

**MINUTES - TOWN COUNCIL MEETING  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
691 Water Street  
AUGUST 19, 2019**

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

Mayor Kennedy addressed a group in the audience that appeared to be at the meeting to discuss the proposed warehouses in White Township. Mayor Kennedy stated that there was no request for this matter to be on the agenda, but they could be heard during the second public comment. He requested that they consider choosing one person to speak on their behalf, and that if more than one person wished to speak, that their comments not be repeated.

**Roll Call:**

Present - Mayor Kennedy, Councilman Makatura, Councilwoman Miers (via conference call), Councilwoman Napolitani, Councilman Roth, Councilman Tutka  
Absent - Councilman Zmigrodski

**Adoption of Minutes:**

A **motion** was made by Councilman Makatura, seconded by Councilwoman Napolitani and carried to adopt the July 22, 2019 regular and executive meeting minutes of the Belvidere Town Council.

**Public Comment:**

There was no public comment at this time.

**Presentations:**

Paul Sterbenz advised Council of the following: On July 2<sup>nd</sup> a grant application for \$200,000 was filed with the NJDOT for Wall and Paul Streets. Resolutions 44 and 45 will be submitted to the NJDOT for the Fifth Street project. The Second and Hardwick Streets project has been closed out and approved by the NJDOT and reimbursement is expected. The reimbursement from Warren County for the work on Hardwick Street has been received. The Oxford Street Phase III close out is being prepared to submit to the NJDOT.

Requested to assist with sewer infiltration issues. Should be no connections that have not been approved by the Town. Will need to investigate potential violators. Mayor Kennedy advised that this is a serious issue and that the Town will begin monitoring the sanitary sewers for violators. Some tax map (approximately 20%) work left to do for submission to the State to begin the revaluation process.

Advised council on the amendments to the Redevelopment Plan for block 2/lot 8, Manunkachunk Road that is being considered for introduction through Ordinance No. O2019x11. After introduction by Council, the ordinance will then be sent to the Belvidere Planning Board to determine the amendments consistency with the Master Plan. Councilman Tutka asked if this development will put a strain on services. Councilman Makatura and Councilman Roth responded that there will be an impact on both sides. There was discussion regarding the potential PILOT program.

Members of Belvidere Heritage advised Council of the following regarding the upcoming Victorian Days event:

Rebecca Lucas - Event scheduled for September 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup>. Car show, reinstatement of the house tours, porch teas, will continue to fund scholarship program. Considering grants for rehab of victorian homes. 120 volunteers needed to get up and running.

Erin Anderson - New for this year is a Steampunk ball. Request for street closure and approval for a beer tent. Discussion ensued. Kevin Benbrook advised that Belvidere Heritage, as a 501C3, is eligible to apply to the State for a special events liquor license and advised Council

that he saw no reason that they could not approve this request as long as this was approved by our insurance Risk Manager.

**A motion** was made by Councilman Makatura and seconded by Councilman Roth to approve Belvidere Heritage's request to have a beer tent on the municipal right-of-way near the event contingent upon insurance approval.

**Roll call:**

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

**Nays - None**

**Abstentions - Councilman Tutka**

**Recusal - None**

**Absent - Councilman Zmigrodski**

**Committee Reports:**

Councilman Tutka - no report at this time as all his committees meet next week.

Councilman Roth - Good Will Fire had 16 calls in July and have purchased a command vehicle.

The Belvidere Ambulance Corps has adopted the Good Will Fire colors. The pool received some audit recommendations that they are addressing with the assistance of the CFO. The Level remediation regarding the drinking water is being addressed. A State required pump cut-off has been installed in the kiddie pool. There have been some alcohol beverage issues at the pool. The lifeguards are being trained to address these matters. The Community Center @ Belvidere is reopened after completing the floor work

Councilwoman Miers - no report at this time.

Councilwoman Napolitani - Shade Tree Commission working on improving communication with the DPW and school. The Ash borer treatment has been completed. One of the heritage trees was damaged in a storm. The Environmental Commission is working on the pollinator garden.

Councilman Makatura - Chief Scott received a resignation letter from Dennis Riley as the Class II SLEO and the SRO. Mr. Riley did an outstanding job in our school and will be replaced by Craig Metz.

**Correspondence:**

There was no correspondence discussed at this time.

