Minutes

Mayor and Municipal Council Regular Meeting
of Township of Belleville at Council Chambers - Town Hall,
152 Washington Avenue, Belleville, New Jersey, Tuesday, October 28, 2025,
at 6:00 p.m.

Call to Order: By Mayor Melham at 6:01 pm

Members Present: Councilmember Vincent Cozzarelli, Naomy DePeña, Thomas Graziano, Diana Guardabasco, Tracy J. Muldrow, Frank Velez III and Mayor Melham

Also Present: Steven J. Martino, Township Attorney, Brian Banda, Township Manager, Mark Minichini, Chief of Police, Frank DiMaria Chief Financial Officer, Dean Donatelli, Redevelopment Attorney, David J. Arce, Deputy Municipal Clerk and Alberto Cabrera, Township Clerk

Pledge of Allegiance: By Mayor Melham

Sunshine Law:
Pursuant to the requirements of the Open Public Meetings Act (Chapter 231, P.L. 1975) known as the Sunshine Law, notice of this meeting was published on Thursday, December 26, 2024, editions of the *Belleville Times* and *Star Ledger*. The Sunshine Law was complied with by adopting and forwarding to press, posting, and filling with the Municipal Clerk the annual resolution showing the date, time, and place of each meeting.
A copy of the annual meeting notice has been posted on the Township website and Town Hall Bulletin Board.

Executive Session: 6:07 p.m.

Motion to go into executive session by Councilmember Velez, seconded by Councilmember DePeña, Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

WHEREAS, N.J.S.A. 10:4-12 allows for a Public Body to go into closed session during a Public Meeting, and

WHEREAS, the Governing Body of Township of Belleville has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public; and

WHEREAS, the regular meeting of this Governing Body will reconvene;

NOW, THEREFORE, BE IT RESOLVED that the Township of Belleville will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12:

Any matter which, by express provision of Federal Law, State Statute or Rule of Court shall be rendered confidential or excluded from discussion in public;

Any matter in which the release of information would impair a right to receive funds from the federal government;

Any matter the disclosure of which constitutes an unwarranted invasion of individual privacy;
Any collective bargaining agreement, or the terms and conditions of which are proposed for inclusion in any collective bargaining agreement, including the negotiation of terms and conditions with employees or representatives of employees of the public body;

Any matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed;

Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection.

Any investigations of violations or possible violations of the law;

Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party.

Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer;

Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting;

Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a

license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

Any matter involving the employment, appointment, termination of employment, disciplinary action unless individual in writing requests a public meeting;

Any deliberations of the public body occurring after a public hearing that may result in the imposition of specific civil penalty.

The Executive Session shall be to discuss litigation, negotiations and/or personnel, including but not limited to the following:

Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting;

Any deliberation of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act of omission for which the responding party bears responsibility;

Any matter involving the employment, appointment, termination of employment, disciplinary action unless individual in writing requests a public meeting;

Any deliberations of the public body occurring after a public hearing that may result in the imposition of specific civil penalty.

The Executive Session shall be to discuss litigation, negotiations and/or personnel, including but not limited to the following.

❖ Personnel Matters

Frank DiMaria:
<u>Health Benefits</u>

- 20-individuals-surviving spouses-Health Insurance-should have been off
- Will seek advice from Health Administrator
- 1 million dollars in cost savings

- Starting in January of 2026
- Our labor attorney and IMAC will draft the letter
- The invoice we get from Blue Cross/Blue Shield does not have segregation of names and relationships
- 20 people at $50,000 = $1,000,000.00
- Plus, a 30% increase in 2026

Councilwoman DePeña:

- I appreciate that we are doing this
- Mayor, you agree with what we are doing
- You do not agree with the letter
- Can we draft a second letter with guidance of additional health coverage

Councilman Graziano:

- Once we put verbiage in that letter, we are going to be liable

Steven Martino:

- Stop, why are we discussing this now, when we have two attorneys present to discuss the other matter
- Let's discuss this matter after

Litigation:
Frank DeLorenzo v. Township of Belleville settlement
Mary McDonell, Esq., represented Mayor Melham

- $250,000 – total
- $150,000 – insurance
- $100,00 – Township
- Mayor is released from lawsuit
- It's confidential
- It's Operable and can be released to the public
- If we go to a jury trial, we will have to pay attorney fees as well as ours
- Carriers look at these types of cases and rather settled unclear cases
- Letter of resignation effective November 1, 2025, and not seek employment with the Township – may seek employment with any other municipalities
- Agreement was signed on October 7. 2025
- Some of the charges were whistleblowing discrimination and hostile work environment
- Mayor was able to refute all claims

- Punitive damages are not covered by insurance carrier – township would have to pay out of pocket

Stevem Martino:

- If he retired today $35,000
- Entitled again starting January 1, 2026 $32,000
- Plus, attorney fees continue
- Summary judgment cases are very slim to be dismissed

Mayor and Council were polled to possibly settle case

Cozzarelli-yes	Muldrow-yes
DePeña-yes	Velez-yes
Graziano-yes	Mayor Melham-no
Guardabasco-yes	

- Mayor and Council approve settlement (6:50pm)

Frank DiMaria: (6:52pm)

- Letter must say – it's illegal (Berstein)
- Soften the letter and offer a option
- Councilwoman DePeña and Muldrow to over see the soften of letter

6:59p.m.

Motion to close executive session by Councilmember Cozzarelli seconded by Councilmember DePeña, Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

Proclamations:

- Mayor Melham presented proclamations to Jayden Johnson and Omar Edgardo Suarez from Troop 22 for achieving the prestigious rank of Eagle Scouts

- Proclamation for Eagle Scout Dominic Grolimond read into the record by Councilmember Cozzarelli

<u>Work Session/Council Discussion:</u>

Councilmember Velez:

- E-Bike/E-Scooter Safety
- Surrounding municipalities have ordinances limiting the speed to 20mph
- People have modified E-Bikes that can go as fast as 40 to 50mph

Steve Martino:

- We have an e-scooter ordinance, but it doesn't cover e-bikes
- Council can amend it to include E-Bikes

Mark Minichini:

- The dilemma is stopping them and enforcement

Councilmember Graziano:

- Other municipalities require registration and insurance for e-bikes and e-scooters
- Can we put that language in the amended ordinance

Steve Martino:

- There is some state law
- As the chief said, it's about enforcement because they take off and you're not allowed to chase.
- If council likes, I'll draft an amended ordinance and send it out for you to review

Brian Banda:

- Senior Building Kitchen Renovations

Mayor Melham:

- There is a resolution on tonight's agenda for $123,750 for kitchen renovation
- We usually like to have a work session discussion about items and then potentially place on future agendas
- Having a work session discussion and placing the resolution on the same day's agenda is a little backwards, I think.

Brian Banda:

- Our CFO Frank DiMaria has a financial breakdown of the costs

Frank DiMaria:

- There were three proposals (Co-op)
- To put your mind at ease, prevailing wage will thrapple the price of anything
- If it's a public works contract more than $19,375, they have to pay prevailing wage
- Which is premium to union rates

Mayor Melham

- I understand prevailing wage, why can't we buy kitchen cabinets and buy appliances and install it
- Why do we have to spend $120,000 on a kitchen

Frank DiMaria:

- This is not only a kitchen cabinet and appliances
- The scope of the work also includes ceilings, floors, windows, flashing for exterior windows, full electrical upgrade and full plumbing upgrade
- The vent from the oven goes into the cabinet and all those fumes just go into the air
- It is a custom cabinet configuration and it's not cheap
- The price is tripled because of the prevailing wages

Mayor Melham

- Change the configuration and make it off the shelf cabinets
- I spend a lot of time at the senior center, and I never heard one person say we need a new kitchen or complain about the floor or ceiling

Brian Banda

- They must level the floors for the cabinets and new countertops
- I'll let Bobby explain about the ceiling; I don't know what the issue is with that
- The cabinets are falling apart, vents go nowhere, ovens don't work at all

Deputy Mayor DePeña:

- To help understand the process, is it helpful if we have a more detailed list of the quoted items
- My question is, if we can't invest $120,000 in this project can we invest maybe $40 or $50 thousand on some upgrades

Frank DiMaria:

- The plumbing and electrical upgrades behind the cabinets alone will cost that much

Robert Welter:

- The cabinets were last replaced probably 40 years ago, they're falling apart
- It's all custom work
- The plumbing is outdated

Councilmember Cozzarelli:

- Is there any work we can do in-house like the demo or something like that to save some money

Robert Welter:

- It's out of the scope of the DPW, it's a lot of custom work

Report of the Manager:

- Police renovation project for the locker and bathrooms scheduled to begin first week of November. Once completed, we'll move on to the leaky stairwell project
- Renovations to the kitchen at the senior center were discussed
- Fairway Park, the project is moving along, and the playground and dog park are completed, and the community garden is nearly complete
- Contractors are now working on all fencing around the basketball court
- Pocket Park retaining wall material should be delivered Friday and work is scheduled to begin next Tuesday
- Friendly House floor leveling and ceiling leak repairs are complete, and installation of the wood floors will begin after election day
- Police substation at 1991 Belmont, plans are nearly complete, and we should be able move forward with costs and quotes after input on one more item
- The curb painting program is taking place around town and being done by the police
- Grandstands project update, costs for structural repair for ADA total is around $5 million and we have received $2 million in grant money. We're looking for additional funding options
- The township is potentially looking at another Green Acres Award for 2026

Report of the Mayor's Report:

- Tracking the revenue for the bus shelters
- At senior building today, seniors have to take their own garbage out
- When we took down the gazebo -we had placards, do we know who has them
- Out of town seniors are not happy to pay the $50 fee versus $25 for Belleville residents

Upcoming Events:

- Tuesday is November 4th Election Day, town hall is closed
- Sunday, November 9th Veterans Day weekend – flag raising and parade

Past Events:

- Saturday, October 4th and Sunday, October 5th garage townwide was a success
- Food truck festival, October 4th
- Fire house event, October 5th
- Cuban Day flag raising, October 10th
- Italian flag raising
- November 1st Halloween spectacular

- Washington Avenue project is shut down for the year
- Belleville Township will receive the bronze award at the New Jersey Legue of Municipalities

Approval of Minutes:

- August 26, 2025 - regular

Motion by Councilmember Cozzarelli seconded by Councilmember DePeña
Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham
Nays: None Absent: None Abstain: None

- September 23, 2025 - regular meeting

Motion by Councilmember Cozzarelli seconded by Councilmember DePeña
Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham
Nays: None Absent: None Abstain: None

- October 15, 2025 - special meeting

Motion by Councilmember Cozzarelli seconded by Councilmember DePeña
Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham
Nays: None Absent: None Abstain: None

Communications:
Clerk Albert Cabrera
a.) Mayor Michael Melham's letter to the members of NJ-DCA Affordable Housing trust Fund 2026 Grand Committee in support of the AD Properties LLC project
b.) Mayor Michael Melham's exercising his Mayoral right to re-appoint Deputy Chief Gerard Corbo as the OEM Coordinator for the Township of Belleville, pursuant to N.J.S.A. App.A:9-40.1. The term is from January 1, 2025 to December 31, 2028.
c.) RFP's and RFQ's - 1st occasion results of October 14, 2025.

Ordinance:

Ordinance # 55-25
Ordinance for Possible Adoption:

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF BELLEVILLE CHAPTER 8-2.2, PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS

Section I: that section 8-2.2, schedule I of the entitled ordinance is hereby amended by AMENDING the following location:

NAME OF STREET	SIDE	LOCATION
Belmont Avenue	West	Beginning at a point 35 'North of the N/W apex of Honiss Street/ Belmont Avenue and continuing 690' South thereof;

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, this Ordinance shall take effect upon passage.

Motion to open to the public by Councilmember Guardabasco seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

No Public Comments
No members of the public on the phones

Motion to close public comments and adopt by Councilmember Guardabasco seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

Ordinance # 56-25
Ordinance for Possible Adoption:

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF BELLEVILLE, PARKING METERS, CHAPTER 9-1.3, TIME LIMIT ON ALL TOWNSHIP MUNICPAL LOTS

Section I: that section 9-1.3 of the entitled ordinance is hereby amended by AMENDING the following:

In designated parking meter zones, payment for parking shall be made Monday Through Saturday 9 AM – 6 PM. In all Township Municipal Parking Lots, payment for parking shall be made daily, 24 hours a day.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section II: This ordinance shall become effective immediately upon final passage and publication as provided by law.

Motion to open to the public by Councilmember Velez seconded by Councilmember DePeña
Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham
Nays: None Absent: None Abstain: None

No Public Comments
No members of the public on the phones

Motion to close public comments and adopt by Councilmember Velez seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

Ordinance # 57-25
Ordinance for Possible Adoption:
AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF BELLEVILLE, CHAPTER 8-2C.12, RESIDENTIAL PARKING PERMIT AREAS

Section I: that section 8-2C.12 of the entitled ordinance is hereby amended by REMOVING

the following location:

Name of Street	**Direction**
Chestnut Street	South- between Franklin Avenue and Camp Carragher

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section II: This ordinance shall become effective immediately upon final passage and publication as provided by law.

Motion to open to the public by Councilmember Cozzarelli seconded by Councilmember Guardabasco Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

No Public Comments
No members of the public on the phones

Motion to close public comments and adopt by Councilmember Cozzarelli seconded by Councilmember Velez Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

Ordinance # 58-25
Ordinance for Possible Adoption:

AN ORDINANCE OF THE TOWNSHIP OF BELLEVILLE, COUNTY OF ESSEX, STATE OF NEW JERSEY AMENDING CHAPTER 16 HEALTH, SUBCHAPTER 8 SANITARY CODE, §16-8.26, §16.8.27 AND §16-8.30 OF THE TOWNSHIP CODE

BE IT ORDAINED, by the Municipal Council of the Township of Belleville, County of Essex, State of New Jersey that Chapter 16 Health, Subchapter 8 Sanitary Code, §16-8.26, §16.8.27 AND §16-8.30 Township of Belleville is hereby amended as follows:

§ 16-8.26 Certain Animals Prohibited ~~in Dwellings.~~
No person shall keep or allow to be kept in any dwelling, house or structure, premises or upon any open property or grounds within the Township of Belleville, any horse, cattle, swine, goat, sheep, horses, roosters or venomous snakes.

§ 16-8.27 Regulation for Rabbits, Pigeons and Fowl.
No person(s) shall keep on his property, or in his possession, or permit to be kept, any rabbits, live chickens, pigeons, or fowl in excess of six (Excepting those persons engaged in the keeping of fowl for commercial purposes in the business zone), in number nor shall such animals or fowl be permitted to run or fly at large within the Township of Belleville. No person(s) shall have or

keep any animals for the purpose of breeding. Such animals and fowl shall be confined in a suitable house or coop with an enclosed runway and house or coop shall be no less than 30 feet from a human dwelling, store, or office building and not less than 10 feet from any neighboring property line. Such house or coop shall be kept in good repair, shall have floors impervious to moisture and shall be waterproof, free from rats and vermin, properly lighted and ventilated and in a clean and sanitary condition at all times, and may be subject to periodic inspection by the Health Department. A property survey must be submitted to the Health Department showing the proposed location of the house or coop. All plans for such structures and all structures intended for the use of housing such animals or fowl shall be in accordance with the Construction Codes of the township. Houses or coops must be registered with the Health Department along with an annual fee of $50.00.

§16-8.30 shall be deleted.

