitation of the property.

Councilwoman Napolitani distributed and reviewed the DPW activity report. The Councilwoman also reported the there has been an increase in salt prices, she reminded Council to use a work order when requesting work to be done by the DPW and advised that the committee working on the DPW contract has met.

A **motion** was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried requesting a letter be written to the Warren County Freeholders asking that they consider postponing the closure of the Belvidere Nutrition Center until the end of 2014.

Councilman Sebold reviewed the police department budget and advised that the "snow parking ordinance" committee met and discussed assisting those without parking.

Councilwoman Miers reported that she has requested that the CFO provide budget trial balances for every Council meeting through the end of the year.

The Councilwoman requested that all downtown businesses refrain from putting anything in the tree planters on Market Street. The Shade Tree Commission will again be sponsoring fall raking for seniors and the disabled through the school.

Councilman Kennedy reported that there is a meeting scheduled with pool representatives, Paul Sterbenz and Dan Sullivan, Electric Sub-Code Official regarding the emergency work at the pool.

Councilman Viglianco reviewed the activity and equipment reports for the Good Will Fire Company for June and July.

Elizabethtown Gas has been contacting residents on Parker Street regarding service and the library has expressed interest in gas service for the building.

A motion was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to lift the moratorium on utility installation on Third Street from Greenwich Street to Knowlton Street pursuant to the guidelines established by Paul Sterbenz.

Correspondence:

A motion was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried to accept with regret the resignation of Naomi Stout from the Belvidere Library Board and send a letter thanking Mrs. Stout for her many years of service on the Board.

A motion was made by Councilman Kennedy, seconded by Councilman Sebold and carried to approve a request from the Good Will Fire Company Ladies Auxiliary to conduct a coin toss at the intersection of Water and Greenwich Streets on October 4th and 5th. Approval is contingent upon the review and approval of Chief Yeisley.

Old Business:

Dominick Santini advised that the Howell Street survey is not yet complete.

New Business:

A motion was made by Councilman Makatura, seconded by Councilman Viglianco and carried to approve raffle license applications for the Good Will Fire Company and Common Sense for Animals.

Councilwoman Miers requested RFPs for professional services for 2015 and department budget submissions by December 1st.

Teresa DeMont advised that a Volunteer Personnel Policy will be distributed to all Town volunteers.

There was discussion about neglected properties. Councilman Kennedy suggested that our response needs to be more aggressive regarding these properties.

Resolutions:

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Resolution No. R2014x84.

RESOLUTION NO. R2014x84

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 13, lot 12)

WHEREAS, Tax Sale Certificate 2013-010 dated October 16, 2013 on block 13, lot 12 was redeemed on August 29, 2014; and

WHEREAS, the premium paid at the sale in the amount of \$4,100.00 needs to be returned to KENAT Inc., 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 to KENAT Inc. in the amount of \$4,100.00 representing said refund.

Date: September 15, 2014
Teresa A. DeMont, RMC/CPM
Municipal Clerk/Administrator

A motion was made by Councilman Kennedy, seconded by Councilman Viglianco and carried to adopt Resolution No. R2014x85.

RESOLUTION NO. R2013x85

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

**A RESOLUTION AUTHORIZING THE SUBMISSION
OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE
OXFORD STREET (BETWEEN FRANKLIN STREET AND THE WHITE TOWNSHIP
LINE) IMPROVEMENT PROJECT PHASE III**

WHEREAS, the NJDOT makes funds available to municipalities and counties for road improvement projects through the municipal aid portion of the New Jersey Transportation Trust Fund; and

WHEREAS, the Municipal Engineer has recommended that the Mayor and Town Council apply to the NJDOT for funds that are available under the New Jersey Transportation Trust Fund Authority Act, Fiscal Year 2015 Municipal Aid Program for the purpose of constructing improvements to Oxford Street in the Town of Belvidere; and

WHEREAS, the Mayor and Town Council have considered this recommendation;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Belvidere hereby approves the grant application for the above stated project;

BE IT FURTHER RESOLVED that the Municipal Engineer is hereby authorized to submit an electronic grant application identified as MA-2015-Town of Belvidere to the NJDOT on behalf of the Town of Belvidere;

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Belvidere and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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 Mayor and Town Council of the Town of Belvidere at a regular meeting held on September 15, 2014.

