

**MINUTES - TOWN COUNCIL MEETING  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
691 Water Street  
AUGUST 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 (via conference call), Councilwoman Napolitani, Councilman Sebold, Councilman Viglianco  
Absent - None

**Approval of Minutes:**

A **motion** was made by Councilwoman Napolitani, seconded by Councilman Kennedy and carried to adopt the August 4, 2014 regular meeting minutes of the Belvidere Town Council.

**Public Comment:**

Debbie Furhmann - commented on the Bill of Rights and the lack of respect toward members of Council.

Harry Brown - thanked the Council for tree work done near his home

Betty Merring - asked that Council continue their efforts to save the Belvidere Nutrition Center

**Committee Reports:**

Councilman Viglianco had no report at this time.

Councilman Kennedy reported that the pool has been closed due to electrical issues. They will be meeting to discuss remedies to this problem.

The Recreation Committee is working on the Harvest Festival. Mayor Stettler requested that they discuss the parameters for a Facebook page with our insurance Risk Manager.

Councilman Sebold had no report at this time.

Councilwoman Napolitani reviewed the DPW activity report. John Snyder advised that he will run the leaf machine as long as it lasts. Councilwoman Napolitani congratulated John Snyder on winning an essay contest sponsored by the NJDEP. Mr. Snyder received gifts for the Town valued at over \$2,500.

Councilman Makatura reported that work is continuing on the new website.

**Correspondence:**

A **motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried approving a request for street closure for a 5K race on September 6<sup>th</sup>.

A **motion** was made by Councilwoman Napolitani, seconded by Councilman Makatura and carried approving street closures for Victorian Days, September 6<sup>th</sup> and 7<sup>th</sup>.

**Old Business:**

Mayor Stettler updated Council on the continuing efforts regarding the Belvidere Nutrition Center.

**New Business:**

Councilman Kennedy thanked Kim Beaney for her work at the pool. A meeting will be scheduled to discuss options for the repairs needed at the pool.

**Resolutions:**

A **motion** was made by Councilman Kennedy, seconded by Councilman Sebold and carried to adopt Resolution No. R2014x78.

**RESOLUTION NO. R2014x78**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED ‘UPPER DELAWARE WATER QUALITY MANAGEMENT PLAN’ (TOWNSHIP OF WHITE) TO PERMIT A SITE SPECIFIC AMENDEMENT TO INCLUDE LOT 7.03 IN BLOCK 21 IN THE FUTURE SEWER SERVICE AREA**

**WHEREAS**, the Town of Belvidere desires to provide for the orderly development of wastewater facilities within Warren County; and

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, be in conformance with an approved WQM plan; and

**WHEREAS**, the NJDEP has established the WQM plan amendment procedure as the method of incorporating unplanned facilities into a WQM plan; and

**WHEREAS**, the Town of Belvidere is in receipt of an amendment to the Upper Delaware Water Quality Management Plan (Township of White) that proposes a site specific amendment to include Lot 7.03 in Block 21 in the Future Sewer Service Area; and

**WHEREAS** the proposed site specific amendment does not impact the Town of Belvidere;

**NOW, THEREFORE, BE IT RESOLVED** on this 18<sup>h</sup> day of August 2014, by the governing body of the Town of Belvidere that:

1. The Belvidere Town Council hereby consents to the site specific amendment to the Upper Delaware Water Quality Management Plan (Township of White) to permit Lot 7.03 in Block 21 to be included in the Future Sewer Service Area
2. This consent shall be submitted to the NJDEP in accordance with N.J.A.C. 7:15-3.4.

**CERTIFICATION**

I, Teresa A. DeMont, RMC/CPM for the Town of Belvidere, Warren County, State of New Jersey, do hereby certify this is a true copy of a Resolution adopted at the Regular Meeting of the Belvidere Town Council held on Monday, August 18, 2014.

**Ordinance:**

**ORDINANCE NO. O2014x08**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 43 OF THE CODE OF THE TOWN OF BELVIDERE ENTITLED “POLICE DEPARTMENT” SPECIFICALLY SECTION 43-3, “APPOINTMENT OF MEMBERS”**

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

**Chapter 43**

**Police Department**

**§ 43-3. Appointment of Members.**

All members of the Police Department shall be appointed by the Mayor with the advice and consent of Council to hold office as provided by law. If the Mayor fails to recommend an appointment to any available position within thirty (30) days to Council, or fails to get advice and consent from the Town Council, the Town Council may appoint *to the vacant position*, by majority vote, a qualified officer as provided by law under N.J.S.A 40A:14-118.

NOTICE

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on August 4, 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 August 18, 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.

**A motion** was made by Councilwoman Napolitani, seconded by Councilman Makatura and carried to open the Public hearing on Ordinance No. O2014x08.

Harry Brown - matter of principle that elected officials not change the code in this manner. It is inappropriate and does not have the support of the majority of citizens. Same comments regarding O2014x09.

Laurie Christine - reiterate Mr. Brown's comments. Let the people decide.

Debbie Furhmann - government should change with the times. Leadership not about power. Need to find common ground.

Janet Raheb - Council has made some bad decisions and can walk away from them but the citizens cannot.

