

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

Mayor Stettler opened the regular meeting of the Belvidere Town Council with the Pledge of Allegiance and read the following notice in compliance with the Open Public Meetings Act: In accordance with Chapter 231 of the Public Laws of 1975, notice of this meeting was given by way of notice filed with the Star Gazette and/or the Express-Times, filed in the Municipal Clerk's Office and posted in the Belvidere Town Hall, 691 Water Street, Belvidere NJ.

**Roll Call:**

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

**Approval of Minutes:**

**A motion** was made by Councilman Sebold, seconded by Councilwoman Miers and carried to adopt the November 17, 2014 regular and executive meeting minutes of the Belvidere Town Council.

**A motion** was made by Councilman Makatura, seconded by Councilwoman Miers with Councilman Viglianco abstaining and all others voting "yes" to adopt the December 1, 2014 regular and executive meeting minutes of the Belvidere Town Council.

**A motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to accept the resignation of Michael Viglianco effective December 16, 2014. Councilman Viglianco thanked the citizens of Belvidere for allowing him to serve.

**Presentation:**

Mayor Stettler presented certificates of appreciation to Councilwoman Napolitani and Councilman Viglianco for their service on Council.

Mayor Stettler presented certificates of appreciation to Harold Abbott and Robert Yeisley for their many years of service on the Belvidere Police Department.

Councilwoman Napolitani presented a shadow box to Chief Yeisley showing his badges and patches throughout his career in recognition of his service.

Paul Sterbenz advised Council on the Town's Stormwater Permit. The Town of Belvidere is a Tier B community with a five-year permit. The Town's stormwater ordinances were adopted in 2006.

**Public Comment:**

Gena DiMaio spoke on behalf of Carol Scott and inquired when the Council will be scheduling a meeting regarding Howell Street.

**Committee Reports:**

Councilman Makatura reported the following:

Shade Tree Commission budget request - concerned about revitalization. Bartlett Tree will do the fertilization and soil sampling for 2015 free of charge.  
Making progress on the website.

Councilwoman Napolitani reported the following:

Review of DPW activities. Leaf machine down - Hackettstown collecting remainder of leaves. John Snyder will meet with Chief Scott to address a preventative maintenance plan for the PD vehicles. Belvidere Area Seniors now meeting and program is very successful.

Councilman Sebold reported the following:

The snow ordinance ad-hoc committee has suggested using the Good Will Fire Company parking lot for snow emergency parking. The fire company would like to review the false alarm

ordinance.

Councilwoman Miers reported the following:

2015 budget requests have been submitted by most departments. Request that Laurel Napolitani continue on the “senior” ad-hoc committee.

**A motion** was made by Councilwoman Miers and seconded by Councilwoman Napolitani to retain special counsel to review the 2008 ordinance adopted by Council regarding the term of mayor and to determine if the ordinance is in compliance with State Statutes. The cost for this review shall not exceed \$1,000.

**Roll call:**

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

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

**Abstentions - None**

**Absent - None**

Dominick Santini advised that he obtained the research on the above matter from Dick Cushing, attorney for the Town of Clinton.

**A motion** was made by Councilman Kennedy to not record the vote of Councilman Viglianco because his resignation had been accepted. **Motion withdrawn.**

Councilman Kennedy had no report at this time.

Councilman Viglianco reviewed the activity reports for the Good Will Fire Company and the Belvidere Ambulance Corps.

Mayor Stettler reported the following:

The emergency preparedness meeting sponsored by the Red Cross was informative and well attended. Thank you to all involved for the successful Christmas tree lighting. Attended a ribbon cutting at DSM for the new solar field. Scheduled a meeting with Mayor Inscho regarding the municipal court.

**Correspondence:**

**A motion** was made by Councilwoman Miers, seconded by Councilman Sebold and carried to respond in opposition to a letter from the NJDEP Green Acres Program regarding the property adjacent to the boat launch that they are considering purchasing.

**A motion** was made by Councilwoman Miers, seconded by Councilman Kennedy and carried to adopt Resolution No. R2014x115.

**RESOLUTION NO. R2014x115**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION TO RELIEVE THE TAX COLLECTOR FROM COLLECTING CERTAIN TAXES INTEREST AND PENALTIES**

WHEREAS, the Belvidere Tax Assessor has been informed by the taxpayer as of November 14, 2014 after the appeal deadline of April 1, 2014 that an error exists for Block 11, Lot 38. This error is occurred due to the multi-cards doubling at the last recalculation of the file for the 2014 tax book; and

WHEREAS, the Belvidere Tax Assessor has found that the above referenced property was billed incorrectly on an assessment of \$665,900.00 The correct billing should be calculated on an assessment of \$300,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Belvidere Town Council that the correct assessment for Block 11, Lot 38 should be \$300,000.00 per the tax appeal and stipulation of settlement.