**Previous Business:**

Kevin Benbrook advised that a letter was received from Kelly Offerman regarding the acquisition and demolition of her property at 103 Wall Street. Ms. Offerman raised several points regarding this property and requested that Council consider approving the acquisition and demolition offer. Mr. Benbrook suggested hiring a mitigation specialist as a consultant. The Town would continue to work with Warren County on the Hazard Mitigation Plan. Councilwoman Miers added that elevation is a part of our current plan.

**A motion** was made by Councilwoman Miers and seconded by Councilman Makatura to contract with Susan Mazzitelli, Mitigation Specialist as a consultant not to exceed 20 hours or \$1,500 contingent upon certification of funds.

**Roll call:**

**Ayes - Councilman Makatura, Councilwoman Miers, Councilwoman Napolitani, Councilman Roth, Councilman Tutka, Mayor Kennedy**

**Nays - None**

**Abstentions - None**

**Recusal - None**

**Absent - Councilman Zmigrodski**

Teresa Yeisley advised that there is approximately \$25,000 left in the generator grant. She has consulted with the State OEM office and Chief Scott on the best use of these remaining funds and decided to purchase portable generators for use throughout the community.

**New Business:**

Council discussed a shared service proposal from Washington Borough for Animal Control Officer (ACO) services. The current proposal is more than we are currently paying. This matter will need to be further addressed with the ACO.

**Councilwoman Miers excused herself from the meeting.**

**Resolutions:**

A **motion** was made by Councilwoman Napolitani, seconded by Councilman Roth with Councilman Tutka voting the following: R2019x44 - no, R2019x45 - recuse, R2019x46 - abstain, R2019x47 - yes, R2019x48 - abstain and all others voting “yes” to adopt Resolution R2019x44 through R2019x48.

**RESOLUTION NO. R2019x44**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION TO AWARD A CONTRACT TO K&A PAVING TO CONSTRUCT CURB AND SIDEWALK IMPROVEMENTS ON FIFTH STREET**

WHEREAS, the Town of Belvidere plans to improve Fifth Street between Greenwich Street and Oxford Street; and

WHEREAS, the Town has obtained grants from the municipal aid portion of the Transportation Trust Fund to help fund the work on Fifth Street; and

WHEREAS, the Town has appropriated monies to construct the improvements on Fifth Street; and

WHEREAS, the Town prepared plans and bid documents for curb and sidewalk work on Fifth Street; and

WHEREAS, the Town sought bids for the curb and sidewalk work on Fifth Street; and

WHEREAS, proposals were received on Friday, July 9, 2019; and

WHEREAS, a proposal was received from only one (1) contractor; and

WHEREAS, the proposal received from K&A Paving Contractors LLC (“K&A”) of Belvidere, NJ is in the amount of \$32,660.00; and

WHEREAS, K&A’s bid was reviewed by the Town and the bidder was found to be qualified and the bid was found to be in compliance with the contract documents and technical specifications; and

NOW THEREFORE, BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF BELVIDERE, at its meeting of August 19, 2019, that a contract be awarded to K&A to construct curb and sidewalk improvements on Fifth Street; and

BE IT FURTHER RESOLVED, that copies of this resolution shall be forwarded to the N.J.D.O.T.’s Division of Local Aid and Economic Development.

**Certification**

I, Teresa A. Yeisley, Municipal Clerk/ Administrator, Town of Belvidere do hereby certify that the foregoing resolution was duly adopted by the Belvidere Town Council at a regular meeting held on August 19, 2019.

**RESOLUTION NO. R2019x45**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION TO AWARD A CONTRACT TO TILCON NEW YORK INC. TO PERFORM MILLING AND PAVING WORK ON FIFTH STREET**

WHEREAS, the Town of Belvidere plans to improve Fifth Street between Greenwich Street and Oxford Street; and

WHEREAS, the Town has obtained grants from the municipal aid portion of the Transportation Trust Fund to help fund the work on Fifth Street; and

WHEREAS, the Town has appropriated monies to construct the improvements on Fifth Street; and

WHEREAS, the Town Council previously awarded a contract to K&A Paving Contractors LLC (K&A) to perform curb and sidewalk work on the project; and

WHEREAS, the K&A bid does not include the required milling and paving work on Fifth Street; and

WHEREAS, another contractor needs to be retained to perform this work; and

WHEREAS, the Town plans on utilizing Tilcon New York Inc. (“Tilcon”) through its membership in the Morris County Cooperative Pricing Council (“MCCPC”) to perform the required milling and paving work on Fifth Street; and

WHEREAS, Tilcon is a qualified contractor that has been found to be in compliance with the contract documents and technical specifications; and