BE IT FURTHER ORDAINED by the Municipal Council of the Township of Belleville, New Jersey:

1. That the balance of the ordinance shall remain in full force and effect.

2. All prior ordinances inconsistent with the language hereinabove are hereby repealed.

3. The ordinance shall take effect upon passage and publication is required by law.

Motion to open to the public by Councilmember DePeña seconded by Councilmember Velez
Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham
Nays: None Absent: None Abstain: None

No Public Comments
No members of the public on the phones

Motion to close public comments and adopt by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

<u>Ordinance # 59-25</u>
<u>Ordinance for Possible Adoption:</u>

AN ORDINANCE OF THE TOWNSHIP OF BELLEVILLE AUTHORIZING AND APPROVING THE TERMINATION OF THE REDEVELOPMENT AGREEMENT AND THE FINANCIAL AGREEMENT BETWEEN THE TOWNSHIP OF BELLEVILLE AND 91 TERRY STREET URBAN RENEWAL, LLC

WHEREAS, the Township of Belleville (the "Township") and 91 Terry Street Urban Renewal, LLC (the "Redeveloper/Entity") entered into that certain Redevelopment Agreement, dated December 19, 2016, as amended by the Settlement, Release and Amendment to Redevelopment Agreement, dated as of February 19, 2019, the Second Amendment to Redevelopment Agreement, dated as of June 13, 2023, and the Third Amendment to Redevelopment Agreement, dated as of June 18, 2024 (collectively, the "Redevelopment Agreement"), concerning the property known as 91 Terry Street and 371 Cortland Street and designated on the official tax map of the Township of Belleville as Block 8902, Lots 1, 10 and Lot 11 (the "Property"); and

WHEREAS, the Township of Belleville and Redeveloper/Entity entered into that certain Financial Agreement by and between the Township of Belleville and 91 Terry Street Urban Renewal, LLC, dated April, 2020, pursuant to Ordinance No. 3467 as amended by the First Amendment to Financial Agreement, dated as of June 13, 2023, and the Second Amendment to Financial Agreement, dated as of June 18, 2024 (collectively, the "Financial Agreement"), providing for a long term tax abatement on the Property in accordance with the provisions of the Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq.; and

WHEREAS, on or about on December 12, 2019, the Redeveloper/Entity received site plan approval and has since only partially completed construction of certain improvements on the Property under the Redevelopment Agreement, including portions of a multi-family building containing approximately 115 residential units and related site improvements (collectively, the "Project"); and

WHEREAS, under Section 9.01 of the Financial Agreement, the Redeveloper/Entity is required to comply with all relevant Federal, State or Township statutes, ordinances, resolutions, rules and regulations:

> "**Section 9.01 Operation**
>
> During the term of this Agreement, the Project shall be maintained and operated in accordance with the provisions of the Law. Operation of the Project under this Agreement shall not only be terminable as provided by N.J.S.A. 40A:20-1, et seq. as amended and supplemented, but also by a Default under this Agreement. The Entity's failure to comply with the Law shall constitute a Default under this Agreement and the Township shall, among its other remedies, have the right to terminate the tax exemption"; and

WHEREAS, similarly under Section 5.04 of the Redevelopment Agreement, the Redeveloper/Entity is required to comply with all applicable local laws and ordinances regarding the Redeveloper/Entity's affordable housing obligations in relation to the Project; and

WHEREAS, Section 6 of Ordinance No. 3451 of the of the Township Code entitled "Amendments to Development Fee Regulations of the Affordable Housing Ordinance of the Township of Belleville" (the "Affordable Housing Ordinance"), the Redeveloper/Entity is required to pay the Township a residential affordable housing fee in the amount $275,152.60, one-half of which (or $137,576.30) the Entity must pay "at the time of issuance of the building permit"; and

WHEREAS, since the application for/issuance of a building permit for the Project on or about January 19, 2021, the Entity has failed to make all or a portion of such affordable housing payment to the Township in accordance with the Affordable Housing Ordinance; and

WHEREAS, in accordance with the Financial Agreement, the Redevelopment Agreement and the applicable penalty sections of the Township Code, the Redeveloper/Entity is, and has been, in default of such agreements and/or in violation of the Township Code because the Redeveloper/Entity has failed to make the above-referenced payments to the Township as required under the Financial Agreement, the Redevelopment Agreement and Township Code; and

WHEREAS, on or about April 30, 2025 and in accordance with the Redevelopment Agreement and Financial Agreement, the Township duly served on the Redeveloper/Entity written notices of the above referenced defaults (namely, the Redeveloper/Entity's default and failure, and continuing failure, to perform its payment obligations under the Redevelopment Agreement and the Financial Agreement (collectively, the "Default Notices"); and

WHEREAS, under the Redevelopment Agreement and the Financial Agreement, the Redeveloper/Entity was required to finish construction of the Project on or about March 12, 2025, and all deadlines and completion dates set forth in the Redevelopment Agreement and the Financial Agreement have passed; and

WHEREAS, the Redeveloper/Entity has, *inter alia*, failed to complete the construction of the Project or diligently pursue same as required under the Redevelopment Agreement and the Financial Agreement; and

WHEREAS, the Redeveloper/Entity has defaulted and failed to comply with its payment obligations as set forth herein, the Redevelopment Agreement, the Financial Agreement and the Default Notices; and

WHEREAS, the Default Notices provide that if the Redeveloper/Entity fails to make such outstanding payments within thirty (30) days of the date of such notices, then the Township shall proceed to terminate the Financial Agreement and/or pursue any and all remedies, fines, penalties and interest available under the Township Code, Financial Agreement or Redevelopment Agreement, at law and in equity; and

WHEREAS, on or about July 25, 2025, the representatives of the Township met in good faith with representatives of the Redeveloper/Entity in an attempt to resolve the Redeveloper/Entity's defaults set forth in the Default Notices; and

WHEREAS, as of the date of this Ordinance and despite the Township's good faith efforts, the Redeveloper/Entity has failed to make the required payment to the Township or complete construction of the Project or show any good faith efforts to complete the Project or the Project in accordance with the Redevelopment Agreement, the Financial Agreement and/or the Default Notices; and

WHEREAS, the cure periods under the respective Default Notices have passed, and the Township's ongoing good faith efforts to resolve the dispute and the Redeveloper/Entity's defaults under the Redevelopment Agreement and Financial Agreement have been unsuccessful; and

WHEREAS, in light of the Redeveloper/Entity's ongoing defaults under the Redevelopment Agreement and the Financial Agreement, and its failure and/or refusal to cure same, the Township desires to terminate the Redevelopment Agreement and the Financial Agreement and all of the Redeveloper/Entity's rights thereunder.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Council of the Township of Belleville, Morris County, State of New Jersey, that the Township's termination of

the Redevelopment Agreement between the Township of Belleville and 91 Terry Street Urban Renewal, LLC, and all of the Redeveloper/Entity's rights thereunder is hereby authorized and approved; and

BE IT FURTHER ORDAINED, by the Mayor and Township Council of the Township of Belleville, Morris County, State of New Jersey, that the Township's termination of the Financial Agreement between the Township of Belleville and 91 Terry Street Urban Renewal, LLC, and all of the Redeveloper/Entity's rights thereunder is hereby authorized and approved; and

BE IT FURTHER ORDAINED, that the Township Attorney or Redevelopment Counsel are hereby authorized to take any and all actions necessary or desirable to terminate the Redevelopment Agreement and the Financial Agreement and all of the Redeveloper/Entity's rights thereunder through the serving of a written termination notice on the Redeveloper/Entity and other documents necessary or desirable to effectuate such termination on terms consistent with this Ordinance and any other terms and conditions deemed advisable by Township Attorney or Redevelopment Counsel; and

BE IT FURTHER ORDAINED, that the Mayor and Clerk are hereby authorized to sign and witness, respectively, any documents necessary or desirable to effectuate the termination of the Redevelopment Agreement and the Financial Agreement and all of the Redeveloper/Entity's rights thereunder on terms consistent with this Ordinance, and any other terms and conditions deemed advisable by Township Attorney or Redevelopment Counsel, and to perform the Township's obligations and enforce its rights thereunder; and

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and in effect; and

BE IT FURTHER ORDAINED, that any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

Motion to open to the public by Councilmember Cozzarelli seconded by Councilmember Velez
Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham
Nays: None Absent: None Abstain: None

No Public Comments
No members of the public on the phones

Motion to close public comments and defeat ordinance by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

Ordinance#59-25 was defeat at adopting

Ordinance # 60-25
Ordinance for Possible Adoption:

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF BELLEVILLE, NEW JERSEY, CHAPTER 8-16, ENTITLED HANDICAPPED PARKING SPACES

Section I: that section 8, schedule 16 of the entitled ordinance, is hereby amended by ADDING the following locations to be designated as a restricted parking space for use by the person who has been issued an identification card or special handicapped plates by the Division of Motor Vehicles. The following locations will expire one year after installation, pending re-evaluation of handicapped parking space request and confirmation of necessary credentials.

STREET	SIDE	LOCATION
42 Mount Prospect Avenue	East	Beginning at a point 361 feet south of the S/E apex of Mount Prospect Avenue and Maier Street and continuing to a point 22 feet south thereof;
81 Carmer Avenue APT 1-B	South	Beginning at a point 124 feet east of the N/E apex of Carmer Avenue and Saint Mary's Place and continuing to a point 22 feet east thereof;
225 Ralph Street	West	Beginning at a point 211 feet north of the N/W apex of Ralph Street and Terry Street and continuing to a point 22 feet north thereof;
172 Heckel Street	East	Beginning at a point 152 feet north of the N/E apex of Heckel Street and Honiss Street and continuing to a point 22 feet north thereof;
50 Honiss Street APT 2	North	Beginning at point 116 feet east of the N/E apex of Honiss Street and Heckel Street and continuing to a point 22 feet east thereof.

Motion to open to the public by Councilmember DePeña seconded by Councilmember Cozzarelli
Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham
Nays: None Absent: None Abstain: None

No Public Comments
No members of the public on the phones

Motion to close public comments and adopt by Councilmember Guardabasco seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

Ordinance # 61-25
Ordinance for Possible Adoption:

ORDINANCE APPROVING THE AGREEMENT BETWEEN THE TOWNSHIP OF BELLEVILLE AND 11 FRANKLIN REDEVELOPER URBAN RENEWAL II, LLC UNDER N.J.S.A. 40A:20-1 ET SEQ. (PORTION OF LOT 1.05)

WHEREAS, 11 Franklin Redeveloper Urban Renewal II, LLC (the "Entity") has been formed pursuant to Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. (the "LTTE Law") with the intention that the Entity own and redevelop the PILOT Project and PILOT Property (as such terms are defined herein); and

WHEREAS, TFJ Belleville LLC and LERP Belleville, LLC (affiliates of the Entity) (collectively, the "Fee Owner"), is the fee simple owner of the following land, located in the Township shown as Block 2301, Lot 1.05 on the official tax map of the Township, which contains in the aggregate approximately 8.834 acres of real property (the "Property"); and

WHEREAS, the Township adopted the "Roche Diagnostic Redevelopment Plan, Block: 2301, Lots 1.01, 1.02, 1.03, 1.04 and 1.05 (formerly known as Lot 1), 11 Franklin Avenue", prepared by CME Associates and dated January 2017, and amended through December 1, 2023 (as amended, the "Redevelopment Plan") establishing the Roche Diagnostic Redevelopment Area, adopted pursuant to Ordinance No. 45-23 on February 27, 2024, and concerning, inter alia, the Property; and

WHEREAS, the Fee Owner, 11 Franklin Redeveloper, LLC (an affiliate of the Entity) and the Township entered that certain Redevelopment Agreement, dated on or about July 16, 2024 concerning, inter alia, the Property, as may be further amended (the "Redevelopment Agreement"); and

WHEREAS, on or about May 8, 2025, the Planning Board granted preliminary and final site plan and subdivision approval in Planning Board Resolution PB 2025 (the "Site Plan/Subdivision Resolution") permitting, inter alia, subdivision of existing Lot 1.05 into two (2) new lots to be designated as Lot 1.05, which will contain approximately 5.51 acres (the "PILOT Property"), and Lot 1.06, which will contain approximately 3.32 acres, and the development on PILOT Property of a mixed-use project containing a total of 175 residential units (75 of which shall be restricted for use as housing for older persons) and a total of approximately 39,000 square feet of commercial space on the ground floor, and associated outdoor promenade and amphitheater, amenity space as more specifically set forth in the Site Plan/Subdivision Resolution (collectively, the "PILOT Project"); and

WHEREAS, the Entity filed, or will file in accordance with the Redevelopment Agreement, in the land records of the Property, that certain map entitled "Preliminary and Final Minor Subdivision Plat, Block 2301, Existing Lot 1.05, Proposed Lots 1.05 & 1.06", prepared by Control Pint Associates, LLC (containing two (2) sheets) so as to subdivide the Property in accordance with the Site Plan/Subdivision Resolution and create and perfect the creation of the PILOT Property as a separately identifiable tax parcel (the "Plat"); and

WHEREAS, on or about October 1, 2025, the Entity filed an Application for a Financial Agreement with the Township (the "Exemption Application"), in accordance with N.J.S.A. 40A:20-8,

pursuant to the LTTE Law seeking approval of a Financial Agreement providing for exemption from municipal taxation for the PILOT Project as aforesaid, for a period of thirty (30) years from "Substantial Completion", and for payment in lieu of taxes of an Annual Service Charge; and

WHEREAS, the chief executive officer of the Township submitted the Exemption Application to the Township Council for consideration of approval; and

WHEREAS, the Entity also submitted as part of the Exemption Application, a form of financial agreement (the "Financial Agreement"), establishing the rights, responsibilities and obligations of the Entity under a long-term tax exemption for the PILOT Project; and

WHEREAS, the relative stability and predictability of the payments and service charges to be paid by the Entity to the Township under the Financial Agreement will allow stabilization of the PILOT Project operating budget, allowing a high level of urban design, aesthetics and amenities as well as the use of high-quality materials which will maintain the appearance of the buildings over the life of the PILOT Project, which will ensure the likelihood of the success of the PILOT Project and insure that it will have a positive impact on the surrounding area; and

WHEREAS, the Township Council has reviewed the information provided in the Application and Financial Agreement and has deemed approval of same warranted and acceptable under the LTTE Law and further finds that the Financial Agreement will provide significant and long-term benefits to the Town.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Belleville in the County of Essex, New Jersey, as follows:

Section 1. The Financial Agreement concerning 11 Franklin Redeveloper Urban Renewal II, LLC and the Long Term Tax Exemption of the PILOT Project under the LTTE Law is hereby approved substantially in the form attached hereto, and the Mayor is hereby authorized to execute such Financial Agreement, subject to such modifications or revisions, as deemed necessary and appropriate after consultation with counsel, and to perform and enforce the rights and obligations set forth therein.

Section 2. The Exemption Application concerning 11 Franklin Redeveloper Urban Renewal II, LLC and the Long Term Tax Exemption of the PILOT Project under the LTTE Law is hereby approved, and the Mayor and Township Council find that the PILOT Project represents an undertaking permitted by the LTTE Law, and constitutes improvements made for the purposes of clearance, replanning, development or redevelopment of an area in need of redevelopment within the Township, as authorized by the Redevelopment Law and the LTTE Law.

Section 3. The Clerk of the Township is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document.

Section 4. The executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Township Clerk. Further, the Clerk of the Township shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Township and the

Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the LTTE Law.

Section 5. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 6. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are hereby rescinded.

Section 7. This ordinance shall take effect in accordance with applicable law.

