

**MINUTES - TOWN COUNCIL MEETING  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
691 Water Street  
FEBRUARY 18, 2014**

Mayor Stettler opened the regular meeting of the Belvidere Town Council with the Pledge of Allegiance and read the following notice in compliance with the Open Public Meetings Act:

In accordance with Chapter 231 of the Public Laws of 1975, notice of this meeting was given by way of notice filed with the Star Gazette and/or the Express-Times, filed in the Municipal Clerk's Office and posted in the Belvidere Town Hall, 691 Water Street, Belvidere NJ.

**Roll Call:**

Present - Mayor Stettler, Councilman Kennedy, Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Sebold, Councilman Viglianco  
Absent - None

**A motion** was made by Councilman Sebold, seconded by Councilwoman Napolitani and carried to adopt the January 6, 2014 and January 20, 2014 regular meeting minutes and January 22, 2014 budget meeting minutes of the Belvidere Town Council. Regarding the January 22, 2014 minutes, Councilman Kennedy requested that emails from Dave Evans referencing a recent budget/sewer meeting be inserted for clarity on the matter.

**A motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to adopt the January 6, 2014 and January 20, 2014 executive meeting minutes of the Belvidere Town Council.

**Presentation:**

BJ Wauhop, PRMUA representative attended the meeting to advise Council about calculations of the sewer flow from White Township to Belvidere. Mr. Wauhop explained that the flow calculation is determined by using a four-year historical rolling reading. There was discussion on how Belvidere should charge White Township. It was agreed that installing a meter at the Town line would be the best tool in determining flow from White Township.

**Public Comment:**

Dawn Decker advised that she has been appointed as the interim Court Administrator for the White Township court. She will be working in the White Township office in the evenings, but their court sessions are held during the day. Mrs. Decker will be taking her personal time to cover court sessions. Discussion ensued.

**A motion** was made by Councilman Viglianco, seconded by Councilman Sebold and carried not to allow any White Township court business to be conducted at the Belvidere office.

**A motion** was made by Councilwoman Miers and seconded by Councilman Kennedy authorizing Dominick Santini to pursue an interlocal agreement with White Township for court services. **Motion and second rescinded.**

Harold Hess stated that his sewer bill was incorrect when received it but has now been corrected. He was concerned that the system used for sewer billing may not be equipped should the Town consider billing on water usage.

Ben Ritter commented on the snow emergency parking, adding that Warren County has recently stopped residents from using the lot at the Cummins Building.

Jim Thomas stated that trucks leaving DSM have been using Market Street.

**A motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to send a letter to DSM requesting their assistance in routing trucks away from

Market Street.

Gary Greenwald asked for clarification on who determines a snow emergency and stated that the alley behind his home has not been plowed. He added that better communication is needed in letting the residents know when a snow emergency has been declared.

**Committee Reports:**

Jake Carlson reported that the student government will be fund raising for “Relay for Life” and holding the annual blood drive. FFA week is scheduled for 2/15 through 2/22.

Councilman Makatura reported that the Environmental Commission met on 1/27. The “No Idling” signs have been installed at the school and the Commission discussed the “Safe Routes to School” program. The Liberty Township Environmental Commission will be hosting a festival at the Pequest Fish Hatchery and our Commission will be taking part in this event.

The Planning Board held their reorganization meeting on 1/23.

Councilwoman Napolitani reported on all the recent storm events. The DPW assisted with removal of snow from the business district and removed snow from Depue Street. The Councilwoman reported on equipment damaged during the storms and requested that an add be placed in the Riverbend asking home owners to trim the brush in the rear of their homes along the alleys. The DPW is scheduled to repair a sink hole. The Councilwoman advised that some snow removal expenses may be outside of the cap limit pursuant to a finance notice received from DLGS.

Councilman Sebold reported that the Charger (21-14) needs to have the computer replaced. Discussion ensued.

**A motion** was made by Councilman Makatura and seconded by Councilman Kennedy not to replace the computer in the Charger (21-14).

**Roll call:**

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

**Nays - None**

**Abstentions - None**

**Absent - None**

Councilman Kennedy reported that the Pool Commission is now producing an agenda and following procedures for a public meeting. The Councilman reviewed the proposed capital projects for the pool.

Maureen Miers will be back this summer to head the Summer Recreation Program.

Lights have been donated from Rocky Ridge to be used for the football field and tennis court and improvements to the courts are being discussed.

The Farmer’s Market will begin on the first Sunday in June. No bids were received for the Scout Home renovation. The project will be rebid. The Scouts assisted with clearing snow from the fire hydrants.

Councilman Viglianco reviewed the Ambulance Corps activity for January. The Councilman has a call in to Elizabethtown Gas for updates on their projects in Belvidere.