NOW THEREFORE, BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF BELVIDERE, that the Town shall utilize Tilcon for the Fifth Street Improvement Project through the Town’s membership in the MCCPC to perform milling and paving work in the amount of \$167,587.50 as follows:

1. HMA Milling, 12,200 square yards at a 2” depth at a unit price of \$2.95 per square yard for a total of \$35,990.00 (Tilcon);
2. Hot Mix 9.5M64 Surface Course, 2” thick, 1,550 tons at a unit price of \$75.15 per ton for a total of \$116,482.50 (Tilcon);
3. Manhole Resets, 19 units at a unit price of \$595.00 per unit for a total of \$11,115.00 (Tilcon);
4. Asphalt Price Adjustment at \$2,500.00 (Tilcon);
5. Fuel Price Adjustment at \$1,500.00 (Tilcon).

BE IT FURTHER RESOLVED, that copies of this resolution shall be forwarded to the N.J.D.O.T.’s Division of Local Aid and Economic Development.

**Certification**

I, Teresa A. Yeisley, Municipal Clerk/Administrator, Town of Belvidere do hereby certify that the foregoing resolution was duly adopted by the Belvidere Town Council at a regular meeting held on August 19, 2019.

**RESOLUTION NO. R2019x46  
TOWN OF BELVIDERE  
WARREN COUNTY, NEW JERSEY  
A RESOLUTION AUTHORIZING SALARY FOR DPW EMPLOYEES**

BE IT RESOLVED that the Belvidere Town Council hereby authorizes the following salaries to be paid retroactively to January 1, 2019 pursuant to contract:

Name	Title	Salary
Jason Stout	Deputy Director DPW	\$ 28.85 per hr
Jason Stout	Deputy Director DPW (stipend)	5,000 per annum
David Berger	Driver/ Mechanic	27.55 per hr

Date: August 19, 2019  
Teresa A. Yeisley, RMC/CPM

Municipal Clerk/Administrator

**RESOLUTION NO. R2019x47**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION ACKNOWLEDGING THE CORRECTIVE ACTION PLAN FOR THE 2018 MUNICIPAL AUDIT AS SUBMITTED BY THE CHIEF FINANCIAL OFFICER**

BE IT RESOLVED that the Belvidere Town Council hereby acknowledges and approves the Corrective Action Plan for the 2018 municipal audit as submitted by the Chief Financial Officer.

**Certification**

I, Teresa A. Yeisley, Municipal Clerk/Administrator, Town of Belvidere do hereby certify that the foregoing resolution was duly adopted by the Governing Body of the Town of Belvidere at a regular meeting held on August 19, 2019.

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

**RESOLUTION NO. R2019x48**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**A RESOLUTION AUTHORIZING SALARY FOR POLICE DEPARTMENT AND COURT EMPLOYEES**

BE IT RESOLVED that the Belvidere Town Council hereby authorizes the following employees to be hired and paid:

Name	Title	Salary
Walter Sevensky	Court Attendant	\$ 100.00 per session
Craig Metz	Class II SLEO	20.00 per hr
Craig Metz	School Resource Officer	25.00 per hr
Matthew Cooper	Class II SLEO	15.00 per hr

Date: August 19, 2019  
Teresa A. Yeisley, RMC/CPM  
Municipal Clerk/Administrator

**Ordinances:**

A **motion** was made by Councilwoman Napolitani and seconded by Councilman Makatura to introduce Ordinance No. O2019x08.

**ORDINANCE NO. O2019x08**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 83 OF THE CODE OF THE TOWN OF BELVIDERE ENTITLED "CONSTRUCTION CODE"**

BE IT ORDAINED that the Belvidere Town Council hereby authorizes the following amendments to Chapter 83 of the Code of the Town of Belvidere:

**§ 83-2. Fees.**

- A. A fee for a construction permit shall be the sum of the subcode fees listed in Subsection A(1) through (16) hereof and shall be paid before the permit is issued.

- (2) The basic construction fee shall be the sum of the parts on the basis of the volume or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates provided herein, plus special fees. The minimum fee on all permits shall be \$72.00.
- (3) Building subcode. The building subcode fee shall be:
  - (a) New construction: \$0.0418 per cubic foot of volume, except that the minimum fee shall be \$0.02 for Use Groups A-1, A-2, A-3, A-4, F-1, F-2, S-1 and S-2, provided that the minimum fee shall be \$100.00 and the fee shall be \$0.003 per cubic foot of volume for structures on farms, including commercial farm buildings under N.J.A.C. 5:23-32.(d), used exclusively for the storage of food or grain or the sheltering of livestock, with the maximum fee for such structures on farms not to exceed \$850.00.
  - (b) Fees for renovation, alterations and repairs shall be \$30.00 per thousand provided that the minimum fee shall be \$72.00.
  - (g) Fees for above-ground swimming pools shall be \$250.00 and fees for in-ground swimming pools shall be \$750.00.