Motion to open to the public by Councilmember Cozzarelli seconded by Councilmember DePeña
Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham
Nays: None Absent: None Abstain: None

No Public Comments
No members of the public on the phones

Motion to close public comments and adopt by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco and Mayor Melham Nays: Muldrow and Velez Absent: None Abstain: None

Ordinance # 62-25
Ordinance for Possible Adoption:

ORDINANCE APPROVING THE AGREEMENT BETWEEN THE TOWNSHIP OF BELLEVILLE AND 11 FRANKLIN REDEVELOPER URBAN RENEWAL I, LLC UNDER N.J.S.A. 40A:20-1 ET SEQ. (PORTION OF LOT 1.04)

WHEREAS, 11 Franklin Redeveloper Urban Renewal I, LLC (the "Entity") has been formed pursuant to Long Term Tax Exemption Law of 1992, as amended and supplemented, N.J.S.A. 40A:20-1 et seq. (the "LTTE Law") with the intention that the Entity own and redevelop the PILOT Project and PILOT Property (as such terms are defined herein); and

WHEREAS, TFJ Belleville LLC and LERP Belleville, LLC (affiliates of the Entity)(collectively, the "Fee Owner"), is the fee simple owner of the following land, located in the Township shown as Block 2301, Lot 1.04 on the official tax map of the Township, which contains in the aggregate approximately 2.5 acres of real property (the "Property"); and

WHEREAS, the Township adopted the "Roche Diagnostic Redevelopment Plan, Block: 2301, Lots 1.01, 1.02, 1.03, 1.04 and 1.05 (formerly known as Lot 1). 11 Franklin Avenue", prepared by CME Associates and dated January 2017, and amended through December 1, 2023 (as amended, the

"Redevelopment Plan") establishing the Roche Diagnostic Redevelopment Area, adopted pursuant to Ordinance No. 45-23 on February 27, 2024, and concerning, inter alia, the Property; and

WHEREAS, the Fee Owner, 11 Franklin Redeveloper, LLC (an affiliate of the Entity) and the Township entered that certain Redevelopment Agreement, dated on or about July 16, 2024 concerning, inter alia, the Property, as may be further amended, (the "Redevelopment Agreement"); and

WHEREAS, on or about May 8, 2025, the Planning Board granted preliminary and final site plan and subdivision approval in Planning Board Resolution PB 2025 (the "Site Plan/Subdivision Resolution") permitting inter alia, the development on the PILOT Property (as defined herein) of a retail project containing a total of three (3) retail units (and a drive-through for one (1) unit) in one (1) building containing a total of approximately 7,300 square feet of retail space as more specifically set forth in the Site Plan/Subdivision Resolution (collectively, "PILOT Project"); and

WHEREAS, on or about August 25, 2025, the Fee Owner filed in the land records of Lot 1.04 at Instrument Number 2025053653 that certain master deed entitled "Master Deed for 11 Franklin Avenue Retail Condominium", dated May 5, 2025, which created on Lot 1.04 two (2) condominium units designated as "Condo A" and "Condo B" (containing approximately 0.606 acres), and associated "Common Areas", all as illustrated on plan entitled "Condominium Plan, Retail" prepared by L2A Land Design, LLC, dated April 2, 2025 (the "Condo Plan") attached hereto and made a part hereof at Exhibit 8 (Condo B is hereinafter referred to as the "PILOT Property"); and

WHEREAS, on or about October 1, 2025, the Entity filed an Application for a Financial Agreement with the Township (the "Exemption Application"), in accordance with N.J.S.A. 40A:20-8, pursuant to the LTTE Law seeking approval of a Financial Agreement providing for exemption from municipal taxation for the PILOT Project as aforesaid, for a period of thirty (30) years from "Substantial Completion", and for payment in lieu of taxes of an Annual Service Charge; and

WHEREAS, the chief executive officer of the Township submitted the Exemption Application to the Township Council for consideration of approval; and

WHEREAS, the Entity also submitted as part of the Exemption Application, a form of financial agreement (the "Financial Agreement"), establishing the rights, responsibilities and obligations of the Entity under a long-term tax exemption for the PILOT Project; and

WHEREAS, the relative stability and predictability of the payments and service charges to be paid by the Entity to the Township under the Financial Agreement will allow stabilization of the PILOT Project operating budget, allowing a high level of urban design, aesthetics and amenities as well as the use of high-quality materials which will maintain the appearance of the buildings over the life of the PILOT Project, which will ensure the likelihood of the success of the PILOT Project and insure that it will have a positive impact on the surrounding area; and

WHEREAS, the Township Council has reviewed the information provided in the Application and Financial Agreement and has deemed approval of same warranted and acceptable under the LTTE Law and further finds that the Financial Agreement will provide significant and long-term benefits to the Town.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Township of Belleville in the County of Essex, New Jersey, as follows:

Section 1. The Financial Agreement concerning 11 Franklin Redeveloper Urban Renewal I, LLC and the Long Term Tax Exemption of the PILOT Project under the LTTE Law is hereby approved substantially in the form attached hereto, and the Mayor is hereby authorized to execute such Financial Agreement, subject to such modifications or revisions, as deemed necessary and appropriate after consultation with counsel, and to perform and enforce the rights and obligations set forth therein.

Section 2. The Exemption Application concerning 11 Franklin Redeveloper Urban Renewal I, LLC and the Long Term Tax Exemption of the PILOT Project under the LTTE Law is hereby approved, and the Mayor and Township Council find that the PILOT Project represents an undertaking permitted by the LTTE Law, and constitutes improvements made for the purposes of clearance, replanning, development or redevelopment of an area in need of redevelopment within the Township, as authorized by the Redevelopment Law and the LTTE Law.

Section 3. The Clerk of the Township is hereby authorized and directed, upon execution of the Financial Agreement by the Mayor, to attest to the signature of the Mayor and to affix the corporate seal of the Township upon such document.

Section 4. The executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Township Clerk. Further, the Clerk of the Township shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Township and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with Section 12 of the LTTE Law.

Section 5. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 6. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are hereby rescinded.

Section 7. This ordinance shall take effect in accordance with applicable law.

Motion to open to the public by Councilmember Cozzarelli seconded by Councilmember Velez
Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham
Nays: None Absent: None Abstain: None

No Public Comments
No members of the public on the phones

Motion to close public comments and adopt by Councilmember Velez seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

Ordinance # 63-25
Ordinance for Possible Adoption:

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF BELLEVILLE, COUNTY OF ESSEX, NEW JERSEY CHAPTER 12-1.3. FEES

Add:

a. 6. Elevator subcode fees shall be 35% of the fee schedule established by the Department of Community Affairs N.J.A.C. 5:23-4.20

Motion to open to the public by Councilmember Velez seconded by Councilmember DePeña
Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham
Nays: None Absent: None Abstain: None

No Public Comments
No members of the public on the phones

Motion to close public comments and adopt by Councilmember Cozzarelli seconded by Councilmember Velez Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

Ordinance # 64-25
Ordinance for Introduction:

AN ORDINANCE AMENDING CHAPTER XXIII, ZONING, TO IMPLEMENT ORDINANCE AMENDMENTS AS RECOMMENDED IN THE 2018 MASTER PLAN REEXAMINATION REPORT

WHEREAS, the Belleville Master Plan Reexamination Report was adopted by resolution on March 8, 2021, by the Township of Belleville Planning Board at a duly noticed public hearing in accordance with the Municipal Land Use Law, and

WHEREAS, the Reexamination Report made recommendations for amendments to Township's zoning ordinance and development regulations in order to advance the policy goals and objectives of the Master Plan; and

WHEREAS, the Township Council has the authority to institute amendments under the Municipal Land Use Law and desires to make said changes to better regulate and improve the Township's zoning regulations; and

WHEREAS, the following amendments have been drafted to implement the recommendations of the Master Plan Reexamination Report; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Belleville, County of Essex, State of New Jersey, that the following amendments identified in the Township of Belleville Master Plan Reexamination Report, ordinances previously passed and adopted and typographical errors and corrections shall be incorporated into Chapter XXIII: Zoning of The Revised General Ordinances of the Township of Belleville:

NOTE: Additions are shown in ***bold italics***. Deletions are shown in ~~**bold with a strikethrough**~~.

SECTION 1:

Amend **Chapter XXIII: §23-26.3 NOTICE OF VIOLATION OF ORDINANCE** as follows:

c. Penalties. Any person who violates any provision of this Chapter shall, upon conviction thereof in the Municipal Court, be punished by a fine not less than $100 nor more than ~~**$1,000**~~ ***$2,000*** or by imprisonment for a term not exceeding 30 days for a first offense and not more than 90 days for a second offense, or both, or by a period of community service not exceeding 90 days. A separate offense deemed committed for each day during or in which a violation occurs or continues.

SECTION 2:

Amend **Chapter XXIII: §18-4 DEFINITIONS** as follows:

dd. SUBDIVISION COMMITTEE - Subdivision Committee shall be another name for the Planning Board Site Plan Subcommittee consisting of the ~~**Construction Official,**~~ Zoning Official, Township Engineer, ~~**Township Planner,**~~ and Planning Board Chair~~**man**~~ ***(or Vice Chair when the Chair is unavailable), the Class 2 Member,*** and ~~**or a Planning Board member designated by the Chair and one**~~ ***the*** Class 4 Member **designated the Secretary** of the Planning Board. ~~**The Planning Board Secretary shall be present at the Planning Board Subcommittee meetings to record and distribute meeting minutes.**~~

SECTION 3:

Amend **Chapter XXIII:§19-5 SITE PLAN APPROVAL** as follows:

a. No change
b. Exceptions to requirements of §19.5.
    1. No change.
    2. No change.
    3. Site plan review and approval shall not be required from the Planning Board for all land development, improvement, rehabilitation, alteration or change in use for any residential, institutional, commercial, industrial development involving one or more of the following, provided that the application is approved by the Planning Board Site Plan Subcommittee consisting of the ~~**Construction Official,**~~ Zoning Official, Township Engineer, ~~**Township Planner, and**~~ Planning Board Chair~~**man**~~ ***(or Vice Chair when the Chair is unavailable), the Class 2 Member,*** and ~~**or a Planning Board member designated by the Chair and one**~~ ***the*** Class 4 Member ***designated the Secretary*** of the Planning Board. The Planning Board ***(recording)*** Secretary shall be present at the Planning Board Subcommittee meetings to record and distribute meeting minutes ***and prepare resolutions. The minutes of the Subcommittee must be approved at a formal meeting of the full Planning Board.***

SECTION 4:

Amend **Chapter XXIII:§20-1.1 When Required** as follows:

a. No change
b. Exceptions to requirements of §20-1.1.
    1. No change.
    2. No change.
    3. Site plan review and approval shall not be required from the Planning Board for all land development, improvement, rehabilitation, alteration or change in use for any residential, institutional, commercial, industrial development involving one or more of the following, provided that the application is approved by the Planning Board Site Plan Subcommittee consisting of the ~~**Construction Official,**~~ Zoning Official, Township Engineer, ~~**Township Planner, and**~~ Planning Board Chair~~**man**~~ ***(or Vice Chair when the Chair is unavailable), the Class 2 Member,*** and ~~**or a Planning Board member designated by the Chair and one**~~ **the** Class 4 Member ***designated the Secretary*** of the Planning Board. The Planning Board ***(recording)*** Secretary shall be present at the Planning Board Subcommittee meetings to record and distribute meeting minutes ***and prepare resolutions. The minutes of the Subcommittee must be approved at a formal meeting of the full Planning Board.***

SECTION 5:

Amend **Chapter XXIII:§23-5 DEFINITIONS** as follows:

The following shall be added:

BEDROOM
Any enclosed room with a door or a room that may be easily enclosed using permanent or non-permanent means (e.g., curtains) in a residential unit capable of being used for sleeping facilities, guest room, library, game room, sun room, private office, hobby room, den, sitting room, home gym, loft or any other similar-type use.

BUILDING COVERAGE
The ratio of the horizontal area measured from the exterior surface of the exterior walls of the ground floor of all principal and accessory buildings on a lot to the total lot area.

CAFÉ / LUNCHEONETTE
A small restaurant with table and/or bar seating for no more than 10 patrons primarily serving coffee, drinks and light meals, sandwiches and/or desserts.

CLOTHING DONATION BIN
Any receptable or container made of metal, steel, or any other material designed or intended for the collection and temporary storage of donated clothing or other materials.

EVENT HALL
An establishment that hosts special occasions, including the provision of spaces for dining, dancing, and other functions incidental to the occasion, on a scheduled basis, including but not limited to: weddings, bar/bat mitzvahs, family reunions, corporate award ceremonies, charitable benefits and other special events. Such event hall may provide for preparation and serving of meals or refreshments for the event.

GAZEBO/PAVILION
A roofed structure that offers an open view of the surrounding area, typically used for relaxation and entertainment.

HOME OFFICE
Shall mean for-profit home-based office work including but not limited to self-employed office work and internet-based retail provided there shall be no employees. The activities

shall be conducted solely by a resident/owner/occupants of the dwelling and no display of advertising or display of products shall be visible from the street.

LOT COVERAGE
The portion of a lot that is covered by structures and buildings, paved surfaces, and patios except decks and swimming pools.

MIXED-USE
A use which combines ~~**a retail or business use on the ground floor with a residential use in the same structure**~~ ***two or more uses within the same structure. This may include a mix of non-residential and residential uses, or a mix of non-residential uses (e.g., retail and office uses within the same structure).***

MULTI-SERVICE USE
A commercial enterprise offering additional services unrelated to its primary business. This includes multiservices that provide mixed immigration services that are not directly associated with attorneys or accredited representatives with authorization from the U.S. Department of Justice to give legal assistance.

PLANNING BOARD SUBCOMMITTEE
A special committee of the planning Board consisting of the Zoning Official, Township Engineer, and Planning Board Chair (or Vice Chair when the Chair is unavailable)**, *the Class 2 Member*,** and ~~**or a Planning Board member designated by the Chair and one**~~ ***the*** Class 4 Member ***designated the Secretary*** of the Planning Board. It is also known as the Subdivision Committee. This committee shall review all development prescribed within Chapter XX and at the discretion of the Zoning Official, commercial signage, façade and fencing when determined necessary.

PERGOLA
A structure of parallel colonnades supporting an open roof of crossing rafters or trelliswork.

PORCH
A roofed, open area attached to and with direct access to or from a building.

SETBACK
PORCH
The distance between the porch and any lot line.

FRONT YARD
The distance between the building and the property frontage.

SETBACK LINE
That line that is the required minimum distance from any lot line and that establishes the area within which the structure must be located.

SHORT TERM RENTAL
The accessory use of a dwelling unit for occupancy by someone other than the unit's owner or permanent resident for a period of 30 or less consecutive days, which dwelling unit is regularly used and kept open as such for the lodging of guests, and which is advertised or held out to the public as a place regularly rented to transient occupants, as that term is defined in this section.

TRANSIENT OCCUPANT
Any person or a guest or invitee of such person, who, in exchange for compensation, occupies or is in actual or apparent control or possession of residential property, which is either: i) registered as a short-term rental property, or ii) satisfies the definition of a short-term rental property, as such term is defined in this section. It shall be a rebuttable presumption that any person who holds themselves out as being an occupant or guest of an occupant of the short-term rental is a transient occupant.

SECTION 6:

Amend **Chapter XXIII: Section 23-7.3 Permitted in the RA-1 Zoning District** as follows:

The following shall be added:

c. ***Prohibited Uses***
1. Short-term rentals

SECTION 7:

Amend **Chapter XXIII: Section 23-7.3 Permitted in the RA-2 Zoning District** as follows:

The following shall be added:

c. Prohibited Uses
1. Short-term rentals

SECTION 8:

Amend **Chapter XXIII: Section 23-7.12 Permitted in the BB-1 Zoning District** as follows:

The following shall be added:

b. Permitted Principal Use

1. ***Two or more separate principal commercial uses are permitted in the same building. This does not apply to manufacturing, research and development, or light industrial uses.***

Existing items 1-31 shall be re-numbered as 2-32.

41. Event hall.

SECTION 9:

Amend **Chapter XXIII: Section 23-6.1 Parking Space Required** as follows:

The following shall be added:
Table Notes or Table entitled "Residential Parking Requirements for the R-A, R-B, R-C and PRD Districts:

a. ***The bedroom requirements noted in the table shall apply to all residential development, including single-family, two-family, three-family and multi-family developments, and shall apply to stand-alone residential development and mixed use development. See the definition of bedroom under §23-5.***

Existing items a, b and c shall be re-numbered as b, c, and d, respectively.

Table entitled "New Mixed Use PARKING REQUIREMENTS within the B-A and B-G District

New Mixed Use building PARKING REQUIREMENTS within the B-A and B-G District	
Minimum for Residential dwelling units – with a bedroom mix equal to or less than 25% of 2-bedroom units, 3-bedroom units or greater	~~1~~ ***1.1 spaces per unit in the B-G District*** ***1.2 spaces per unit in the B-A District***
Minimum for Residential dwelling units – with a bedroom mix greater	1 space per bedroom for each unit exceeding the 25% limit

New Mixed Use building PARKING REQUIREMENTS within the B-A and B-G District	
than 25% 2-bedroom units, 3-bedroom units or greater	
Minimum for Ground Floor permitted retail/commercial uses	1 space per 500 square feet

SECTION 10:

Amend **Chapter XXIII: Section 23-7.7 Permitted in the B-A Zoning District** as follows:

The following shall be added:

b. Permitted Principal Uses

12. Combination of all uses listed above, ***limited to three principal uses.***

j. Conversion of Ground Floor of Residential Building to Commercial Space.

Conversions from residential use on the ground floor of existing 1-3 unit residential buildings to commercial uses shall comply with the following:

1. ***Only one of the following commercial uses are permitted for each ground floor conversion:***

   (a) Professional offices

   (b) Arts studio

   (c) Physical fitness gym/studio

   (d) Dance studio

   (e) Massage, body work and somatic therapy establishments

   (f) Chair massage establishments

   (g) Indoor cafés/luncheonettes, delis, and bakeries

   (h) Neighborhood retail uses, including but not limited: apparel, bookstores, etc.