Date: December 15, 2014

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

**Old Business:**

Councilwoman Miers stated that the RFPs for professional services have been received and all seem to be in order. Mayor Stettler recommended that the Town stay with our current professionals and asked if Council had any concerns. There was no further discussion.

Councilman Kennedy initiated a discussion regarding Howell Street. Gena DiMaio stated that dividing the property between the two adjacent property owners would land-lock her family's property. John DiMaio stated that there was no land use approval for the bank excavation on the Steckel property.

**New Business:**

**A motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to approve Raffle License application R2014-17 for the Belvidere American Legion Post 131.

**A motion** was made by Councilman Kennedy and seconded by Councilwoman Miers to schedule a special meeting for December 22, 2014 at 6:00 PM to address the open Council seat.

**Roll call:**

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

**Nays - Mayor Stettler**

**Abstentions - None**

**Absent - None**

**Resolutions:**

**A motion** was made by Councilwoman Miers, seconded by Councilman Makatura and carried to adopt Resolution No. R2014x105.

**RESOLUTION NO. R2014x105**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION TO TRANSFER FUNDS**

BE IT RESOLVED by the Town Council of the Town of Belvidere that there are insufficient funds to meet the demands necessary for the 2014 balances in the Current Fund Budget. Includes Administration O/E, Telephone O/E, Tax Collector O/E, Planning Board O/E, Emergency Management S/W, UCC O/E, Group Insurance, Police S/W

WHEREAS the following accounts have sufficient excess funds to meet such demands:

Finance O/E, Finance S/W, Public Buildings and Grounds, General Insurance, Police O/E, Administration S/W, Electricity O/E, Unemployment Compensation, Road Department S/W

BE IT RESOLVED that in accordance with the provisions of R.S. 40A:4-58 the Chief Financial Officer is hereby authorized to make the following transfers:

TO:	Administration O/E	4,200.00
	Telephone O/E	1,200.00
	Tax Collector O/E	1,080.00
	Planning Board O/E	900.00
	Emergency Management S/W	40.00
	Uniform Construction Code O/E	230.00
	Uniform Construction Code S/W	500.00
	Group Insurance	7,500.00
	Police S/W	<u>23,000.00</u>
		\$38,150.00
FROM:	Finance O/E	5,000.00
	Finance S/W	2,225.00

Public Buildings and Grounds	7,000.00
General Insurance	1,351.00
Police O/E	3,750.00
Administration S/W	7,700.00
Electricity O/E	3,000.00
Unemployment Compensation	1,200.00
Streets and Roads O/E	<u>6,924.00</u>
	\$38,150.00

Date: December 15, 2014  
Teresa A. Yeisley, RMC/CPM  
Municipal Clerk/Administrator

**A motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to adopt Resolution No. R2014x106.

**RESOLUTION NO. R2014x106**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION AUTHORIZING THE CANCELLATION OF UNEXPENDED 2014 POOL UTILITY BUDGET APPROPRIATIONS**

WHEREAS, there are 2014 Pool Budget Appropriation Balances that are no longer needed; and

WHEREAS, these balances can be cancelled to the Pool Operation Fund Balance; and

NOW, THEREFORE, BE IT RESOLVED, that the following Unexpended Balances of Appropriations are hereby cancelled:

Pool Utility Salary and Wages	\$6,700.00
Pool Utility Social Security	\$1,400.00

Date: December 15, 2014  
Teresa A. Yeisley, RMC/CPM  
Municipal Clerk/Administrator

**A motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to adopt Resolution No. R2014x107.

**RESOLUTION NO. R2014x107**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION AUTHORIZING THE CANCELLATION OF THE POOL EMERGENCY**

WHEREAS, the Town of Belvidere adopted a resolution authorizing an emergency with respect to the integrity of the bonding at the Belvidere Town Pool; and

WHEREAS, the Town of Belvidere adopted bond ordinance O2014x11 for the same purpose as listed above and wishes to cancel said emergency;

NOW, THEREFORE, BE IT RESOLVED that the emergency for the pool bonding repairs is hereby cancelled.

Date: December 15, 2014  
Teresa A. Yeisley, RMC/CPM  
Municipal Clerk/Administrator

**A motion** was made by Councilwoman Miers, seconded by Councilman Makatura and carried to

adopt Resolution No. R2014x108.