**Plumbing Subcode Fees**

Minimum fee: \$72.00 charged only if it is a one-trade permit.

- (4) Plumbing subcode. The plumbing subcode fee shall be a minimum of \$72.00.

**Electrical Subcode Fees**

Minimum fee: \$72.00 charged only if it is a one-trade permit.

- (5) Electrical subcode. The electrical subcode fee shall be a minimum of \$72.00

**Fire Subcode Fees**

Minimum fee: \$72.00 charged only if it is a one-trade permit.

- (6) Fire protection subcode. The fire protection subcode fee shall be a minimum of \$72.00

**NOTICE**

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on August 19, 2019 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 September 23, 2019 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.

**Roll Call:**

**Ayes - Councilman Makatura, Councilwoman Napolitani, Councilman Roth, Councilman Tutka, Mayor Kennedy**

**Nays - None**

**Abstentions - None**

**Recusal - None**

**Absent - Councilwoman Miers, Councilman Zmigrodski**

A **motion** was made by Councilman Makatura and seconded by Councilman Roth to introduce Ordinance No. O2019x09.

**ORDINANCE NO. O2019x09**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE TO ESTABLISH A NEW CHAPTER 70 OF THE CODE OF THE TOWN OF BELVIDERE ENTITLED, "BACKGROUND CHECKS"**

**BE IT ORDAINED** by the Mayor and Town Council of the Town of Belvidere, in the County of Warren and State of New Jersey, that Chapter 70 of the Code of the Town of Belvidere entitled, "Background Checks" be added as follows:

**SECTION I.**

**§70-1. Title.**

This chapter shall be known as "Background Checks."

**§70-2. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**CRIMINAL BACKGROUND CHECK** – A determination of whether a person has a criminal record by cross-referencing that person's name and relevant data with those on file with the Federal Bureau of Investigation Identification Division and/or the New Jersey State Bureau of Identification in the Division of State Police.

**TOWN-OWNED FACILITIES** – All property owned or leased by the Town of Belvidere, including, but not limited to, the Municipal Building, all parks, playgrounds, open space and recreational fields, the Community Center, and the Boy Scout Home.

**YOUTH PROGRAMS** – Any youth programs sponsored or unsponsored by the Town of Belvidere that utilize municipal facilities and having contact with persons under the age of 18 years, including, but not limited to, youth sports leagues, clubs and camps.

**§70-3. Criminal background checks required.**

A. Youth programs. Prior to any youth program being authorized to use Town-owned facilities for functions participated in by children under the age of 18 years, all adults 18 years of age or older who manage or regularly assist in any way in the function or activity, must submit to a criminal background check through the Town of Belvidere Chief of Police or his designee. The Police Chief is authorized to exchange data with and receive criminal history record information from the State Bureau of Identification in the New Jersey State Police, in accordance with N.J.S.A. 40:48-1.4.

B. Fees. The municipality shall bare the cost of any fees associated with obtaining a background check on volunteers for programs or functions.

C. Confidentiality. The results of any criminal background check obtained pursuant to this chapter shall remain confidential and shall not be disseminated beyond the Chief of Police and the Mayor and Council. Any individual who has submitted to a criminal background check shall have the right to review the results of same.

**§70-4. Disqualification.**

A. Any individual that refuses to submit to a criminal background check as required by this chapter shall be barred from utilizing municipal facilities as a participant with any such youth program.

B. In the event a criminal background check reveals any prior convictions for crimes involving children, including all crimes subject to Megan's Law registration, said individual shall not be qualified to participate in any capacity whatsoever with any youth program utilizing municipal facilities.

C. With respect to a criminal background check that reveals any record of conviction other than as set forth in Subsection B above, the Mayor and Council, in consultation with the Chief of Police, shall determine whether to disqualify an individual associated with the volunteer program in the sound discretion of the Mayor and Council. The Mayor and Council may consider all relevant information, including, but not limited to, the nature and responsibility of the position the individual would assume, the nature and seriousness of the offense and its date, the age of the individual when the offense was committed, whether the offense was isolated or part of a series of convictions, and the individual's record of community service and participation within the Town of Belvidere.