2. ***Adequate on-site parking must be provided to the rear of the existing structure when the proposed commercial use is more than 2,000 square feet in gross floor area. Proposed conversion to commercial uses of less than or equal to 2,000 square feet in gross floor area are exempt from the parking requirement. No parking shall be permitted within a setback area.***

3. ***Conversions that meet the requirements noted above shall be exempt from requiring site plan approval from the Planning Board. A zoning permit will still be required.***

SECTION 11:

Amend **Chapter XXIII: Section 23-18.3 Accessory Building** as follows:

23-18.3 Accessory Buildings ***and Structures***

~~**A detached accessory building in R Districts or on a lot adjoining an R District may occupy the area of any rear yard, unless otherwise specified, and shall not be located nearer than 1 foot to any side or rear lot line.**~~

~~**No detached accessory building in an R District or on any lot adjoining an R District shall be located:**~~

~~**a. Within 50 feet of a front lot line of the lot.**~~

~~**b. Within 1 foot of a rear lot line that abuts a side lot line of a contiguous lot; proper precautions must be taken to keep area behind the structure free of debris.**~~

~~**c. Nearer to the side street line or a corner lot than the main building on the lot or, if an abutting lot, equal to the depth of the front yard required on said abutting lot to the rear, provided however, in no case shall a garage on the corner lot and facing the side street be required to set back more than 25 feet.**~~

~~**No detached accessory building shall be located nearer than 10 feet to a main building.**~~

~~**An attached accessory structure shall be considered to be a part of the main building and the total ground floor and elevation of the combined structure shall be subject to all regulations governing the main building except for decks and patios for one- and two-family dwellings. Decks and patios shall be setback a minimum of 2 feet from the property line.**~~

~~**No accessory building shall be constructed or erected on a lot which does not contain a principal or main building.**~~

~~**No accessory building shall have a ground floor gross area larger than the ground floor gross area of the principal or main building.**~~

~~**A detached accessory building with a use as a private garage in the RA-1, RA-2, R-C, R-SL, or PRD Districts will have a maximum height of 14 feet.**~~

~~**A detached 2 car garage on lots greater than 7,500 sq. ft. in the R-B and R-C districts are permitted a second story with a maximum height of 24 feet. Only permitted for carriage house.**~~

a. A development permit is required to be obtained prior to the installation of any accessory use or structure. Accessory uses and structures shall be permitted in all districts subject to the following provisions.

1. No accessory building shall be constructed or erected on a lot which does not contain a principal or main building. No accessory building structure or part thereof, shall be used for dwelling purposes.

2. No accessory building or structure on a corner shall interfere with safe sight distance for vehicular traffic at an intersection.

3. An accessory building may be located in any required side or rear yard, provided that a minimum setback of two (2) feet is maintained to any property line unless otherwise permitted by this Chapter.

4. No accessory structure in a nonresidential zone shall be taller than twenty (20) feet unless otherwise provided for in this Chapter. No accessory structure may exceed the height of the principal structure on the lot. A carriage house as defined in this chapter in any zone shall be a maximum of 24 feet in height.

5. Coverage: The accessory buildings shall have a cumulative ground floor gross area less than the ground floor gross area of the principal or main building.

6. No more than three (3) accessory structures shall be erected on any lot. For the purposes of this section only, a fence shall not be considered an accessory structure.

b. Storage Sheds in Residential Zones:

i. When a lot is equal to or smaller than 10,000 square feet, there shall be a maximum of one (1) shed on the property of no more than 150 square feet.

ii. For lot sizes over 10,000 square feet there may up to two (2) sheds, with cumulative area not to exceed 250 square feet.

iii. Any shed must be exclusively used by the occupants of the principal building to which the shed is accessory, and may only contain items customarily associated with residential use such as, but not limited to personal items, lawnmowers, tools and hardware.

iv. Sheds shall not be physically connected to a principal structure.

v. Any shed shall be a maximum of ten (10) feet in height.

vi. Sheds shall be set back from side and rear lot lines a minimum of one (1) foot.

c. Garages: A detached one- or two-car garage of maximum 550 square feet (22 ft. by 25 ft.) shall be permitted on single- and two-family lots. The maximum height for garages, except as otherwise permitted in this Chapter, shall be fourteen (14) feet. The minimum setback shall be one (1) foot.

d. Carports: A carport of maximum 200 square feet (10 ft. by 20 ft.) for storage of one (1) vehicle shall be permitted on single- and two-family lots in all residential districts. Carports shall maintain a setback of one (1) foot from side and rear property lines; however, if there is no garage and available side yard, the carport may be constructed up to 0.5 feet from the side lot line. Carports may not be physically connected to a principal structure. The maximum height for carports shall be fourteen (14) feet.

e. Porches: Porches shall be permitted in front yard areas, as well as side and rear yards as noted in this Chapter. Porches shall not be closer than ten (10) feet to the front property line The required setbacks shall be measured from the foundation of the principal use. Porches shall not be heated or air conditioned and at least fifty percent (50%) of the exterior wall area shall be open and nonglazed.

f. Decks and patios: For residential structures, decks and patios shall not be located in a front yard but may be located in the required side or rear yard, provided they are no closer than two (2) feet from the rear lot line or closer than two (2) feet to the side lot line. Rooftop decks shall be permitted, provided that it is setback a minimum of five (5) feet from the front of the building.

g. Generators and condensers: In all residential districts, back-up generators and air conditioning condensers shall be permitted to be installed in side and rear yards only with minimum setbacks from property lines of 5 feet. Such generators and condensers are exempt from decibel-level noise restrictions.

h. Home Office: Home offices shall be a permitted accessory use in all residential units.

i. Home Profession: Home professions shall be permitted accessory uses in all R residential districts.

j. Cabanas, Gazebos, and Pergolas: Cabanas, gazebos, and pergolas shall not exceed ten (10) feet in height, nor 150 square feet in gross floor area, with a minimum side and rear yard setback of four (4) feet.

k. Pervious Pavers: The use of pervious pavers for residential driveways, patios, and walkways is permitted. When pervious pavers are used, the pavers shall be included in the lot coverage calculation. When pavers are used for residential driveways, patios, or walkways, the maximum permitted lot coverage may be increased by 10%. Any application for the installation of pervious pavers shall include a paver maintenance plan to ensure that

the pavers will remain viable in providing for drainage. Any use of pervious pavers is subject to approval by the Township Engineer in addition to the Zoning Officer.

SECTION 12:

Amend **Chapter XXIII: Section 23-18.4 Cabana** as follows:

23-18.4 ~~**Cabana**~~ ***Reserved***

~~**A structure not to exceed 10 feet in height, nor 150 square feet in gross floor area (see also ACCESSORY BUILDING).**~~

SECTION 13:

Amend **Chapter XXIII: Section 23-17.5 Sign Regulations** as follows:

The following shall be added:

b. Signs for commercial businesses may include the name of the business; contact information is also permitted but shall be limited to 5-inch tall lettering in the corners of the signs. No other information is permitted.

Existing items b-s shall be re-numbered c – t.

SECTION 14:

Amend **Chapter XXIII: Section 23-7.6 Permitted in the R-C Zoning District** as follows:

a. Permitted Principal Use

~~**11. Houses of worship.**~~

The following shall be added:

c. Conditional Use

1. Houses of worship subject to Section 23-8.6 Houses of Worship

SECTION 15:

Amend **Chapter XXIII: Section 23-7.7 Permitted in the B-A Zoning District** as follows:

a. Permitted Principal Use

~~**10. Houses of worship in freestanding buildings as per §23-8.6 Houses of Worship.**~~

The following shall be added:

c. Conditional Use

1. Houses of worship subject to Section 23-8.6 Houses of Worship.

SECTION 16:

Amend **Chapter XXIII: Section 23-7.8 Permitted in the B-G Commercial Residential Mixed-Use Zoning District** as follows:

a. Permitted Principal Use

~~**11. Houses of worship in freestanding buildings as per §23-8.6 Houses of Worship.**~~

c. Conditional Use

3. Houses of worship subject to Section 23-8.6 Houses of Worship

SECTION 17:

Amend **Chapter XXIII: Section 23-8.6 House of Worship** as follows:

The following shall be added:

c. In zones where they are permitted Houses of Worship shall provide the minimum number of parking spaces required under Section 23-6.1 Parking Space Required.

SECTION 18:

Amend **Chapter XXIII: Section 23-7.16 Uses Not Permitted in Any Zoning District** as follows:

The following shall be added:

b. Multi-service uses.
c. Board, Rooming and Lodging houses

[Reletter remaining items as needed]

SECTION 19:

Amend **Chapter XXIII: Section 23-17.3 Prohibited Signs** as follows.

The following shall be added:

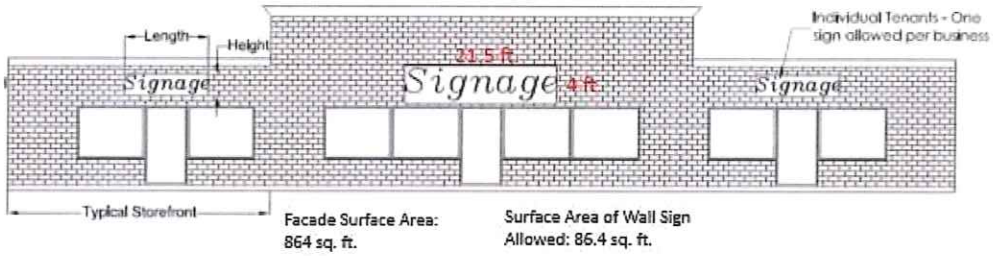
d. Internally illuminated box signs and internally illuminated channel letters, except that ***internally illuminated channel letters shall be permitted in the BB-1 and BB-2 zones, and*** channel letters up to 16 inches in height that are illuminated with a diffused light source shall be permitted ***in the B-A and B-G zones***.

SECTION 20:

Amend **Chapter XXIII: Section 23-17.5 Sign Regulations** as follows:

The following shall be added:

b. Retail Sales and/or Service uses, Banks, Restaurants, bar, brewpub, brewery, Health Clubs, and other similar uses not specifically listed herein. Each use fronting on a public street may be permitted one (1) exterior wall sign per street frontage. Each sign shall not exceed 10% of area of the storefront (ground floor) to which it is attached ***(see diagram below)***. Each sign may be internally illuminated ***as stipulated at Section 23-17.3.d*** or externally illuminated.



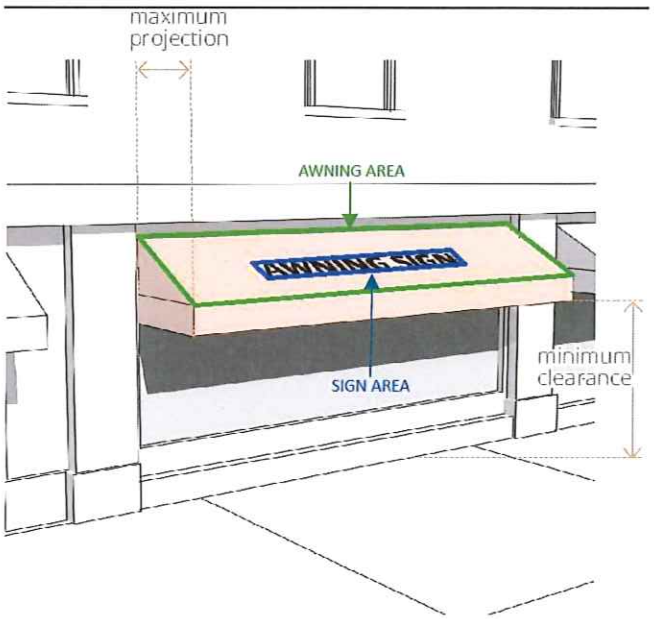
[the rest of item b remains the same]

g. Awning.

1. Non-Waterfall type fabric awnings, containing no sign, logo or message are permitted in any zone. They may be static or retractable.

2. In non-residential or mixed use zones, awnings are permitted to contain a logo of the principal business of the storefront within. The maximum logo area shall not exceed 25%. ***Five-inch-tall lettering is permitted along the edges of the awning, provided the area of the lettering is no more than 25% of the awning edge.***

3. A minimum of 8 feet of clearance shall be provided along any right-of-way or pedestrian walkway. The awning shall not project more than 5 feet into the R-O-W. **See diagram below.**

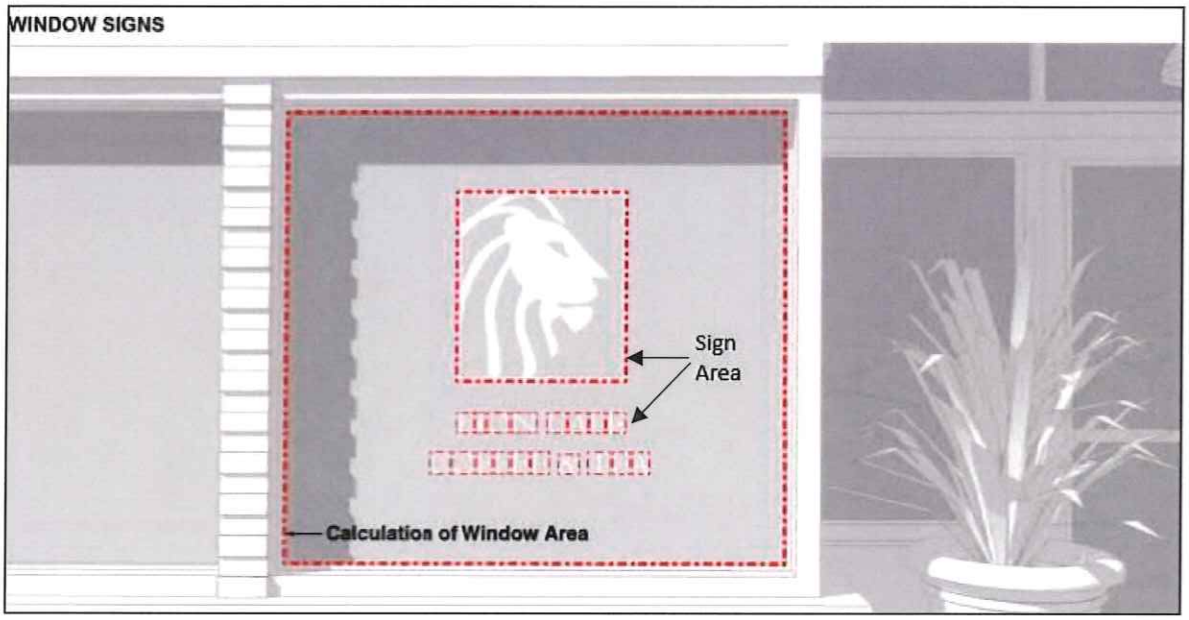


4. Awnings may be externally illuminated from above but not illuminated from a source under the awning.

r. *Window Sign.*

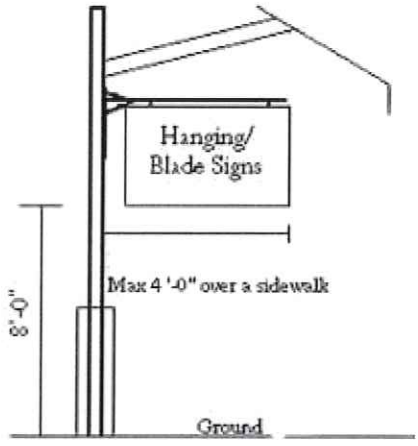
Windows shall not be blocked by any paper or posters or other sign material. Stenciling and decals shall be permitted to be affixed directly on the window, not to exceed 25% of window area. Signs interior to the building that are visible through the window shall be counted toward the maximum permitted wall sign area and are not encouraged. ***See diagram below.***

WINDOW SIGN AREA



t. Blade Sign.

Where blade signs are permitted, they shall be no more than 6 square feet per side, with the width limited to 3 feet. The blade sign must be located at a minimum of 8 feet over the sidewalk and shall not project more than 4 feet over a sidewalk. One blade sign is permitted per tenant in a multi-tenant building only when such tenants are located on the ground floor. See diagram below.



u. Monument Sign – Small.

Besides monument signs permitted in the BB-2 zone (see Section 23-17.5.k), small monument signs of no more than 15 square feet (per side) are permitted in the B-G and B-A zones. Such signs shall be located no closer than 10 feet to a street line and shall have a height no greater than 3 feet. In no case shall a monument sign interfere with a required sight triangle.



v. Mixed Use – For mixed uses with multiple stories, first floor establishments shall be permitted signs as noted in this chapter.

For any establishment on the 2nd floor and above, each establishment is permitted one (1) window decal sign only besides an entry on a first floor directory sign. Each sign shall not exceed 10 square feet. Each sign may be internally illuminated as stipulated at Section 23-17.3.d or externally illuminated. An illuminated directory sign located at ground level and not to exceed 10 sq. ft. shall be permitted.

