

**MINUTES - TOWN COUNCIL MEETING
TOWN OF BELVIDERE
WARREN COUNTY, NEW JERSEY
691 Water Street
SEPTEMBER 25, 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 the Good Will Fire Company fire truck discussion would be moved up in the agenda after the first public comment.

Roll Call:

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

Absent - None

A motion was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried making the following appointments to the Community Center Advisory Committee:

Bryan Duryea - Alternate term to expire 12/31/2017

Sarah Piwoski - Alternate term to expire 12/31/2017

Approval of Minutes:

A motion was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried to adopt the September 11, 2017 workshop meeting minutes of the Belvidere Town Council.

Public Comment:

There was no public comment at this time.

Delmont Cole, Chief of the Good Will Fire Company presented to Council an option of a lease/purchase for the fire truck they have been considering. They have reduced the price of the truck to just over \$398,000 through Pierce. Several down payment options were discussed. The Town would be required to join the Houston-Galveston Area Council Cooperative at no cost. Eric Trevino with Pierce stated that the quoted price is good through the end of November at which time the price would increase a minimum of 3%.

Councilman Tutka - length of old and new truck? Old - 30' and new - 29'1/4". Chief Cole stated no problem using truck in alleys. How much funding from Belvidere to fire company per year? Approximately \$50,000. Dennis Riley, Vice President will provide budget with assets and depreciation. Hypothetical donation or bequest use? Would be determined by the fire company. Will fire company still fund \$125,000 for outfitting truck? Yes. Number of people in cab? Six. Entire property belongs to Good Will Fire. Parking lot sealant paid for by Manor at a cost of \$12,000.

Councilman Fitzgerald commented on funding and the payment schedule.

Councilman Makatura - how much total cash on hand? \$3,000 in the general account and \$12,800 in the foreman's account. What does the company have planned for fund raising? Has the company contacted the Freeholders or DSM for funding toward the truck? Mayor Kennedy advised that he made three requests to DSM but had no response. Chief Cole stated that someone from Council was supposed to attend a Freeholder meeting with him but that did not happen.

Councilwoman Napolitani - where do the funds from the Belvidere Manor go? The Manor is separate from the fire company. Dennis Riley will provide the audit as soon as he gets it from the accountant.

Councilwoman Miers- is the \$125,000 for the outfitting of the truck being kept separate? Yes. Chief Cole requested that Council revisit the "cash for crash" ordinance.

Committee Reports:

Councilman McAleer - Belvidere Ambulance Corps calls April 97, May 97, June 131, July 116, August 131

Good Will Fire Company August 22 calls with 175 man hours

Councilman Makatura - PD 322 calls for service in August. Acquired 15 computers, a server and a generator through the 1033 program. 131 overweight tickets so far this year. Prosecutor looking at opting out of bail reform. Will begin PD contract negotiations. Met with White Township Committeeman Jeff Herb regarding the Belvidere Ambulance Corps.

Councilwoman Napolitani - DPW received various equipment through the GSA program. Closing of pool within the next two weeks. John Snyder advised that Pete Hubert was the best CPO that he ever worked with. Leaf pick-up will begin October 16th. Town-Wide Clean-Up scheduled for October 28th and 29th. Residential alley trimming must be done by October 31st or the DPW will trim. Third phase of sewer project complete with no visible problems.

Councilwoman Miers - budget expenditure reports were sent to all Council and department heads. Working with Kevin Benbrook on tax sale foreclosures. Met with John Mooney regarding sewer billing change.

Councilman Fitzgerald - pool ended season very well with an approximate surplus of \$24,000. Green Acres payment ending this year. Working with the CFO on funding equipment replacements and snack bar maintenance and repairs.

Councilman Tutka - recap of BOE meeting. BOE is going to begin video and livestreaming their meetings. Offer to do the same for Town Council. Over \$1,200 raised by CC@B book sale. National Day of Service October 20th and 21st. Received credit for light out in park.