**§70-5. Frequency.**

A. All league officers or other individuals in charge of youth programs shall submit an annual roster of individuals associated with each youth program that is subject to this chapter. Each individual identified by a youth program shall be approved to utilize municipal facilities on an interim basis subject to receipt and review by the Chief of Police of a criminal background check. A new criminal background check shall be required by each such individual every five (5) years. The Chief of Police shall have the discretion to accept documentation of a passing background check that is less than five (5) years old in lieu of requiring a new background check. He shall have the further discretion to require a new background check at any time if there is reasonable cause to believe that any individual has been convicted of a crime subsequent to being processed for and successfully clearing a criminal background check undertaken pursuant to this chapter.

B. All persons required to submit to a criminal background check under this Chapter shall, upon successfully clearing the background check, be issued by the Chief of Police an identification card confirming their eligibility to volunteer, which said card shall be maintained in the possession of all volunteers at all times while interacting with youth at any municipal field or facility.

C. Any person who has submitted to a criminal background check as part of another profession, association or activity such as a public school teacher, scout leader, etc. shall not be required to submit to a background check under this ordinance.

**SECTION II: Effective Date**

This ordinance shall take effect immediately after adoption and publication of notice of adoption as provided by law.

**SECTION III: Ordinance Provisions Repealed**

Any ordinance provisions inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

**SECTION IV: Severability**

If the provisions of any section, subsection paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a Court of competent jurisdiction, such Order of Judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

**NOTICE**

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on August 19, 2019 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 September 23, 2019 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.

**Roll Call:**

**Ayes - Councilman Makatura, Councilwoman Napolitani, Councilman Roth, Councilman Tutka, Mayor Kennedy**

**Nays - None**

**Abstentions - None**

**Recusal - None**

**Absent - Councilwoman Miers, Councilman Zmigrodski**

A **motion** was made by Councilwoman Napolitani and seconded by Councilman Roth to introduce Ordinance No. O2019x10 as revised.

**ORDINANCE NO. O2019x10**

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY**

**AN ORDINANCE TO AMEND CHAPTER 140 OF THE CODE OF THE TOWN OF BELVIDERE ENTITLED "SWIMMING POOL COMMISSION" SECTION 140-1, CREATION; MEMBERSHIP**

BE IT ORDAINED by the Governing Body of the Town of Belvidere that Chapter 140, Section 140-1 shall hereby be amended as follows:

§ 140-1 Creation; Membership

The general supervision over the maintenance, operation and regulation of the Town of Belvidere public swimming pool facility and all forms of recreation, playground and public entertainment activities carried on in connection therewith, shall be exercised by and under the authority of the Swimming Pool Commission of the Town of Belvidere which is hereby created. The Commission shall consist of five members and a maximum of two alternate members who shall be appointed by the Mayor. Of the five regular members and the two alternate members, five members shall be residents of the Town of Belvidere and two members may be non-residents of the Town of Belvidere but shall be residents of municipalities within the County of Warren, State of New Jersey.

**NOTICE**

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on August 19, 2019 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 September 23, 2019 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.

Teresa Yeisley, RMC/CPM  
Municipal Clerk/Administrator

**Roll Call:**

**Ayes - Councilman Makatura, Councilwoman Napolitani, Councilman Roth, Councilman Tutka**

**Nays - Mayor Kennedy**

**Abstentions - None**

**Recusal - None**

**Absent - Councilwoman Miers, Councilman Zmigrodski**

A **motion** was made by Councilman Makatura and seconded by Councilman Roth to introduce Ordinance No. O2019x11.

**TOWN OF BELVIDERE**

**WARREN COUNTY, NEW JERSEY  
ORDINANCE NO. 2019x11**

**AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN PURSUANT TO THE  
LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, ET SEQ.,  
FOR PROPERTY LOCATED AT BLOCK 2, LOT 8, MANUNKACHUNK ROAD**

**WHEREAS**, the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1, et seq., permits municipalities to adopt and amend regulations dealing with areas declared to be “in need of redevelopment” and “in need of rehabilitation”; and

**WHEREAS**, the Mayor and Council adopted Ordinance Number 2018x13 on December 10, 2018 to implement a redevelopment plan for Lot 8 in Block 2 in the Town of Belvidere situated on Manunkachunk Road; and