SECTION 21:

Amend **Chapter XXIII: Section 23-18.6.1 Fences** as follows:

b. In any zone fences are required to be located on the property line. ***Any fence that abuts a property line with street frontage shall have a minimum setback of 10 feet from the curb line and shall be setback from any sidewalk a minimum of one (1) foot.***

SECTION 22:

Amend **Chapter XXIII: Section 23-18.7 Corner Lot Fences** as follows:

The following shall be added:

c. A fence that abuts a property line with street frontage shall have a minimum setback of 10 feet from the curb line **and shall be setback from any sidewalk a minimum of one (1) foot. Fences along the longer frontage on corner lots are permitted to be a maximum of 6 feet in height and may be an opaque fence, provided they shall be no closer than 25 feet of the corner of lot joining the two frontages, with the fence permitted to extend to the rear property line. Along the rest of the longer and shorter frontages an open fence of maximum 4 feet in height is permitted.** In no case shall the fence be located within the right-of-way.

SECTION 23:

Amend **Chapter XXIII: Section 20-1.1 When Required** as follows:

b. Exceptions to the requirements of Section 20-1.1:

3. Site plan review shall not be required for conversion of the ground floor of 1–3-unit residential buildings to commercial space provided the conversion meets the requirements of §23-7.7.j of the Code.
[renumber remaining items as needed]

SECTION 24:

Add ***Section 23-8.13 : Child Care Facilities***

Child care facilities shall be subject to the following regulations:

a. Pickup/drop off area: All such facilities shall provide either of the following:

1. Off-street parking spaces reserved for parents walking their children into and out of the child care facility, sufficient to accommodate the drop off or pick up times of use, this on site area with minimum dimensions of ten by twenty-five (10x25) feet; or
2. A safe on site pick up and delivery area separate from the off-street parking area and access driveway so students leaving vehicles have access to sidewalk leading into the school without the child/parent having to cross a street, parking lot, loading area, driveway or aisle; or
3. An area within the public right-of-way signed and designated for short-term pick up and drop off only during peak hours subject to approval by the Township Council.

4. Pickup/drop off areas are to be screened from adjacent residences or zones.
5. All applications for a child care facility must include a pick-up and drop-off plan prepared or approved by an engineer acceptable to the Township. This plan must also be reviewed and approved by the Belleville Police Department prior to the issuance of any permits, with all additional comments from them satisfied.

b. Open space; each facility shall provide an outdoor recreational space as follows:
   1. Open space areas are not permitted in required front yards;
   2. Open space areas shall not be more proximate to an adjacent residential dwelling than fifty (50) feet.
   3. Open space areas shall be screened from adjacent properties by six (6) foot closed fence and/or evergreen screening.

c. The provider must present the Zoning Officer with documentation of compliance with the State of New Jersey Division of Youth and Family Services requirements.

SECTION 25:

Amend **Chapter XXIII: Section 23-6.12 : Storage of Commercial Vehicles in R District** as follows:

Nothing herein shall prohibit the storing or garaging of commercial vehicles having a capacity of 1/2 ton or less in an enclosed garage in any R District.

Parking a commercial vehicle having a capacity of 1/2 ton or less in a driveway is permitted, providing that no part of said vehicle extends into the front yard or the side yard abutting a street. ***No more than two (2) commercial vehicles shall be stored in a driveway on a single property.***

SECTION 26:

Amend **Chapter XXIII: Section 23-6.7 : Additional Regulations on Off-Street Parking for One, Two, and Three Family Dwellings** as follows:

Add the following

a. Front yard
   The driveway shall consist of the area directly opposite and adjacent to an attached garage, detached garage or the extension of the side yard into the front yard.

However, if there is no garage and no available side yard, a driveway, up to 0.5 feet from the side lot line may be constructed. In no event shall the driveway width exceed 16 feet for a two car driveway, and 10 feet for a single car driveway, ***except that if additional driveway space is needed to meet the required number of parking spaces, the maximum driveway width is permitted up to 28 feet.***

b. Corner lots

The driveway shall consist of the area directly opposite and adjacent to an attached garage, detached garage or depressed garage or the extension of the rear yard into the rear yard which on a corner lot abuts a street.

However, if there is no garage and no available side yard, a driveway, up to 0.5 feet from the side lot line may be constructed. In no event shall the driveway width exceed 16 feet for a two car driveway, and 10 feet for a single car driveway, ***except that if additional driveway space is needed to meet the required number of parking spaces, the maximum driveway width is permitted up to 28 feet.***

c. Each property shall not have more than 1 driveway and 1 curb cut, ***except that for duplexes, triplexes and townhouses, each residential unit may have a separate curb cut and driveway.***

5. In instances a driveway width extension is required for situations as permitted under Section 23-6.7.b, the curb cut may be extended, but in no event shall the curb cut width exceed 24 feet.

SECTION 27:

Amend **Chapter XXIII: Section 23-8.2A : Sidewalk Café** as follows:

Add the following

b. Operation of a Sidewalk Café; Projection into sidewalks

4. Pop-up Exemption: Outdoor café space located on Belmont Avenue and Newark Avenue ***and Franklin Street*** may opt to request the creation of a seasonal 1 or 2 parking space sized café seating area. This shall permit temporary use of the parking area in accordance with the requirements outlined in the café seating regulations and licensing identified below and also the requirements outlined in §23-8.2B Pop-Up Park Development Requirements

c. Permitted Location

2. All sidewalk cafés shall comply with the following regulations:

(e) The sidewalk café may have an overhead covering consisting of either an individual umbrella over each table, ~~or~~ a retractable awning covering all tables and

chairs, ***or a pergola providing covering for multiple tables,*** and no part of the covering shall project over the partition or railing into the public sidewalk area; and umbrellas ***and pergolas*** must be of sufficient height to allow free passage under them**,** ***with pergolas with a height of no more than 12 feet.***

(l) For developments for which new Township streetscaping is constructed, the sidewalk café shall only operate within the stamped concrete area.

SECTION 28:

Modify **Chapter XXIII: §23-3 Schedule of District Regulations** as follows:

		Min Lot Size			Minimum	Minimum Setback				Max Height		
District	Dwelling Units/ Acre	Area (square feet)	Width (feet)	Depth (feet)	Front	Rear	Sides (feet)	Max Bldg. Coverage	Max Lot Coverage	Feet	Stories	Min Open Space
R-A1 One Family	8	5,000	50	100	20	20	5 each 14 total	**35%**	**50~~35~~%**[h]	40	3	-
R-A2 One Family	10	4,000	40	100	20	20	4 each 14 total	**35%**	**50~~35~~%**[h]	40	3	-
R-B / 1-2 units & duplex	-	3,500	35	100	20	20	5	**50%**	75%[h]	40	3	25%
R-B / 3 units	-	5,000	50	100	20	20	5	**50%**	75%[h]	40	3	25%
R-C	-											
R-C / 1-family, 2 family & Duplex	-	5,000	50	100	20	25	5 each side	45%	60%[h]	40	3	20%
R-C Triplex (townhouse style)	-	7,500	75	100	20	25	5 each side	45%	60%[h]	40	3	20%
R-C other permitted uses		10,000	100	100	20	10	5 each side	60%	80%	50[f]	-	20%
B-A	-	-	-	-	0[d]	15	0 or 10[b]	-	100%	50	3	See building amenity &

												4[g]	open space Requirements
B-G		-	-	-	-	0[d]	15	0 or 10[b]	-	100%	80 or 110	6 or 8[c]	See building amenity & open space Requirements
	OS Open Space	N/A	-	-	-	-	-	-	15%	10%	30	2 ½	90%
1-2 family	SLR	N/A	2,500	25	100	0-10[b]	30	2 and 3[a]	**45%**	80%	35	3	20%
3 family	SLR	N/A	3,500	35	100	0-10[b]	30	2 and 3[a]	**45%**	80%	35	3	20%
Townhouse[e]	SLR –	-	2,500	25	100	15 feet to building (0-to stoop)	0	2 and 3[a]	65%	80%	35	3	20%-Plus Roof-top terrace required
	SLH	N/A	10,000	100	100	20	40	10	-	75%	110	9	25%
	BB-1	N/A	5,000	50	100	15	15	5	-	100%	110	8	-
	BB-2	N/A	5,000	50	100	15	15	5	-	80%	40	3	-

h. When pervious pavers are used, the pavers shall be included in the lot coverage calculation. When pavers are used for residential driveways, patios, or walkways, the maximum permitted lot coverage may be increased by 10% subject to the approval of the Township Engineer.

i. For one-family dwellings, lot width, lot depth, lot area, front, rear or side yards may be reduced following the requirements of §23-18.14.

For a House of Worship, the height may be exceeded by no more than 35% to accommodate the inclusion of spires, domes, minarets, or similar religious features. See §23-18.1~~7~~***6*** Exception to Height Requirements for additional exemptions.

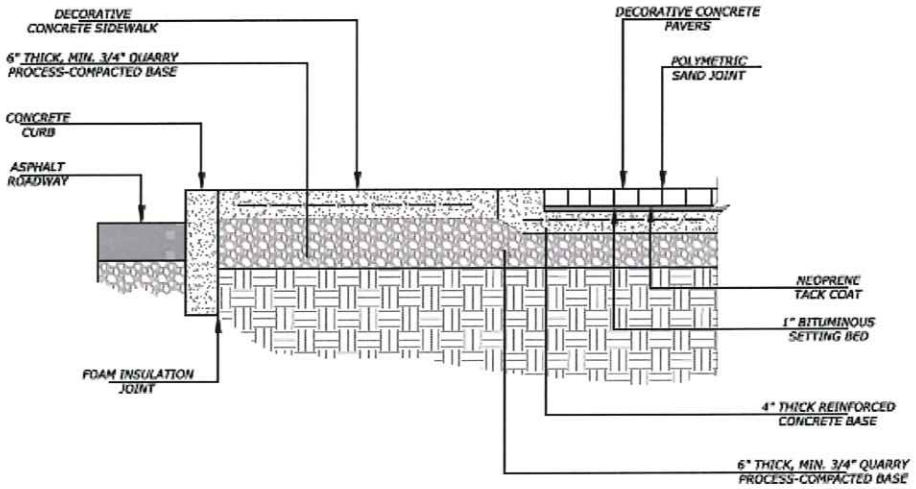
SECTION 29:

Modify **Chapter XXIII: §23-7.9 Silver Lake District Design Standards** as follows:

Modify the following:

b. Landscaping and Streetscape Standards

1. Sidewalks with a minimum of 8 feet shall be provided along the frontage of all streets. ***A detailed cross section of required improvement is provided below.***



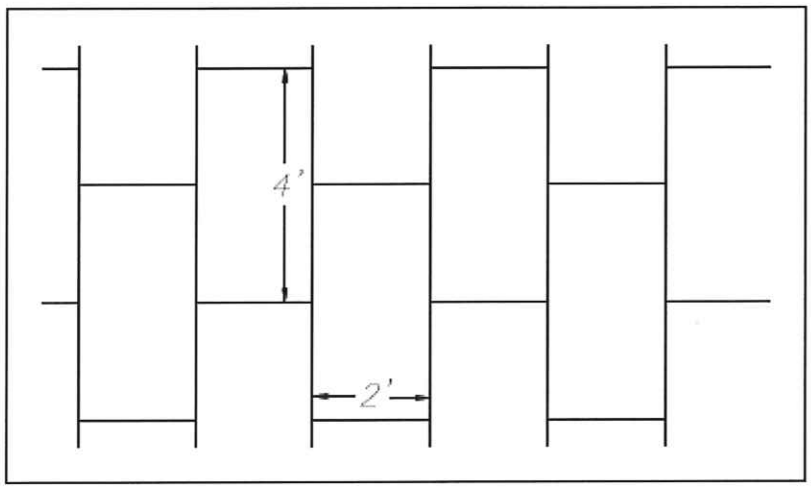
PAVER AND SIDEWALK CONSTRUCTION DETAIL

NOTES:

1. DECORATIVE PAVERS TO BE MANUFACTURED BY CAMBRIDGE, BELGIUM BLOCK - 5 PIECE DESIGN KIT, COLOR 'COAL, POLYMETRIC JOINT SAND 'GREY'.
2. CONCRETE SIDEWALK TO HAVE A FLOAT MAGNESIUM FINISH.
3. DRIVEWAY APRONS TO HAVE A BRUSH FINISH.
4. ALL AREAS BETWEEN SIDEWALKS LEADING TO FRONT DOORS TO BE PLANTED WITH LOW-GROWING EVERGREEN SHRUBS.

2. [remains as-is]

3. The scoring pattern shall be 2 feet by 4 feet. The tree pits shall be 4 feet by 4 feet surrounded by a tree guard. Requirements are illustrated in Figure 1 and Figure 2.



Sidewalk Scoring Pattern Figure 1

c. Driveway Design Standards

5. No more than one curb cut shall be permitted, ***except that duplexes, triplexes, and townhouse developments may have one curb cut per residential unit.***

SECTION 30:

Modify **Chapter XXIII: §23-7.10 Permitted in the Silver Lake Residential District** as follows:

Add the following:

b. Permitted Principal Use

8. For lots with width of less than 35 feet, each residential building shall have no more than four (4) bedrooms.

SECTION 31:

Modify **Chapter XXIII: §23-7.5 Permitted in the R-B Zoning District** as follows:

Add the following:

a. Permitted Principal Use

6. For lots with width of less than 45 feet, each residential building shall have no more than four (4) bedrooms.

SECTION 32:

Modify **Chapter XXIII: §23-21 Enforcement** as follows:

a. The Zoning Official, ***or his or her designee,*** shall enforce the provisions of this chapter and any supplements and amendments thereto, and the provisions of all resolutions relating to this chapter.

SECTION 33:

Modify **Chapter XXIII: §23-7.16 Uses Not Permitted in Any Zoning District** as follows:

c. Clothing donation bins

SECTION 34:

Modify **Chapter XXIII: §23-6.25 Parking Fund Established** as follows:

d. Within the Silver Lake Station district, with the exception of the Silver Lake Hospital District, a developer ***may make a payment in lieu of construction of a maximum of one (1) parking space when there is an increase in the number of units or new construction requiring parking spaces for a 1-3 housing unit project. For mixed-use projects a maximum four (4) parking space buy-out is permitted. Parking requirements in excess of one space for 1-3 unit developments and four spaces for mixed-use developments must be satisfied by providing on-site parking.*** ~~**satisfy the off-street parking requirements found elsewhere in this chapter by means of payment in lieu of construction of the parking spaces**~~**.** Such a payment in lieu of construction shall be made to the Township's dedicated parking fund. The payment in Lieu of parking shall be $15,000 per space. All parking associated with units that are deeded affordable per HUD for Essex County income standards for a minimum of 10 years shall pay 50% ($7,500) of the fee per space. The funds collected shall be used only for improvements within the Silver Lake District.

SECTION 35:

Modify **Chapter XXIII: §23-18.4 Cabana** as follows:

23-18.4 ~~**Cabana**~~ **Reserved**

~~**A structure not to exceed 10 feet in height, nor 150 square feet in gross floor area (also see ACCESSORY BUILDING).**~~

SECTION 36:

Modify **Chapter XXIII: §23-18.12 Sheds** as follows:

23-18.4 ~~**Sheds**~~ **Reserved**

~~**Sheds may not be located in the required front yard of any building or structure. A structure not exceeding 10 feet in height, nor 150 square feet in gross floor area is permitted. All sheds must be setback a minimum of 1 foot from any side or rear lot line, vegetative growth between the shed and the property line fence shall not exceed 18 inches in height.**~~

SECTION 37:

Modify **Chapter XXIII: §23-8.1 Three-Family Dwellings** as follows:

b. A second or third unit is also permitted over a detached garage as a free standing carriage house provided that the principal lot is greater than 7,000 square feet in size. ***The exterior design of the carriage house shall match the aesthetic of the principal building on the property.*** The following bulk standards shall apply for this free standing garage type of unit.

SECTION 38:

Modify **Chapter XXIII: §23-6.21 Required Size of Parking Spaces** as follows:

Each parking space shall measure a minimum of 9 feet in width by 19 feet in length. ~~**When the number of required parking spaces results in a fraction, there will be 1 parking space required.**~~ In Planned Residential Developments, each parking space shall measure a minimum of nine (9) feet in width by eighteen (18) feet in length.