Correspondence:

A motion was made by Councilman Makatura, seconded by Councilwoman Miers and carried authorizing street closures for the Lions Club Halloween parade on October 25th.

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried scheduling Trick-or-Treat for October 31st from 5:00 to 7:00 PM.

Previous Business:

Councilwoman Miers advised that the Sewer Committee has been working on a more equitable billing system. They are proposing a hybrid of EDU and water use. This new rate structure would be developed by our auditor at an approximate cost of \$5,000 to \$8,000. The Councilwoman requested that Council members be prepared to discuss this matter at the next Council meeting.

Councilwoman Napolitani advised that there were four candidates for the Violations Clerk position. Two of the candidates pulled out prior to the interview and two candidates were interviewed.

A motion was made by Councilwoman Napolitani, seconded by Councilman Makatura with Mayor Kennedy abstaining and all others voting "yes" to hire Brenda Marsh as Violations Clerk at a salary of \$15.00 per hour not to exceed an average of ten hours per week.

Councilman Makatura inquired about the DPW building bond ordinance. Teresa Yeisley advised that a bond ordinance requires 2/3 of the full majority to vote in the affirmative for adoption. The ordinance needed five affirmative votes and only received four so the ordinance failed. Mayor Kennedy advised that he would have used his veto power if needed. Councilwoman Miers requested that we review this process so that we get the "veto process" correct. Councilman Fitzgerald requested that we devote an entire workshop to all future capital funding needed.

Councilwoman Napolitani requested that a letter of thanks be sent to BJ Wauhop for his time and efforts regarding the DPW building.

Resolutions:

A **motion** was made by Councilwoman Miers, seconded by Councilman Makatura with Councilman Tutka voting “no” and all others voting “yes” to adopt Resolution No. R2017x68.

RESOLUTION NO. R2017x68

TOWN OF BELVODERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS REGARDING THE OPEN PUBLIC MEETINGS ACT (OPMA) AND THE OPEN PUBLIC RECORDS ACT (OPRA)

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the OPMA and OPRA, respectively, on June 29, 2017; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and personally confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, the legislation would expand the OPMA to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials from discussing issues of public concern for the purposes of informing the governing body; and

WHEREAS, under these bills, the responsibilities of municipal clerks would be stretched even further than the current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

WHEREAS, these bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates which are prohibited by the New Jersey Constitution; and

WHEREAS, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the State or the courts, every municipality would be on its own to meet the myriad of new requirements of these laws;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of Belvidere, Warren County, New Jersey, that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and municipal clerks with the resources to effectuate these changes for the benefit of the public;

BE IT FURTHER RESOLVED that a certified copy of this resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate and the Governor and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

A **motion** was made by Councilwoman Napolitani, seconded by Councilman McAleer and carried to adopt Resolution No. R2017x69.

RESOLUTION NO. R2017x69

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND THE EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY

DEPARTMENT OF TRANSPORTATION FOR THE FIFTH STREET IMPROVEMENT PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council formally approves the for the above stated project;

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2018-Belvidere Township-00418 to the New Jersey Department of Transportation 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 approval of the execution of the grant agreement.

A motion was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Resolution No. R2017x70.

RESOLUTION NO. R2017x70

TOWN OF BELVIDERE

WARREN COUNTY, NEW JERSEY

A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 43, lot 8)

WHEREAS, Tax Sale Certificate 2016-021 dated October 28,2016 on block 43, lot 8 was redeemed on September 10, 2017; and

WHEREAS, the premium paid at the sale in the amount of \$1,300.00 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 \$1,300.00 representing said refund.

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

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 authorizing the payment of the purchase orders in the amount of \$71,305.42 with the addition of \$24,360.00 to K&A Paving.

Public Comment:

Sandra Bartel - community garden still operating, community round-table calendar on Town website, gas on Parker Street, one trash company in Town

Mayor Kennedy requested that Councilman Tutka remain with utilities until the end of the year.

A motion was made by Councilwoman Napolitani to adjourn the meeting of the Belvidere Town Council at 9:10 PM.

Respectfully submitted,

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