A motion was made by Councilman Makatura, seconded by Councilwoman Miers and carried to adopt Resolution No. R2014x86.

RESOLUTION NO. R2014x86

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

**A RESOLUTION TO CORRECT THIRD QUARTER BILLING FOR BANK POSTING
ERROR**

WHEREAS, the Belvidere Town Council has been advised of a billing interest error in the third quarter tax payments on the following:

Block 27	Lot 13	Duckworth, Melissa C & Richard
Block 29	Lot 10	Hoyt, Gary & Kathleen
Block 31	Lot 3.02	Melchor, Judy L

Block 51	Lot 1.19	Osiecki, Lawrence & Rosemarie
Block 44	Lot 5	Tatarian, Charles & Eileen
Block 40	Lot 1.02	Gill, William S & Carol
Block 32	Lot 12	Gill, William S & Carol
Block 33	Lot 9	Carlson, Ronald & Ann
Block 51	Lot 8	Busch, Alfred H & Dorothy G
Block 29	Lot 21	Ghetti, Clifford R

WHEREAS, Valley National Bank incorrectly receipted third quarter tax payments when resident paid before due date but bank did not post until August 18, 2014 causing interest to be applied on resident accounts in error;

NOW, THEREFORE, BE IT RESOLVED by the Belvidere Town Council that the Belvidere Tax Collector is hereby authorized to correct the interest billing error on the aforementioned properties for the third quarter taxes.

Date: September 15, 2014
Teresa A. DeMont, RMC/CPM
Municipal Clerk/Administrator

A **motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to adopt Resolution No. R2014x87.

RESOLUTION NO. R2014x87

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACTS FOR THE REPAIR OF EQUIPOTENTIAL BONDING GRID FOR THE BELVIDERE POOL

WHEREAS, the Town of Belvidere has a need to obtain electrical services and engineering services, and has determined to award these contracts without obtaining competitive bids or quotations pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Town of Belvidere will determine and certify in writing the value of that the service will exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the contractor will complete and submit a Business Entity Disclosure Certification which certifies that the entity has not made any reportable contribution to a political or candidate committee in the Town of Belvidere for the previous one year, and that the contract will prohibit the entity from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “an emergency affecting the public health, safety and welfare which requires the immediate delivery of goods or the performance of services” without competitive bid and the contract itself must be available for public inspection, the Town Clerk will keep such individual resolutions and contracts on file for each contract for inspection; and

WHEREAS, the electrical issues at the Belvidere pool are likely to cause a danger to all persons who come upon the property legally and illegally; and

WHEREAS, the Chief Financial Officer will certify that the funds are available for this contract which shall not exceed \$75,000.00 and will be borrowed by the Town.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Belvidere, in the County of Warren and State of New Jersey, that the Town of Belvidere authorizes the entry into contracts for services of an electrical contractor and engineering services; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FINALLY RESOLVED a notice of this action shall be printed once in the legal newspaper of Town of Belvidere.

Appointments:

Mayor Stettler made the following appointment:
Don Duplissis - Recreation Committee

Approval of Purchase Orders:

A **motion** was made by Councilwoman Miers, seconded by Councilman Sebold and carried to authorize the payment of the purchase orders in the amount of \$137,722.07.

Public Comment:

Nancy Brown - ruling on pool emergency, non-contractual salaries, NJDOT grant

Gary Greenwald - Ghost Walk fund-raiser

Kathy Kays - Victorian Day poor turnout

Betty Merring - Belvidere Nutrition Center

Nick Weinstock - "See, Click, Fix"

Janet Raheb - Victorian Days

Rheva Smickle - Historic Commission

A **motion** was made by Councilman Kennedy, seconded by Councilman Sebold and carried to recess the Council meeting.

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

Executive Session:

A **motion** was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried to adopt Resolution No. R2014x89.

RESOLUTION NO. R2014x89

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

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

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

Respectfully submitted,

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