SECTION 39:

Modify **Chapter XXIII: §23-6 Off Street Parking and Loading Requirements** as follows:

Add the following:

23-6.1.3 Required Spaces Resulting in a Fraction

When calculating the required number of parking spaces, a fractional amount 0.5 or greater will round up to the next highest whole number. A fractional amount of less than 0.5 would round down to the next lowest whole number.

SECTION 40:

Modify **Chapter XXIII: §23-17 Signs Purpose** as follows:

Add the following:

23-17.e. Definitions

As used in this article, the following terms shall have the meanings indicated ***in addition to the definitions found §23-5.2****:*

SECTION 41:

Modify **Chapter XXIII: §23-18.18 Extension into Side Yard** as follows:

a. The same provisions shall apply as for extensions into required front and rear yards, except that no ~~porch, terrace or~~ outside stairway shall project more than 4 feet into any required side setback and an outside stairway may extend into any required side yard only if same is unroofed and unenclosed above and below the steps thereof.

SECTION 42:

Modify **Chapter XXIII: §23-7.8.i Façade Treatment, Materials, and Articulation** as follows:

Add the following:

1. ***In the B-G and B-A districts existing buildings with replacement or repair of more than 25% of their façade shall be required to comply with the current façade standards of the district.***
[re-number existing items]

SECTION 43:

Modify **Chapter XXIII: §23-7.10 Permitted in the Silver Lake Residential District (SLR)** as follows:

Modify the following:

e. Design Standards.

1. Architectural design standards.
   a. **In the SLR district existing buildings with replacement or repair of more than 25% of their façade shall be required to comply with the current façade standards of the district.**
   [re-letter existing items]

SECTION 44:

Modify **Chapter XXIII: §23-7.9 Silver Lake District Design Standards** as follows:

a. Architectural, façade and design standards applicable to all zones in the district.

2. The front façade of any building shall incorporate a high quality material to support the design theme such as brick, stone or non-standard Concrete Masonry Unit (CMU) sized composite stone, stucco, wood siding, decorative metal, slate, or simulated slate shingles, terra cotta, or similar materials. ~~**Front façade must be primarily brick of a historically appropriate color and size to be consistent with other homes on the block. The remainder of the front facade must be constructed of stone, cast stone, decorative metal, slate or simulated slate shingles, tile, terra cotta or other similar and appropriate materials in an appropriate manner.**~~ The use of polyurethane, vinyl, asphalt or Aluminum siding, concrete block, perma-stone, and EIFS or similar cementations concrete panels shall be prohibited.

SECTION 45:

Modify **Chapter XXIII: §23-6.15 Additional Driveway Standards** as follows:

a. Driveways shall be minimum 1~~2~~***0*** feet width and all driveways shall be constructed of 4 inches of compacted sub-base material and 2 inches of 3/8-inch roadway stone or comparable material.

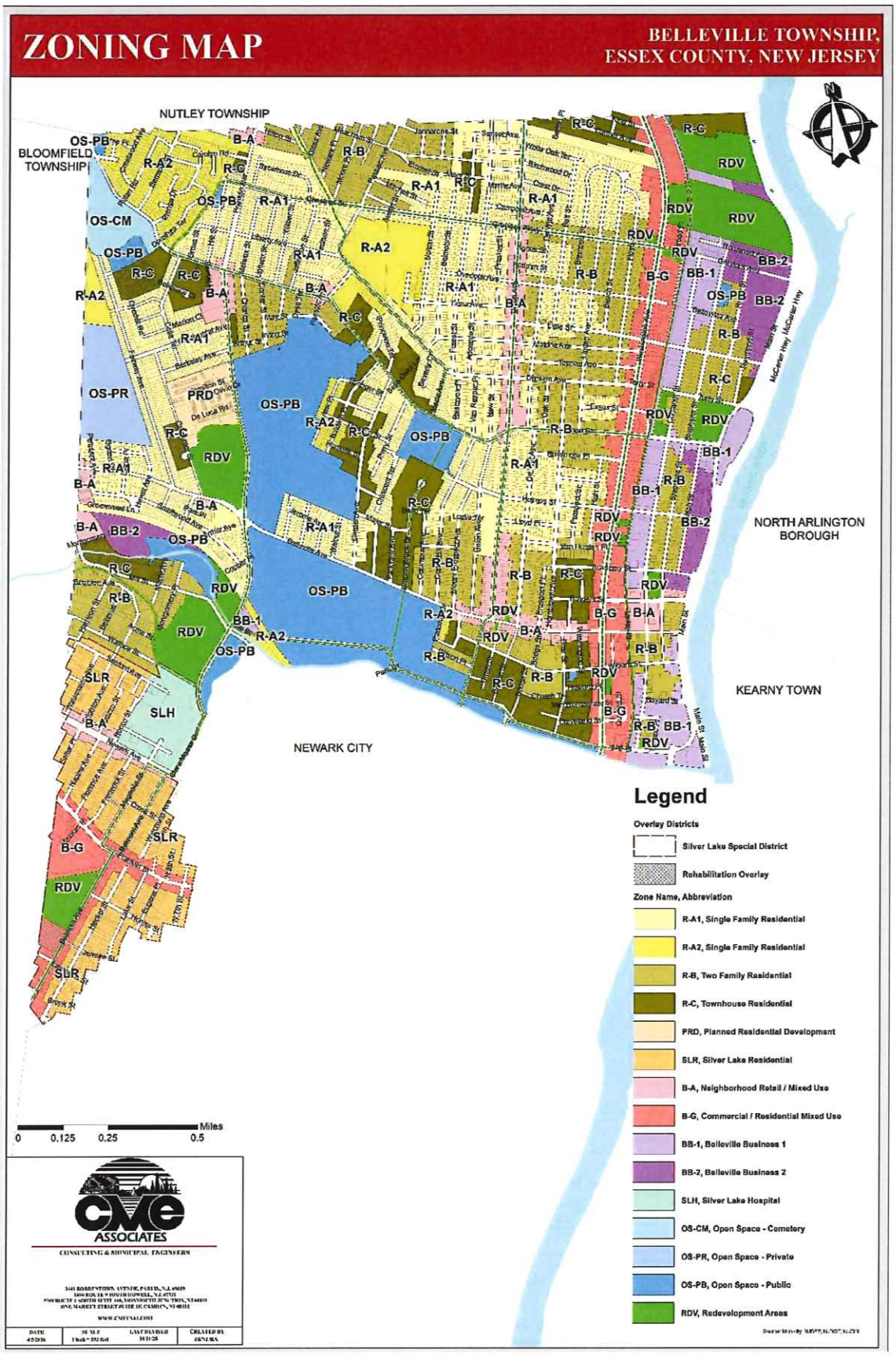
d. No driveway shall be located within 5 feet of a side lot line unless it is a common driveway for attached duplex or multi-family dwelling. No driveway pavement area shall be wider than 1/2 the width of a lot **except when an extension of the driveway is permitted under §23-6.7**.

f. Driveways for all uses must be constructed of durable paved surfaces (asphalt or concrete), except as otherwise permitted to be pervious pavers for one-, two-, or three-family uses. Driveway expansions in the rear yard of buildings as needed and permitted in this Chapter for one-, two-, or three-family shall be permitted to be composed of paved asphalt or concrete, pervious pavers, or loose gravel/stone.

SECTION 46:

Modify **Chapter XXIII: §23-2.2 Zoning Map** as follows:

The aforesaid districts are hereby established by the designations, locations, and boundaries thereof set forth and indicated on a map entitled "Zoning Map, Belleville Township, NJ," dated June 3, 2019 and revised ***August 26, 2025*** ~~**March 10, 2022**~~, which map is hereby annexed and adopted as a part of this chapter insofar as it indicates said designations, locations and boundaries.


ZONING MAP
BELLEVILLE TOWNSHIP,
ESSEX COUNTY, NEW JERSEY
NUTLEY TOWNSHIP
BLOOMFIELD TOWNSHIP
NORTH ARLINGTON BOROUGH
KEARNY TOWN
NEWARK CITY
McCarter Hwy
Legend
Overlay Districts
Silver Lake Special District
Rehabilitation Overlay
Zone Name, Abbreviation
R-A1, Single Family Residential
R-A2, Single Family Residential
R-B, Two Family Residential
R-C, Townhouse Residential
PRD, Planned Residential Development
SLR, Silver Lake Residential
B-A, Neighborhood Retail / Mixed Use
B-G, Commercial / Residential Mixed Use
BB-1, Belleville Business 1
BB-2, Belleville Business 2
SLH, Silver Lake Hospital
OS-CM, Open Space - Cemetery
OS-PR, Open Space - Private
OS-PB, Open Space - Public
RDV, Redevelopment Areas
0 0.125 0.25 0.5 Miles
CME ASSOCIATES
CONSULTING & MUNICIPAL ENGINEERS

Motion to introduce by Councilmember DePeña seconded by Councilmember Velez
Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham
Nays: None Absent: None Abstain: None

Public Comments:

Motion to open public comments by Councilmember Velez seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham
Nays: None Absent: None Abstain: None

Mario Drozdz, 95 Bell Street

- I believe that the mayor's directive on the appointment of OEM Coordinator should be a Mayor and Council appointment and done by resolution
- Resolutions "K" "AA" and "P"
- Resolution "P" how much was it sold for?

Steven Martino:

- It was appraised at $60,000 and they bid $130,000

Carmela Fleischman:
833 Main Street

- I would like to thank the Mayor and Council for all the different events that you put out throughout the year
- Who is to clean up Main Street
- Resolution#229-2025 on the kitchen renovations, that's insane money to build a kitchen

Mayor Melham:

- That's our friend Meredith

Christina Sanchez, 8 Carmer Avenue

- I'm here to address an issue with Building and Code Department on selective enforcement with commercial vehicles
- My neighbor across the street has a commercial vehicle and has not received any summonses

Brian Banda:

- Her case is a court case now, so I don't know how much I can speak about

Motion to close public comments by Councilmember DePeña seconded by Councilmember Guardabasco Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

Resolutions:
Consent Agenda:

A motion to remove "A" "D" and "E" from consent agenda

A motion to move the consent agenda except for "A" "D" and "E" by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#236-2025 - BILL LIST

TOWNSHIP OF BELLEVILLE
ESSEX COUNTY, NEW JERSEY

RESOLUTION NO. 236-2025 **DATE OF ADOPTION: October 28, 2025**

TITLE:

AUTHORIZING THE TOWNSHIP CHIEF FINANCIAL OFFICER TO ISSUE CHECKS IN PAYMENTS OF BILLS FROM VARIOUS ACCOUNTS

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N.J.

BE IT RESOLVED by the Mayor and Municipal Council of the Township of Belleville that checks be issued by the Chief Financial Officer to pay bills from various funds the bill list consisting of **57 pages** as follows:

Current A/C	$	12,822,797.82
General Capital A/C	$	342,310.88
Water Operating A/C	$	124,570.61
Water Capital A/C	$	60,000.00
Trust	$	362,937.69
Trust - COAH A/C	$	30,279.99
Trust - Escrow A/C	$	1,405.00
Grant Fund	$	131,997.16
Law Enforcement Fund	$	6,990.00
Clean Communities Grant	$	-
NJ State Unemployment	$	-
TOTAL	**$**	**13,883,289.15**

Total from report	$	13,883,289.15
Difference/Check	$	-

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#237-2025
APPROVING RAFFLE LICENSES

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N.J.

BE IT RESOLVED, by the Mayor and Municipal Council of the Township of Belleville that the below listed licenses be issued to the following organizations in accordance with the application on file in the Office of the Municipal Clerk of the Township of Belleville.

Woman's Club of Belleville 51 Rossmore Place Belleville, NJ 07109	RL# 3367 (50/50 off premise Raffle)
Pastor's Aide Cooperative Group 317 N Grove Street East Orange, NJ 07017	RL# 3368 (Tricky Tray Raffle)
Pastor's Aide Cooperative Group 317 N Grove Street East Orange, NJ 07017	RL# 3369 (Bingo Raffle)
Rector Wardens and Vestymen of Grace Church Nutley 200 Highfield Lane Nutley, NJ 07110	RL# 3370 (Tricky Tray Raffle)
Rector Wardens and Vestymen of Grace Church Nutley 200 Highfield Lane Nutley, NJ 07110	RL# 3371 (50/50 on premise Raffle)

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#240-2025
AUTHORIZING THE TOWNSHIP OF BELLEVILLE MUNICIPAL CLERK TO ADMINISTER
ALL LEGALIZED GAMES OF CHANCE LICENSES FOR CALENDAR YEAR 2025

BE IT RESOLVED BY Mayor Michael Melham and the Municipal Council of the Township of Belleville, County of Essex, New Jersey, that the Municipal Clerk is hereby authorized to administer, sign and execute all Legalized Games of Chance Licenses for the calendar year 2025 contingent that the applicants have met all the State and Municipal requirements and all fees have been paid.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#241-2025
APPROVING CHANGE ORDER #1 AND FINAL FOR LIGHT RAIL PEDESTRIAN SAFETY PROJECTS PHASE 1 AND 2 – NJDOT SSTT 2022 AND 2023 (PROJECT)

WHEREAS, Change Order #1 and Final for the Project has been submitted and approved by the Belleville Township (Township) Engineering Department; and,

WHEREAS, funding for the Project was from a New Jersey Department of Transportation Trust Fund Grant (DOT), and Municipal bonding; and,

WHEREAS, the Project included the construction of streetscaping, which included, curb, sidewalk, ADA ramps, brick pavers, concrete pads, street trees, tree grates, striping, and associated improvements; and,

WHEREAS, the final amount for the Project is $899,647.11, representing a 12.04% increase in the contract.

NOW, THEREFORE, BE IT RESOLVED, that Change Order #1 and Final, copy attached and made part of this resolution,

Engineer: Belleville Township Engineering Department, Belleville, NJ

Contractor: Granada Construction Corp., Newark, NJ

Original Contract Price: $802,947.10

Adjusted Contract Price: $899,647.11

Net Change This Contract: $96,700.01

hereby, be approved by the Municipal Council.

BE IT FURTHER RESOLVED THAT, the Township hereby releases the Project Performance Bond, and accepts the Project Maintenance Bond, upon the review and approval of the Township Attorney.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#242-2025
APPROVING OVERPAYMENT OF TAXES TO MVJ ENTERPRISES, LLC,
55 WATCHUNG AVENUE, BLOCK: 2101, LOT: 19.01 ESSEX COUNTY, NEW JERSEY

WHEREAS the following individuals have overpaid taxes due to filing of a court order for a tax abatement:

MVJ Enterprises LLC. – 55 Watchung Avenue, Belleville, N.J. 07109
Block 2101 Lot 19.01.

2025 - $17,546.80

Payable To: MVJ Enterprises LLC.
270 Boulevard
Mountain Lakes, N.J. 07046 **REFUND $17,546.80**

THEREFORE, BE IT RESOLVED, that the officials of the Department of Revenue and Finance are hereby authorized to issue check in the above stated amount to the above-named person, refunding said overpayment.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#243-2025
APPROVING A TAX REFUND DUE TO NEW JERSEY STATE TAX COURT JUDGMENTS TAX APPEALS TO PSE&G COMPANY, 161 PASSAIC AVENUE, BLOCK: 4406, LOT: 45, QUALIFIER: T01 AND 6-12 MAIN STREET ASSOCIATES, LLC – 2-14 MAIN STREET, BLOCK: 9303, LOT: 1
WHEREAS the following individuals have overpaid taxes due to filing a Tax Court Judgment for 2025:

PSE&G Company – 161 Passaic Avenue, Belleville, N.J. 07109
Block 4406 Lot 45 Qualifier T01.

2025: $1,841.99

Payable To: Zipp & Tannenbaum, LLC.
280 Raritan Center Parkway
Edison, N.J. 08837 **REFUND $1,841.99**

6-12 Main Street Associates, LLC. – 2-14 Main Street, Belleville, N.J. 07109
Block 9303 Lot 1.

2025: $6,251.77

Payable To: McKirdy, Riskin, Olson & DellaPelle
Attorneys at Law
201 Littleton Road, Suite 135
Morris Plains, N.J. 07950 **REFUND $6,251.77**

THEREFORE, BE IT RESOLVED, that the officials of the Department of Revenue and Finance are hereby authorized to issue checks in the above stated amounts to the above-named persons, refunding said overpayments.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#244-2025

PROCLAMATION

Dr. James M. Orsini, M.D., Township of Belleville Physician

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N.J.