**WHEREAS**, the owner of Lot 8 in Block 2 requested various updates to the Redevelopment Plan in early 2019; and

**WHEREAS**, the Town Council of the Town of Belvidere formed a subcommittee to work with Town Engineer/Planner Paul M. Sterbenz, P.E., P.P., on the updated Redevelopment Plan for Lot 8 in Block 2; and

**WHEREAS**, the Town Council is in agreement with the updated Redevelopment Plan prepared by Town Engineer/Planner Paul M. Sterbenz, P.E., P.P.; and

**WHEREAS**, Ordinance No. 2019x\_\_\_\_\_, including the Redevelopment Plan, were referred to the Planning Board of the Town of Belvidere for review pursuant to N.J.S.A. 40:55D-26a; and

**WHEREAS**, the Planning Board of the Town of Belvidere reviewed and approved the Redevelopment Plan at its September 3, 2019 meeting and recommended that the Town Council adopt the plan; and

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

**SECTION ONE:**

The aforementioned recitals are incorporated herein as though fully set forth at length.

**SECTION TWO:**

The Zoning Map of the Town of Belvidere is hereby amended to incorporate the provisions of the Redevelopment Plan and delineate the boundaries of the Property.

**SECTION THREE:**

The Redevelopment Plan for property located at Block 2, Lot 8, Manunkachunk Road, a copy of which is attached hereto as Exhibit “A” and is on file with the Town Clerk and incorporated herein by reference, is hereby approved pursuant to N.J.S.A. 40A:12A-1, et seq.

**SECTION FOUR:**

If any section, subdivision, paragraph, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to such section, subdivision, paragraph, clause, or provision and the remainder of this ordinance shall be deemed valid and effective. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION FIVE:**

This Ordinance shall become effective upon final passage and publication according to law.

**NOTICE**

The foregoing ordinance was introduced at a regular meeting of the Belvidere Town Council held on August 19, 2019 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 September 23, 2019 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.

Teresa A. Yeisley, RMC  
Town Clerk/Administrator

**Roll Call:**

**Ayes - Councilman Makatura, Councilwoman Napolitani, Councilman Roth, Mayor Kennedy**

**Nays - None**

**Abstentions - Councilman Tutka**

**Recusal - None**

**Absent - Councilwoman Miers, Councilman Zmigrodski**

**Appointments:**

There were no appointments at this time.

**Authorization to Pay Purchase Orders:**

**A motion** was made by Councilwoman Napolitani and seconded by Councilman Makatura authorizing the payment of the purchase orders in the amount of \$708,708.27.

**Roll call:**

**Ayes - Councilman Makatura, Councilwoman Napolitani, Councilman Roth, Mayor Kennedy**

**Nays - None**

**Abstentions - Councilman Tutka**

**Recusal - None**

**Absent - Councilwoman Miers, Councilman Zmigrodski**

**Public Comment:**

Cassandra DeMarinis - trees that require trimming at 83 Front Street

Nancy Mason - Kasson Development project

Ryan Stacci - tree stump in front of residence, tree behind Third Street School, corner of Mansfield and Fourth Streets oil leaking from electric transformer

Glen Baumgarten - FEMA property acquisitions

Danelle Allen - thank you to Council for contracting with a consultant to advise on the Hazard Mitigation Plan

Teresa Chapman - over 2,000 signatures supporting the inappropriateness of the location of the proposed warehouses in White Township

Burk Ott - concern about the truck traffic through Belvidere

Linda Vansetters - very upset about warehouse plan. Will ruin our whole area.

Kevin Benbrook - spoke with Freeholder Kern and the County is communicating with the Highlands Commission for a grant to study the impact of this proposal.

Jim Christine - truck traffic concerning

William Perry - roads not built for this type of traffic

Sara Hare - understand that Belvidere has no authority but the truck traffic will impact the historic structures.

Harold Vansetters - this proposal with impact Belvidere

Nancy Mason - all municipalities should review their zoning plan to preclude this happening to another town

Heather Stokes - not anti trucker but anti location of this type of development. Neighbors crying for help

Danica Rothrock - agriculture and farmland will be affected

Cassandra DeMarinis - property values will be affected

Teresa Chapman - 6.3 million square feet of warehouse space. Read an excerpt from the White Town land use code stating the neighboring municipalities should have a say in the affects of this type of proposal.

Mayor Kennedy - Warren County should have paid the fair market value for farmland property when they had the opportunity.

**A motion** was made by Councilwoman Napolitani to adjourn the meeting of the Belvidere Town Council at 9:47 PM.

Respectfully submitted,

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