Mayor Stettler reported that a budget meeting has been scheduled for March 6<sup>th</sup> at 7:00 PM. The PAIC meeting has been postponed and rescheduled to a later date.

**Correspondence:**

A resolution approving a mutual aid agreement with Warren County will be prepared for the next Council meeting.

**A motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani

and carried to authorize the signing of the agreement with Covanta as amended.

**A motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried authorizing a street closure for St. Patrick's Church 5K on April 5, 2014.

**A motion** was made by Councilwoman Miers, seconded by Councilman Makatura and carried to accept the resignation of John Cornish as Public Defender and send letter of thanks for his service.

**A motion** was made Councilman Kennedy, seconded by Councilwoman Miers and carried authorizing a street closure for Belvidere High School Swim Team 5K on May 31, 2014.

**Old Business:**

Councilwoman Napolitani reported on the progress of Howell Street. Teresa DeMont will contact Paul Sterbenz to determine when this work will be completed.

**New Business:**

**A motion** was made by Councilwoman Miers, seconded by Councilman Sebold and carried approving the following raffle license applications:

RL2014-04 and RL2014-05 for Project Graduation

RL2014-06 for White Township Scholarship Fund

RL2014-07 for Belvidere Lions Club

Mayor Stettler asked for volunteers to form a grant ad-hoc committee. Members will be Councilwoman Miers, Councilman Kennedy and Councilman Makatura as the Chair.

Mayor Stettler initiated a discussion about the status of non-profit groups, their events and creating a page on our website for these groups.

**A motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to develop a committee to research constructing a new website.

Mayor Stettler announced the Big Brothers/Big Sisters Bowl-a-Thon requesting volunteers to bowl for the Belvidere Team.

**Resolutions:**

**A motion** was made by Councilwoman Napolitani, seconded by Councilwoman Miers and carried to adopt Resolution No. R2014x18.

**RESOLUTION NO. R2014x18**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION AUTHORIZING THE REFUND OF PAYMENT MADE IN ERROR OF 2013 PROPERTY TAXES ON BLOCK 33, LOT 17**

WHEREAS, the Tax Collector for the Town of Belvidere received an overpayment for first quarter 2013 property taxes for block 33, lot 17; and

WHEREAS, the lienholder, US Bank Cust for PRO Capital III, LLC have requested a refund of the overpayment

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council hereby authorizes the CFO to make payment to US Bank Cust for Pro Capital III, LLC 50 S 16<sup>th</sup> Street, STE 1950, Philadelphia, PA 19102 in the amount of \$6,205.70 representing a refund of the payment made in error on block 33, lot 17.

Date: February 18, 2014  
Teresa A. DeMont, RMC/CPM  
Municipal Clerk/Administrator

**A motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to adopt Resolutions No. R2014x19 through R2014x24.

**RESOLUTION NO. R2014x19  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 11, lot 35)**

WHEREAS, Tax Sale Certificate 2012-003 dated September 17, 2012 on block 11, lot 35 was redeemed on January 10, 2014; and

WHEREAS, the premium paid at the sale in the amount of \$500.00 needs to be returned to U.S. Bank for Pro Capital I, LLC, lienholder of the aforementioned certificate;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Belvidere hereby authorizes the CFO to make payment to U.S. Bank CUST for Pro Capital I, LLC, 50 S. 16<sup>th</sup> Street, Suite 1950, Philadelphia, PA, 19102 in the amount of \$500.00 representing said refund.

Date: February 18, 2014  
Teresa A. DeMont, RMC/CPM  
Municipal Clerk/Administrator

**RESOLUTION NO. R2014x20  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 25, lot 26)**

WHEREAS, Tax Sale Certificate 2013-021 dated October 16, 2012 on block 25, lot 26 was redeemed on December 18, 2013; and

WHEREAS, the premium paid at the sale in the amount of \$800.00 needs to be returned to U.S. Bank for Pro Capital III, LLC, lienholder of the aforementioned certificate;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Belvidere hereby authorizes the CFO to make payment to U.S. Bank CUST for Pro Capital I, LLC, 50 S. 16<sup>th</sup> Street, Suite 1950, Philadelphia, PA, 19102 in the amount of \$800.00 representing said refund.

Date: February 18, 2014  
Teresa A. DeMont, RMC/CPM  
Municipal Clerk/Administrator

**RESOLUTION NO. R2014x21  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 16, lot 17)**

WHEREAS, Tax Sale Certificate 2013-013 dated October 16, 2013 on block 16, lot 17 was redeemed on December 18, 2013; and

WHEREAS, the premium paid at the sale in the amount of \$1,100.00 needs to be returned to U.S. Bank for Pro Capital III, LLC, lienholder of the aforementioned certificate;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Belvidere hereby authorizes the CFO to make payment to U.S. Bank CUST for Pro Capital I, LLC, 50 S. 16<sup>th</sup> Street, Suite 1950, Philadelphia, PA, 19102 in the amount of \$1,100.00 representing said refund.