WHEREAS, Dr. James M. Orsini, M.D. has faithfully and honorably served the Township of Belleville as its Township Physician for over four decades, providing compassionate and professional medical care to countless residents; and

WHEREAS, Dr. Orsini has dedicated his life to the well-being of the Belleville community, offering his knowledge, skill, and kindness with a deep sense of duty, gratitude, and affection for the town in which he was raised; and

WHEREAS, throughout his distinguished career, Dr. Orsini has exemplified the highest ideals of the medical profession. Treating not only illness but caring for the whole person with empathy, patience, and respect. His service has extended far beyond the walls of any office or hospital, as he has walked beside the people of Belleville in moments of both joy and hardship, becoming a trusted friend, advisor, and pillar of the community; and

WHEREAS, Dr. Orsini steps into a well-earned retirement at the age of eighty, he leaves behind a legacy of excellence, compassion, and devotion that will continue to inspire future generations; and

WHEREAS, in a testament to his enduring commitment to continuity of care, Dr. Orsini has recommended his son, Dr. James M. Orsini, Jr., a respected physician in his own right, to continue the proud Orsini family tradition of service to the Township of Belleville

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Municipal Council of the Township of Belleville, do hereby recognize and honor Dr. James M. Orsini, M.D. for his extraordinary service, steadfast commitment, and decades of compassionate care to the people of Belleville.

PROCLAIMED *on this 28th day of October 2025*

_____

Michael A. Melham, Mayor

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#245-2025

RESOLUTION TO RESTATE AND ADD ROTH PROVISION FOR AN EXISTING DEFERRED COMPENSATION PLAN

20-PD-EQUITABLE-091720

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, NJ

WHEREAS, the Township of Belleville (hereinafter referred to as the "Employer) by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the "Plan") effective March 1, 2009 for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Small Business Jobs Act of 2010 amended Section 402A(e)(1) of the Internal Revenue Code (the "Code"); and

WHEREAS, the Employer desires its Plan to add Roth provisions brought about by the Small Business Jobs Act of 2010; and

WHEREAS, the Employer desires to adopt a restated Plan that is substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the federal Internal Revenue Service including provisions of The Small Business Job Protection Act of 1996 (United States Public Law No. 104-188), the Tax payer Relief Act of 1997 (United States Public Law No. 105-34), the Economic Growth and Tax Relief Reconciliation Act of 2001 (United States Public Law No. 107-16), Section 401(a)(9) of the Internal Revenue code, the Small Business Jobs Act of 2010, and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Code Section 457 including pertinent applicable Treasury Regulations. The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent; and

WHEREAS, such revised Plan shall supersede the previously adopted Plan;

NOW, THEREFORE BE IT RESOLVED that the Employer hereby adopts the attached Restatement to the Deferred Compensation Plan Document from Plan 66-PD-Equitable-053107 to the revised Plan 20- PD-EQUITABLE-091720.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#246-2025
AUTHORIZING TAX EXEMPTION AND REFUNDING ON A DWELLING HOUSE OF AN APPROVED DISABLED VETERAN HUGO F. AYALA, RESIDING AT 135 DEWITT AVENUE, BELLEVILLE, NEW JERSEY, AKA BLOCK: 6901, LOT: 10

WHEREAS, Hugo F. Ayala has applied to the Tax Assessor for approval for a Tax Exemption on his Dwelling Home (2-unit, 50% exemption permitted) located at 135 Dewitt Ave, aka Block 6901 Lot 10 on October 10th, 2025.

WHEREAS, upon receipt of said application the Tax Assessor has reviewed said application and has determined that Hugo F. Ayala application for exemption (2 unit, 50% exemption) was complete in submission and has met all the requirements set forth in NJSA 54:4-30 et seq.; L.1948, c259 as amended and therefore is fully qualified and has approved Hugo F. Ayala for exemption from Real Estate Tax on (50%) of his dwelling subject to approval from governing body effective October 10th, 2025.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that Hugo F. Ayala request be approved for Tax Exemption (2, unit 50%) on his dwelling located at 135 Dewitt Ave, aka Block 6901 Lot 10 effective October 10th, 2025, and hereby authorize the Tax Collector to refund (50%) of the portion of Hugo F. Ayala taxes paid for Block 6901 Lot 10 from the period beginning October 10th, 2025, and cancel (50%) of the 2025 taxes due thereafter.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#247-2025
RESOLUTION ADOPTING AMENDMENTS TO THE TOWNSHIP OF BELLEVILLE PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, it is the policy of the Township of Belleville to treat employees and prospective employees on a manner consistent with all applicable employment laws and regulations including, but not limited to, Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Civil Service Act along with the rules and regulations adopted by the New Jersey Department of Personnel, the New Jersey Workers Compensation Act, and the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA); and

WHEREAS, the Township of Belleville had determined that there was a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations; and

WHEREAS, the Township adopted a complete revision to the Personnel Policies and Procedures Manual ("Manual") in November 2023; and

WHEREAS, the Municipal Excess Liability Joint Insurance Fund has suggested modifications to the Manual to make related policies in the Employee Handbook and the Manual more uniform; and

WHEREAS, failure to adopt certain modifications to certain policies and procedures can adversely impact the costs of insurance to the Township.

NOW, THEREFORE, BE IT RESOLVED by the Township of Belleville, Mayor, and Council that the policies contained in the Personnel Policies and Procedures Manual shall amended and the attached modified policies shall replace and revoke the subject policies currently in effect effective immediately; and

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Township officials, appointees, employees, volunteers, and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail; and

BE IT FURTHER RESOLVED that this manual as modified is intended to provide guidelines covering public service by Township employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Council; and

BE IT FURTHER RESOLVED that the Manual shall at all times be consistent with the provisions of the Employee Handbook and the Employee Handbook shall be amended if any changes are made to the Manual so that the Employee Handbook shall not conflict with the Manual.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#248-2025
RESOLUTION RESCINDING RESOLUTION NO. 132-2025

WHEREAS, Resolution No. 132-2025 was passed on June 24, 2025, appointing Chirag D. Mehta, Esq. as Municipal Prosecutor for the Township of Belleville.

NOW, THEREFORE, BE IT RESOLVED that Resolution No. 132-2025 passed on June 24, 2025 be and is hereby rescinded as of October 28, 2025.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published as required by law, within ten (10) days of its passage.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#249-2025
RESOLUTION APPOINTING CHIRAG D. MEHTA, ESQ. AS ASSISTANT TOWNSHIP ATTORNEY/MUNICIPAL PROSECUTOR FOR THE TOWNSHIP OF BELLEVILLE

WHEREAS, the Mayor and Council of the Township of Belleville modified the Code of the Township of Belleville to merge the Assistant Township Attorney and Municipal Prosecutor positions; and

WHEREAS, the Township Council wishes to appoint the current Municipal Prosecutor to the position of Assistant Township Attorney/Municipal Prosecutor.

NOW, THEREFORE, BE IT RESOLVED, that Chirag D. Mehta, Esq. be and is hereby appointed as Assistant Township Attorney/Municipal Prosecutor for the Township of Belleville for the term commencing on

October 28, 2025, and ending June 30, 2026, or/and until his successor is appointed and qualified, at the respective salary for such position as established in the general salary ordinance of the Township of Belleville.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published as required by law, within ten (10) days of its passage.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#250-2025
APPROVING SALE OF PROPERTY KNOWN AS BLOCK 9601, LOT 35 (LOCATED AT 85 RALPH STREET) BY PRIVATE SALE PURSUANT TO N.J.S.A. 40A:12-13(b)(5)

WHEREAS, pursuant to Resolution No. 188-2025 public property not needed for the public good was authorized to be sold by private sale; and

WHEREAS, notice according to law of said sale was sent to adjacent property owners; and

WHEREAS, said notices were sent to adjacent property owners of land commonly known as Block 9601, Lot 35 that offers for the property could be made until October 6, 2025; and

WHEREAS, a bid of $130,150.00 was received on October 6, 2025 which exceeded the minimum bid, and accepted on or about October 15, 2025 by the Township. A deposit of $13,150.00 was timely made by the successful bidder.

NOW, THEREFORE, BE IT RESOLVED:

1. That the aforesaid sale to the highest bidder of the adjacent property owners and conveyance to TXA Gardens, LLC is hereby approved pursuant to the Conditions thereof and a contract shall be executed by the Mayor as well as all documents necessary to transfer same to buyer.

2. That a copy of this resolution shall be published, as required by law, within ten (10) days of its passage.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#251-2025
AWARDING A FAIR AND OPEN CONTRACT OVER $53,000.00 FOR
ACQUISITION OF PUBLIC SAFETY EQUIPMENT FOR THE BELLEVILLE POLICE DEPARTMENT (INSTALLMENT #1 OF 5) TO AXON ENTERPRISE, INC. $240,000.00

WHEREAS the Township of Belleville is in need of ***Public Safety Equipment for the Belleville Police Department (installment #1 of 5)***, and

WHEREAS the Township is desirous to award this contract under the provisions of N.J.S.A. 19:44A-20.5 as a fair and open contract, and,

WHEREAS ***Axon Enterprise, Inc. 17800N 85th Street Scottsdale, AZ 85255*** has been awarded ***Sourcewell Cooperative Pricing System #101223-AXN***, and

WHEREAS the contract is in excess of $53,000.00 which requires award by the governing body, and

WHEREAS the Chief Financial Officer has indicated that funding is available in Township budgetary account number ***G-02-41-693-000-000 and C-04-55-215-024-313***;

NOW, THEREFORE BE IT RESOLVED that the Mayor and the Township Council of the Township of Belleville award a fair and open contract to ***Axon Enterprise, Inc.*** for ***the acquisition of Public Safety Equipment for the Belleville Police Department,*** in the amount of ***$240,000.00 as per quote #752684-45925RM dated September 25, 2025***.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#252-2025
ADOPTING AMENDMENT TO THE TOWNSHIP OF BELLEVILLE EMPLOYEE HANDBOOK

WHEREAS, an Employee Handbook is a booklet that documents the legal obligations of the employer, the rights of the employee, contains important information, and details what employees need to know about their workplace; and

WHEREAS, employment law is an ever-changing area, so it is important to update the Employee Handbook when policies need to be amended or added, and the rights of employees change; and

WHEREAS, the Township of Belleville had a complete revision of the Employee Handbook in 2023; and

WHEREAS, failure to adopt certain updated policies and procedures could adversely impact the costs of insurance to the Township; and

WHEREAS, the Municipal Excess Liability Joint Insurance Fund has suggested modifications to the Handbook to make related policies in the Personnel Policies and Procedures Manual consistent.

NOW, THEREFORE, BE IT RESOLVED by the Township of Belleville, Mayor, and Council that the provisions of the Employee Handbook shall be amended and the attached policies shall replace and revoke the subject policies currently in effect effective immediately; and

BE IT FURTHER RESOLVED that each employee shall be forwarded a copy of the handbook and shall acknowledge receipt of same; and

BE IT FURTHER RESOLVED that the Employee Handbook shall at all times be consistent with the provisions of the Township of Belleville Personnel Policies and Procedures Manual and that the Personnel Policies and Procedures Manual shall be amended if any changes are made to the Handbook so that the Personnel Policies and Procedures Manual shall not conflict with the Handbook.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#253-2025

PROCLAMATION

Dr. Leonard Averhoff, Director of Recreation and Cultural Affairs

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N.J.

WHEREAS, Dr. Leonard Averhoff, known as Coach Lenny Director of Recreation and Cultural Affairs for the Township of Belleville, obtained his Doctorate Degree in Education, May of 2024 from Seton Hall University and has been a resident of our flourishing community for 15 years. Doctor Averhoff and his wife Detective Catherine Averhoff have been married for twenty glorious years and raised two beautiful children, Aiden and Alivia.

WHEREAS, Dr. Averhoff has quickly made a lasting impression on the community by implementing adult basketball, volleyball, boxing, and a creative arts clinic, while also organizing online registrations for the residents through the Township's website. He has been instrumental in expanding the senior citizen programs and creating elaborate affairs for our residents' entertainment. He also coaches the Belleville High School Football team. Beyond programs, his leadership has helped create more access, structure, and opportunities for our residents.

WHEREAS, Prior to serving the Township of Belleville, Dr. Averhoff dedicated many years as a Port Authority Police Officer, retiring with distinction in 2019. He also served as an educator for the City of Hoboken and an Adjunct Professor at Fairleigh Dickinson University.

WHEREAS, His love for our children, his commitment to building inclusive programs, and his passion for community service exemplify the values we celebrate on this day.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Municipal Council of the Township of Belleville, do hereby recognize and proclaim Doctor Leonard Averhoff being of Cuban heritage, a role model resident of the Township of Belleville.

PROCLAIMED *on this 28th day of October 2025*

_____
Michael A. Melham, Mayor

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#254-2025

PROCLAMATION

Urban League of Essex County

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N.J.

WHEREAS, the Urban League of Essex County, founded in 1917, has faithfully served the residents of Essex County for over a century, advancing economic empowerment, educational opportunity, and social justice for all people; and

WHEREAS, the Urban League of Essex County continues its mission to enable African Americans and other underserved urban residents to secure economic self-reliance, parity, power, and civil rights; and

WHEREAS, through their innovative programs in workforce development, early childhood education, affordable housing, and entrepreneurship, the Urban League of Essex County has strengthened the social and economic fabric of our communities; and

WHEREAS, the League's leadership, staff, and volunteers have consistently demonstrated a deep commitment to building stronger families, supporting equitable economic growth, and fostering the next generation of community leaders; and

WHEREAS, the Urban League of Essex County stands as a beacon of hope and progress, working hand in hand with government, business, and community partners to create pathways of opportunity for all residents.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Municipal Council of the Township of Belleville, do hereby commend and celebrate the Urban League of Essex County for its unwavering service, advocacy, and commitment to creating a more just and inclusive society.

PROCLAIMED *on this 28th day of October 2025*

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Michael A. Melham, Mayor

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#255-2025

PROCLAMATION

Gustavo Gutierrez - Owner of Cubita Café

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N.J.

WHEREAS, Gustavo Gutierrez, has been a resident of the Township of Belleville for seven years where he and his wife Lauren, have chosen to raise their five-year-old daughter Camilla in a flourishing community with values far from the impressionable street life Gustavo was exposed to as an adolescent growing up in Hudson County.

WHEREAS, Gustavo found inspiration and sanctuary in the culinary arts to avoid getting wrapped up with the wrong crowd. He decided to pursue his passion for cooking by enrolling in Hudson County Community College's Culinary Arts Program, a prestigious, nationally recognized and rigorous program where he excelled, receiving his AAS (Associates in Applied Science) Culinary Arts Degree.

WHEREAS, After working at various high-end restaurants in Hoboken and West New York, Gustavo's culinary skills were recognized and apricated by renowned Chef Ariel Fox, winner of the infamous television series Hell's Kitchen. Where he had the privilege of assisting her in opening fifteen restaurants across United Airline's Terminal C at Newark International Airport.

WHEREAS, Gustavo's culinary skills were placed on hold as the entire world faced a lockdown due to Covid-19. Like many people, Gustavo needed an outlet to maintain his sanity and by doing so he rediscovered his Cuban heritage by perfecting authentic Cuban cuisines.

WHEREAS, Gustavo perfected his family's recipe for empanadas and posted his creation on social media, where numerous individuals began commenting on how delicious they looked and made offers to purchase some. He quickly realized his cuisines were a hit and in 2022 decided to open Cubita Café in Nutley. Shortly after in 2023 Gustavo decided to expand his business by operating Cubita Truck by bringing authentic Cuban cuisine to residents across the Tri-State area.

NOW, THEREFORE, BE IT RESOLVED, By the Mayor and the Municipal Council of the Township of Belleville, do hereby recognize and proclaim Gustavo Gutierrez being of Cuban heritage, an inspirational resident of the Township of Belleville.

PROCLAIMED *on this 28th day of October 2025*

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Michael A. Melham, Mayor

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#256-2025

RESOLUTION AUTHORIZING THE TOWNSHIP ENGINEER TO ENDORSE THE DEP TREATMENT WORKS APPLICATION AND THE SIMPLIFIED WATERMAIN EXTENSION PERMIT APPLICATION (SWEPA) FOR THE 11 FRANKLIN REDEVELOPER LLC (TULFRA) PROJECT (PROJECT)

CONSISTING OF RENTAL APARTMENTS, RETAIL AND OFFICE SPACE LOCATED AT 11 FRANKLIN AVENUE, BLOCK 2301 LOTS 1.03, AND 1.05

Whereas, L2A Land Design LLC, Engineer for the developer, has submitted documents for the TWA and SWEPA to connect to the Township's sanitary sewer collection and water distribution systems to serve the Project; and,

Whereas, the Project consists of rental apartments, retail and office space; and,

Whereas, the DEP forms require the signature of the Township's authorized representative of the sanitary sewer collection and water distribution systems; and,

Whereas, the Township is the owner of the sanitary sewer collection and water distribution systems.