**RESOLUTION NO. R2014x108**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION AUTHORIZING A VETERAN DEDUCTION REFUND FOR TAX YEARS 2013 AND 2014**

WHEREAS, the Tax Assessor for the Town of Belvidere in error removed Veteran's deductions for 2013 and 2014 tax years on block 29, lot 22

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council hereby authorizes that the Belvidere Tax Assessor reinstate the Veteran's deduction and refund be made for 2013 and 2014 and widow of a veteran be added for 2015 for the following:

Block 29, Lot 22	Carswell, Arthur W., Jr & Doris M.	\$250.00 (2013)
		<u>\$250.00 (2014)</u>
		\$500.00 (total)

Date: December 15, 2014

Teresa A. Yeisley, RMC/CPM

Municipal Clerk/Administrator

A **motion** was made by Councilman Makatura, seconded by Councilwoman Miers and carried to adopt to adopt the following resolutions: R2014x109 and R2014x110.

**RESOLUTION NO. R2014x109**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 50, lot 14.03)**

WHEREAS, Tax Sale Certificate 2013-036 dated October 16,2013 on block 50, lot 14.03 was redeemed on December 3, 2014; and

WHEREAS, the premium paid at the sale in the amount of \$400.00 needs to be returned to US BANK CUST FOR PRO CAP 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 in the amount of \$400.00 representing said refund.

Date: December 15, 2014

Teresa A. Yeisley, RMC/CPM

Municipal Clerk/Administrator

**RESOLUTION NO. R2014x110**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION AUTHORIZING REFUND OF PREMIUM MONEYS (block 43, lot 6)**

WHEREAS, Tax Sale Certificate 2013-032 dated October 16,2013 on block 43, lot 6 was redeemed on December 3, 2014; and

WHEREAS, the premium paid at the sale in the amount of \$700.00 needs to be returned to US BANK CUST FOR PRO CAP 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 in the amount of \$700.00 representing

said refund.

Date: December 15, 2014  
Teresa A. Yeisley, RMC/CPM  
Municipal Clerk/Administrator

**A motion** was made by Councilwoman Miers, seconded by Councilwoman Napolitani and carried to adopt the following resolutions: R2014x112, R2014x113 and R2014x114.

**RESOLUTION NO. R2014x112**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION (NJSA 40A:4-87)**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the amount of \$25,000.00 which is available from the County of Warren, New Jersey;

BE IT FURTHER RESOLVED that the like sum of \$25,000.00 is hereby appropriated under the caption Warren County - Belvidere Scout Home Project.

Date: December 15, 2014  
Teresa A. Yeisley, RMC/CPM  
Municipal Clerk/Administrator

**RESOLUTION NO. R2014x113**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION (NJSA 40A:4-87)**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the amount of \$59,033.75 which is available from the County of Warren, New Jersey;

BE IT FURTHER RESOLVED that the like sum of \$59,033.75 is hereby appropriated under the caption Warren County - Belvidere Library Project.

Date: December 15, 2014  
Teresa A. Yeisley, RMC/CPM  
Municipal Clerk/Administrator

**RESOLUTION NO. R2014x114  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND  
APPROPRIATION (NJSA 40A:4-87)**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Belvidere Town Council hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the amount of \$5,895.58 which is available from the State of New Jersey, Department of Community Affairs.

BE IT FURTHER RESOLVED that the like sum of \$5,895.58 is hereby appropriated under the caption Clean Communities 2014.

Date: December 15, 2014  
Teresa A. Yeisley, RMC/CPM  
Municipal Clerk/Administrator

**Appointments:**

There were no appointments at this time.

**Approval of Purchase Orders:**

**A motion** was made by Councilwoman Miers, seconded by Councilman Sebold and carried to authorize the payment of the purchase in the amount of \$85,517.67.

**Public Comment:**

Nancy Brown - write letters to your State officials to advocate on Town's behalf regarding DCA response to mayoral term question and DEP property purchase.

Howard Thompson - Howell Street

Des Fitzgerald - important to hire outside Counsel to review mayoral term question

Laura Kennedy - thanks to Councilman Viglianco for his service but why did he wait so long to resign

Beth Makatura - felt "lied to" from Councilman Viglianco regarding the selling of his home and resigning his Council seat

Jim Christine - last time before Council as Fire Chief

William Murphy - respect for all and apology if added to mess. Can't attend Republican County Committee meeting without 5-day notice.

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

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

**Executive Session:**

**A motion** was made by Councilwoman Miers, seconded by Councilman Kennedy and carried to adopt resolution No. R2014x111.

**RESOLUTION NO. R2014x111  
TOWN OF BELVIDERE  
WARREN COUNTY, STATE OF NEW JERSEY  
A RESOLUTION FOR AN EXECUTIVE SESSION**

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

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

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

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter; and
2. The general nature of the subject matter to be discussed is:  
Subject: Contract Negotiations and potential litigation
3. It is anticipated at this time that the above stated subject matter will be made public:  
When Resolved.

Dated: December 15, 2014  
Teresa A. Yeisley, R.M.C./C.P.M.  
Municipal Clerk/Administrator

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

**A motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to adjourn the meeting of the Belvidere Town Council at 10:06 PM.

Respectfully submitted,

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