Beth Makatura - agrees with Mrs. Raheb. Remember how we got to this position.

Eileen Scott - there should be a separation of powers. This issue has been going on for three years.

John Clemmer - making a big mistake and should be on the ballot.

Des Fitzgerald - decisions should be made by all elected official. Mayor equal but not stronger.

Nancy Brown - not in Town's best interest. Need a balance of power.

Bob Yeisley - "I'm still hear. What did I do wrong? I've been doing this job for three years."

**A motion** was made by Councilman Kennedy, seconded by Councilwoman Napolitani and carried to close the public hearing on Ordinance No. O2014x08.

**A motion** was made by Councilman Kennedy and seconded by Councilwoman Napolitani to adopt Ordinance No. O2014x08.

**Roll call:**

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

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

**Abstentions - None**

**Absent - None**

NOTICE

Notice is hereby given that the foregoing ordinance was approved for final adoption by the Belvidere Town Council at a regular meeting held on August 18, 2014.

**ORDINANCE NO. O2014x09**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 5 OF THE CODE OF THE TOWN OF BELVIDERE ENTITLED "ADMINISTRATION" SPECIFICALLY ARTICLE IV, "COMMITTEES"/SECTION 5-9, "APPOINTMENT"**

BE IT ORDAINED that the Belvidere Town Council hereby authorizes the following amendment to Chapter 5, Article IV, Section 5-9 of the Code of the Town of Belvidere:

**Chapter 5**

**Administration**

**ARTICLE IV  
Committees**

**§ 5-9. Appointment.**

All appointments shall be made by a majority vote of the Town Council.

**NOTICE**

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**A motion** was made by Councilman Makatura, seconded by Councilman Kennedy and carried to open the public hearing on Ordinance No. O2014x09.

Nancy Brown - Mayor and Council need to come to an agreement. Ordinance change appears to be because someone did not like their committee appointments. Going down a slippery slope.  
Debbie Furhmann - use elected officials talents and training when determining their committee assignments.

Beth Makatura - government is established on debate.

Laurie Christine - Council liaisons have always rotated their positions.

Kim Beaney - does changing this ordinance make the Town better

**A motion** was made by Councilman Makatura, seconded by Councilwoman Napolitani and carried to close the public hearing on Ordinance No. O2014x09.

**A motion** was made by Councilwoman Napolitani and seconded by Councilman Makatura to adopt Ordinance No. O2014x09

**Roll call:**

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

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

**Abstentions - None**

**Absent - None**

**NOTICE**

Notice is hereby given that the foregoing ordinance was approved for final adoption by the Belvidere Town Council at a regular meeting held on August 18, 2014.

**ORDINANCE NO. O2014x10**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 160 OF THE CODE OF THE TOWN OF  
BELVIDERE ENTITLED "ZONING, SPECIFICALLY ARTICLE III, SECTION 160-22  
A.(1) ENTITLED "FENCES"**

BE IT ORDAINED that the Belvidere Town Council hereby adopts the following amendment to the Code of the Town of Belvidere:

**Chapter 160**

**ZONING**

**ARTICLE III**

**General Regulations**

**§ 160-22 Fences.**

A. Fences are permitted in residential zones according to the following regulations:

- (1) The maximum height limit for fences for the rear yard and the side yard shall be six (6) feet. These fences shall be erected at least fifteen (15) feet back from the front facade of the main house or building located on the property (not including porches).

**NOTICE**

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A **motion** was made by Councilman Kennedy, seconded by Councilman Makatura and carried to open the public hearing on Ordinance No. O2014x10.

**The ordinance brought no public comment.**

A **motion** was made by Councilman Kennedy, seconded by Councilwoman Napolitani and carried to close the public hearing on Ordinance No. O2014x10.

A **motion** was made by Councilman Makatura and seconded by Councilman Kennedy to adopt Ordinance No. O2014x10.

**Roll call:**

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

**Nays - None**

**Abstentions - None**

**Absent - None**

**Appointments:**

Mayor Stettler had no appointments at this time.

**Approval of Purchase Orders:**

A **motion** was made by Councilman Makatuar, seconded by Councilwoman Napolitani with Councilwoman Miers abstaining and all others voting "yes" to authorize the payment of the purchase orders in the amount of \$60,651.97.

**Public Comment:**

Peter Butler - Victorian Days will commence as usual but there will be no house tours or teas.

Harry Brown - public portion of the meeting should be between Council and the public not among the public attendees.

Betty Merring - keep up your efforts regarding the Belvidere Nutrition Center.

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

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

**Executive Session:**

A **motion** was made by Councilman Sebold, seconded by Councilman Makatura and carried to adopt Resolution No. R2014x79.

**RESOLUTION NO. R2014x79**

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

Dated: August 18, 2014

Teresa A. DeMont, R.M.C./C.P.M.  
Municipal Clerk/Administrator

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

Mayor Stettler requested that Councilwoman Napolitani, Councilman Kennedy, Councilwoman Miers and Christine Rolef meet to begin preliminary discussion on the Teamster contract negotiations.

**A motion** was made by Councilman Kennedy, seconded by Councilwoman Miers and carried to adjourn the meeting of the Belvidere Town Council at 9:47 PM.

Respectfully submitted,

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