Now, Therefore, Be It Resolved, that Belleville Township hereby designates the Township Engineer as the Authorized Representative to endorse all applicable DEP forms associated with the TWA and SWEPA for the Project.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#257-2025
AUTHORIZING MAYOR TO EXECUTE A LEASE AGREEMENT BETWEEN NORFOLK SOUTHERN RAILWAY COMPANY ("LANDLORD") AND THE TOWNSHIP OF BELLEVILLE ("TENANT")

WHEREAS, the Township of Belleville has a need for parking for the Belleville Police Department at the rear of Belleville Town Hall, Belleville, New Jersey; and

WHEREAS, Norfolk Southern Railway Company has indicated that they are willing to lease property on Valley Street between Valley Street and Belleville Avenue, Belleville, New Jersey to the Township of Belleville as described in the attached lease agreement; and

WHEREAS, the Mayor and Council believe that it is in the best interest of the Township to provide parking in the area along Valley Street for the Belleville Police Department.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Council of the Township of Belleville as follows:

1. That the Mayor is hereby authorized to execute a Lease Agreement between Norfolk Southern Railway Company and the Township of Belleville, lease agreement of which is attached hereto.

2. That a copy of this resolution shall be published as required by law, within ten (10) days of its passage.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#258-2025

PROCLAMATION

Dominic Grolimond - Eagle Scout

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N.J.

WHEREAS, Dominic Grolimond, a lifelong resident of Belleville, New Jersey for 18 years, has demonstrated outstanding dedication and perseverance throughout his Scouting journey; and

WHEREAS, Dominic began his Scouting career as a Cub Scout in Belleville Pack 350 and continued his advancement through Belleville Troop 350 and later with Bloomfield Troop 22, where he has now achieved the esteemed rank of Eagle Scout, the highest honor in Scouting; and

WHEREAS, Dominic is a recent graduate of Belleville High School, where he was an active member of both the wrestling team and the baseball team, showcasing discipline, teamwork, and commitment to personal excellence; and

WHEREAS, for his Eagle Scout Service Project, Dominic led the renovation of the bocce ball court at the Belleville Senior Citizen Recreational Center, including the restoration of the court, benches, and tables, greatly enhancing the recreational experience and quality of life for local senior residents; and

WHEREAS, Dominic's work embodies the Boy Scouts' core values of leadership, community service, responsibility, and good citizenship. He is currently in the workforce and diligently working toward his goal of becoming a firefighter, with the honorable hope of serving and protecting his hometown of Belleville.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Belleville do hereby honor and congratulate Eagle Scout Dominic Grolimond of Bloomfield Troop 22 for his exemplary service to the community and his achievement of the prestigious rank of Eagle Scout, and extend their best wishes for continued success in his future endeavors.

PROCLAIMED *on this 28th day of October 2025*

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Michael A. Melham, Mayor

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#259-2025

PROCLAMATION

Jayden Johnson – Eagle Scout

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N.J.

WHEREAS, Jayden Johnson, born and raised in Belleville, New Jersey, has exemplified the highest ideals of Scouting through character, service, and perseverance in achieving the rank of Eagle Scout, the most prestigious honor in the Boy Scouts of America; and

WHEREAS, Jayden began his Scouting journey with Belleville Cub Scout Pack 350, continued into Belleville Troop 350 and later transferred to Bloomfield Troop 22 at the rank of Tenderfoot, where he continued his advancement and commitment to Scouting excellence; and

WHEREAS, Jayden is a proud graduate of Belleville High School, where he was actively involved in the volleyball team and the Animal Science Club, demonstrating leadership, teamwork, and academic engagement; and

WHEREAS, for his Eagle Scout Service Project, Jayden organized and led a charitable initiative in support of the Bloomfield Animal Shelter, placing donation collection boxes in all Belleville public schools throughout the month of May and hosting public collection drives at the local Belleville ShopRite, raising essential supplies and funds to benefit animals in need; and

WHEREAS, Jayden is currently pursuing higher education as a freshman at William Paterson University, continuing to build toward a successful future rooted in service, responsibility, and integrity. His dedication to community service, leadership, and compassion sets a powerful example for his peers and contributes to the betterment of both Belleville and Bloomfield communities.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Belleville do hereby honor and congratulate Eagle Scout Jayden Johnson of Bloomfield Troop 22 on achieving the prestigious rank of Eagle Scout, and extend heartfelt gratitude for his meaningful contributions to the community and best wishes for continued success in all future endeavors.

PROCLAIMED *on this 28th day of October 2025*

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Michael A. Melham, Mayor

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#260-2025

PROCLAMATION

Omar Edgardo Suarez – Arrow of Light Award

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N. J.

WHEREAS, Omar Edgardo Suarez, age 16 is a proud member of Bloomfield Troop 22, having begun his Scouting journey at age eight with Cub Scout Pack 350 in Belleville, where he earned the prestigious Arrow of Light Award, the highest rank attainable in Cub Scouting; and

WHEREAS, Omar has continued his commitment to leadership, citizenship, and service by advancing through the ranks of the Boy Scouts, now earning the distinguished honor of Eagle Scout, the highest rank in Scouting, recognized nationwide for its rigorous standards and community impact; and

WHEREAS, for his Eagle Scout Service Project, Omar demonstrated initiative and leadership by restoring the historic Belleville Dutch Reformed Church foundation and food pantry entrance, along with the aid of fellow scouts; an act that preserved local history and supported community needs; and

WHEREAS, Omar is a resident of Belleville, New Jersey, having lived there since age five, and is a dedicated student at Payne Tech Vocational High School in Newark, where he studies Game Design and Programming, is an Honor Society inductee, and actively pursues excellence both academically and creatively; enjoys playing the guitar and has furthered his artistic pursuits through lessons at Serrano's Academy in Belleville; and

WHEREAS, Omar aspires to continue his education by pursuing a Bachelor's Degree in Programming, Gaming, and Game Design at Montclair State University or Bloomfield College, demonstrating a strong vision for his future and continued leadership in technology and innovation.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Township of Belleville do hereby honor and congratulate Eagle Scout Omar Edgardo Suarez for his outstanding achievement, leadership, and service to the community, and extend their best wishes for continued success in all his future endeavors.

PROCLAIMED *on this 28th day of October 2025*

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Michael A. Melham, Mayor

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#261-2025
AUTHORIZING THE APPOINTMENT OF A CONSULTING PROFESSIONAL PLANNER FOR PROFESSIONAL PLANNING AND AFFORDABLE HOUSING SERVICES WITHIN THE TOWNSHIP

WHEREAS, there exists the need by the Municipal Council (the "Municipal Council") of the Township of Belleville (the "Township") for specialized professional planning and consulting services to be rendered by a professional relating to professional planning and affordable housing compliance, and any other professional planning services relating to applications for development, redevelopment and affordable housing compliance within the Township where the Municipal Council or Township Administration determines there is a need for such specialized professional planning and consulting services, with such planning professional to be appointed by the Municipal Council as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5;

WHEREAS, the aforedescribed needs are for certain specified professional services to be rendered or performed by a person or persons authorized by law to practice a recognized profession, whose practice is regulated by law within the meaning of N.J.S.A. 20A:11-1, et. seq., as amended;

WHEREAS, the performance of said professional services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized training study, as distinguished from general academic instruction or apprenticeship and training;

WHEREAS, said professional services cannot reasonably be described by written specifications;

WHEREAS, funds are available for this purpose and a Certificate of Availability has been filed by the Chief Financial Officer of the Township with the Township Clerk in accordance with the Local Budget Law, N.J.S.A. 40A:4-57;

WHEREAS, the Township has been provided with the Business Entity Disclosure of Campaign Contributions of the Planner (as defined below) at least ten (10) days prior hereto, as required by P.L. 2005, c. 271;

WHEREAS, Malvika Apte, AICP, PP of Heyer, Gruel & Associates (the "Planner") has completed and submitted a Business Entity Disclosure Certification which certifies that the Planner has not made any reportable contributions to a political candidate or candidate committee in the Township in the previous one (1) year that would violate either N.J.S.A. 19:44A-20.5, or the Township's Local Unit Pay to Play Ordinance adopted by referendum, or any and all relevant Executive Orders, or the New Jersey Election Law Enforcement Commission disclosure requirements, and that the appointment will bar the Planner from making any reportable contributions through the term of the appointment;

WHEREAS, the Municipal Council has reviewed the qualifications of the Planner and has deemed them appropriate and acceptable, and consistent with the professional planning services required by the Municipal Council; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq., as amended, requires that this Resolution be publicly advertised.

NOW, THEREFORE BE IT RESOLVED, by the Municipal Council of the Township of Belleville as follows:

1. The Municipal Council, in accordance with the Local Public Contracts Law, hereby authorizes and approves the appointment of the Planner as the Township's professional planner and consultant in connection with such

specialized professional planning services required or desirable relating to applications for development, redevelopment and affordable housing compliance, and any other professional planning services within the Township where the Municipal Council or Township Administration determines there is a need for such specialized professional planning and consulting services pursuant to a non-fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.5.

2. The Chief Financial Officer of the Township has executed a Certification of Funds for the appointment, which is attached hereto, and that sufficient funds are available for said appointment.

3. The Business Entity Disclosure Certification, Business Entity Disclosure of Campaign Contributions, and Determination of Value shall be placed on file with this Resolution.

4. A copy of this Resolution or a summary of thereof shall be published within ten (10) days of its adoption or as otherwise as required by law.

5. This Resolution shall take effect immediately but no sooner than as permitted by law.

A motion by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

New/Old Business:

RESOLUTION#262-2025
AUTHORIZING THE TOWNSHIP OF BELLEVILLE TO SEEK FAIR AND OPEN PROCESS IN COMPLIANCE WITH THE PAY TO PLAY STATUTES FOR THE RECEIPT OF REQUESTS FOR PROPOSALS "RFP'S" FOR VARIOUS SERVICES FROM MONDAY, NOVEMBER 3, 2025 AND RETURNABLE ON TUESDAY, NOVEMBER 18, 2025, AT 11:00 A.M., 2ND OCCASION

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N.J.

WHEREAS, N.J.S.A. 19:44A-20.4 et seq. mandates a municipality to comply with Pay to Play requirements; and

WHEREAS, the Mayor and Municipal Council of the Township of Belleville wish to receive and consider proposals for services as may be needed by the Township, including but not limited to the below listed Request for Proposals services as follows:

Collision Repairs and Vehicle Painting (2nd Occasion)	November 18, 2025 at 11:00 a.m.
Elevator Inspection and Maintenance Service (2nd Occasion)	November 18, 2025 at 11:00 a.m.
E-One Fire Vehicle Parts and Service (2nd Occasion)	November 18, 2025 at 11:00 a.m.
Landscaping Services (2nd Occasion)	November 18, 2025 at 11:00 a.m.
Pest/Rodent Control Service (2nd Occasion)	November 18, 2025 at 11:00 a.m.
Plumbing Materials and Supplies (2nd Occasion)	November 18, 2025 at 11:00 a.m.
Purchase of Asphalt Materials (2nd Occasion)	November 18, 2025 at 11:00 a.m.
Purchase of Building Supplies (2nd Occasion)	November 18, 2025 at 11:00 a.m.
Removal and Disposal of Dirt (2nd Occasion)	November 18, 2025 at 11:00 a.m.

Repair and Maintenance of Overhead Doors (2nd Occasion)	November 18, 2025 at 11:00 a.m.
Tree Trimming and Removal (2nd Occasion)	November 18, 2025 at 11:00 a.m.

WHEREAS, the Township of Belleville has previously committed itself to utilizing a Fair and Open Process for the solicitation and review of Request for Proposals and for extraordinary unspecifiable services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Municipal Council of the Township of Belleville, County of Essex, and State of New Jersey as follows:
The aforesaid recitals are incorporated herein as though fully set forth at length; The Township Clerk is authorized and directed to publish and advertise a Request for Proposals for the various services as may be needed by the Township, for each separate board or entity requiring separate legal/professional services, including but not limited to:
Such Request for Proposals (s) shall be published and advertised in accordance with a Fair and Open Process at least ten (10) days in advance, of the opening of the responses to the Requests for Proposals received such opening to take place on or before the next regularly scheduled meeting of the Mayor and Municipal Council, on or before which time all Statements of Proposals must be submitted by interested parties, for consideration by the Review Committee herein established; and The Procurement Committee, consisting of Township Manager, Township Chief Financial Officer and Township Municipal Clerk all in an advisory capacity, will review all Statements of Proposals and to make recommendations to the Mayor and Municipal Council of the Township of Belleville prior to its next regularly scheduled meeting.

A motion by Councilmember Cozzarelli seconded by Councilmember Guardabasco Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

RESOLUTION#263-2025
AUTHORIZING THE TOWNSHIP OF BELLEVILLE TO SEEK FAIR AND OPEN PROCESS IN COMPLIANCE WITH THE PAY TO PLAY STATUTES FOR THE RECEIPT OF REQUESTS FOR QUALIFICATIONS "RFQ'S" FOR VARIOUS PROFESSIONAL SERVICES FROM MONDAY, NOVEMBER 3, 2025 AND RETURNABLE ON TUESDAY, NOVEMBER 18, 2025, AT 11:00 A.M., 2ND OCCASION

RESOLVED BY THE MUNICIPAL COUNCIL OF BELLEVILLE, N.J.

WHEREAS, N.J.S.A. 19:44A-20.4 et seq. mandates a municipality to comply with Pay to Play requirements; and

WHEREAS, the Mayor and Municipal Council of the Township of Belleville wish to receive and consider proposals for services as may be needed by the Township, including but not limited to the below listed Request for Qualifications for the below listed services as follows:

Computer Support Services (2nd Occasion)	November 18, 2025 at 11:00 a.m.
General Counsel Services (2nd Occasion)	November 18, 2025 at 11:00 a.m.
Real Estate Appraisal Service "Commercial" (2nd Occasion)	November 18, 2025 at 11:00 a.m.
Real Estate Appraisal Service "Residential" (2nd Occasion)	November 18, 2025 at 11:00 a.m.
Township Planner Service (2nd Occasion)	November 18, 2025 at 11:00 a.m.

WHEREAS, the Township of Belleville has previously committed itself to utilizing a Fair and Open Process for the solicitation and review of Request for Qualifications and for extraordinary unspecifiable services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Municipal Council of the Township of Belleville, County of Essex, and State of New Jersey as follows:

The aforesaid recitals are incorporated herein as though fully set forth at length; The Township Clerk is authorized and directed to publish and advertise a Request for Qualifications for the various services as may be needed by the Township, for each separate board or entity requiring separate legal/professional services, including but not limited to:

Such Request for Qualifications (s) shall be published and advertised in accordance with a Fair and Open Process at least ten (10) days in advance, of the opening of the responses to the Requests for Qualifications received such opening to take place on or before the next regularly scheduled meeting of the Mayor and Municipal Council, on or before which time all Statements of Request for Qualifications must be submitted by interested parties, for consideration by the Review Committee herein established; and The Procurement Committee, consisting of Township Manager, Township Chief Financial Officer and Township Municipal Clerk all in an advisory capacity, will review all Statements of Qualifications and to make recommendations to the Mayor and Municipal Council of the Township of Belleville prior to its next regularly scheduled meeting.

A motion by Councilmember Cozzarelli seconded by Councilmember Guardabasco Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

Public Hearing:

- 604 Belleville Avenue, POD/Shipping Container in driveway

Steven Martino:

- Township Ordinance violation
- Notice of hearing was posted and delivered two-weeks ago
- The tickets that have been issued, you still go through the court system
- Great job Code Enforcement

Nick DeAngelis, Code Enforcement:

- Homeowner removed container at 610 Belleville Avenue
- What happens with the tickets that have been issued?

Adjournment:

Motion to adjourn by Councilmember Cozzarelli seconded by Councilmember DePeña Ayes: Cozzarelli, DePeña, Graziano, Guardabasco, Muldrow, Velez and Mayor Melham Nays: None Absent: None Abstain: None

The meeting was adjourned at 8:32p.m.

Respectfully Submitted,

Alberto Cabrera, R.M.C.
Township Clerk