Date: February 18, 2014  
Teresa A. DeMont, RMC/CPM  
Municipal Clerk/Administrator

**RESOLUTION NO. R2014x22  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 33, lot 14)**

WHEREAS, Tax Sale Certificate 2012-017 dated September 17, 2012 on block 33, lot 14 was redeemed on January 10, 2014; and

WHEREAS, the premium paid at the sale in the amount of \$200.00 needs to be returned to U.S. Bank for Pro Capital I, LLC, lienholder of the aforementioned certificate;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Belvidere hereby authorizes the CFO to make payment to U.S. Bank CUST for Pro Capital I, LLC, 50 S. 16<sup>th</sup> Street, Suite 1950, Philadelphia, PA, 19102 in the amount of \$200.00 representing said refund.

Date: February 18, 2014  
Teresa A. DeMont, RMC/CPM  
Municipal Clerk/Administrator

**RESOLUTION NO. R2014x23  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 10, lot 26)**

WHEREAS, Tax Sale Certificate 2013-007 dated October 16, 2013 on block 10, lot 26 was redeemed on January 2, 2014; and

WHEREAS, the premium paid at the sale in the amount of \$700.00 needs to be returned to U.S. Bank for Pro Capital III, LLC, lienholder of the aforementioned certificate;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Belvidere hereby authorizes the CFO to make payment to U.S. Bank CUST for Pro Capital III, LLC, 50 S. 16<sup>th</sup> Street, Suite 1950, Philadelphia, PA, 19102 in the amount of \$700.00 representing said refund.

Date: February 18, 2014  
Teresa A. DeMont, RMC/CPM  
Municipal Clerk/Administrator

**RESOLUTION NO. R2014x24  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 10, lot 26)**

WHEREAS, Tax Sale Certificate 2013-025 dated October 16, 2013 on block 33, lot 17 was redeemed on October 30, 2013; and

WHEREAS, the premium paid at the sale in the amount of \$18,600.00 needs to be returned to U.S. Bank for Pro Capital III, LLC, lienholder of the aforementioned certificate;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Belvidere hereby authorizes the CFO to make payment to U.S. Bank CUST for Pro

Capital III, LLC, 50 S. 16<sup>th</sup> Street, Suite 1950, Philadelphia, PA, 19102 in the amount of \$18,600.00 representing said refund.

Date: February 18, 2014  
Teresa A. DeMont, RMC/CPM  
Municipal Clerk/Administrator

**Ordinances:**

**A motion** was made by Councilwoman Miers and seconded by Councilman Makatura to introduce Ordinance No. O2014x01.

**ORDINANCE NO. O2014x01**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 155 OF THE CODE OF THE TOWN OF BELVIDERE**

BE IT ORDAINED that the Belvidere town Council hereby authorizes the following amendment to Chapter 155 of the Code of the Town of Belvidere:

Chapter 155  
VEHICLES AND TRAFFIC

Article VIII  
EMERGENCY NO PARKING

§ 155-22 Designation of snow emergency no parking.

Whenever snow or frozen precipitation has fallen, the officer on duty shall determine that a snow/frozen precipitation emergency is in effect and no vehicle shall be parked on the street. The parking prohibitions shall remain in effect after the snow has ceased and until the streets have been plowed curb to curb.

**NOTICE**

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on February 18, 2014 and was read for the first time. This ordinance will be further considered for final adoption by the Belvidere Town Council at a meeting to be held on March 17, 2014 at Belvidere Town Hall, 691 Water Street, Belvidere, NJ at 7:00 P.M. or at any time and place to which said meeting may be adjourned. All interested persons will be given the opportunity to be heard concerning said ordinance at that time. Any member of the general public can obtain a copy of said ordinance at no cost at the Municipal Clerk's Office, 691 Water Street, Belvidere, Monday through Friday from 9:00 A.M. to 4:30 P.M.

There was debate among Council members.

**Roll call:**

**Ayes - Councilman Kennedy, Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani**

**Nays - Councilman Sebold, Councilman Viglianco, Mayor Stettler**

**Abstentions - None**

**Absent - None**

**A motion** was made by Councilman Kennedy and seconded by Councilwoman Miers to introduce Ordinance No. O2014x02.

**ORDINANCE NO. O2014x02**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 5 OF THE CODE OF THE TOWN OF BELVIDERE ENTITLED "ADMINISTRATION"**

BE IT ORDAINED hereby authorizes the following amendment to Chapter 5 of the Code of the Town of Belvidere:

Chapter 5  
ADMINISTRATION

Article IV  
COUNCIL COMMITTEES

§ 5-16 Finance Committee

Remove F. (2) entitled Shade Tree Commission

§ 5-19 Historic, Land Use and Economic Development

Add A. (4) entitled Shade Tree Commission

§ 5-20 Streets and Buildings Committee  
Remove B. (3) entitled Celebrations and Special Events

§ 5-21 Recreation and Education Committee

Add A. (3) entitled Celebrations and Special Events

NOTICE

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**Roll call:**

**Ayes - Councilman Kennedy, Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Sebold, Councilman Viglianco**

**Nays - Mayor Stettler**

**Abstentions - None**

**Absent - None**

**A motion** was made by Councilman Makatura and seconded by Councilman Kennedy to introduce Ordinance No. O2014x03.

**ORDINANCE NO. O2014x03**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 43 OF THE CODE OF THE TOWN OF BELVIDERE ENTITLED "POLICE DEPARTMENT**

Chapter 43  
POLICE DEPARTMENT

BE IT ORDAINED that the Belvidere Town Council hereby authorizes the following amendment to Chapter 43 of the Code of the Town of Belvidere:

**§ 43-16. Qualifications for Chief of Police.**

A. To qualify for appointment or promotion of Chief of Police in the Town of Belvidere,

any person must meet all applicable qualifications set forth in Section 43-16 of the Code of the Town of Belvidere and shall have further qualifications as follows:

2. A Bachelors degree as awarded from a college or university accredited by a national or regional accreditation organization is required;
4. Delete in entirety.

#### NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on February 18, 2014 and was read for the first time. This ordinance will be further considered for final adoption by the Belvidere Town Council at a meeting to be held on March 17, 2014 at Belvidere Town Hall, 691 Water Street, Belvidere, NJ at 7:00 P.M. or at any time and place to which said meeting may be adjourned. All interested persons will be given the opportunity to be heard concerning said ordinance at that time. Any member of the general public can obtain a copy of said ordinance at no cost at the Municipal Clerk's Office, 691 Water Street, Belvidere, Monday through Friday from 9:00 A.M. to 4:30 P.M.

There was debate among Council.

#### **Roll call:**

**Ayes - Councilman Kennedy, Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani**

**Nays - Councilman Sebold, Councilman Viglianco, Mayor Stettler**

**Abstentions - None**

**Absent - None**

#### **Appointments:**

Mayor Stettler had no appointments at this time.

#### **Approval of Purchase Orders:**

**A motion** was made by Councilwoman Miers, seconded by Councilman Makatura and carried authorizing the payment of the purchase orders in the amount of \$346,856.50.

#### **Public Comment:**

Harold Hess stated that he was not in favor of the proposed change to the snow parking ordinance, the budget preparation is behind schedule and rates are down and costs are up.

Rheva Smickle commented that she spoke with various businesses and found none that were opposed to the Farmer's Market. Mayor Stettler replied that the businesses could not take advantage of the Farmer's Market offer to join them on Sundays because it may mean closing their business to do so.

Debra Ferman commented that purchasing an SUV will increase gas usage. She also commented on the proposed snow parking ordinance and trucks being able to plow the alleys being a Shade Tree matter.

**A motion** was made by Councilwoman Miers, seconded by Councilman Kennedy and carried to extend the Council meeting for 15 minutes.

#### **Executive Session:**

**A motion** was made by Councilwoman Miers, seconded by Councilman Kennedy and carried to adopt Resolution No. R2014x26.

#### **RESOLUTION NO. R2014x26**

#### **TOWN OF BELVIDERE**

#### **WARREN COUNTY, STATE OF NEW JERSEY**

#### **A RESOLUTION FOR AN EXECUTIVE SESSION**



WHEREAS, Section 8 of the Open Public Meetings act, Chapter 231,P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist,

NOW THEREFORE BE IT RESOLVED, by the Town Council of the Town of Belvidere, County of Warren and State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter; and

2. The general nature of the subject matter to be discussed is:  
Subject: Potential litigation (sewer)

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

Dated: February 18, 2014  
Teresa A. DeMont, R.M.C./C.P.M.  
Municipal Clerk/Administrator

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

**A motion** was made by Councilman Kennedy, seconded by Councilman Viglianco and carried authorizing Dominick Santini to meet with a representative from White Township and the Belvidere Sewer Appeals Committee to discuss the White Township flow calculations.

**A motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to adjourn the meeting of the Belvidere Town Council meeting at 10:19 PM.

Respectfully submitted,

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