

TOWN OF PHILLIPSBURG
Council Meeting Minutes
January 05, 2016

The Phillipsburg Town Council conducted its regular meeting on Tuesday, January 05, 2016 at 7:00 pm in the Council Chambers of the Municipal Building located at 675 Corliss Avenue.

The required Open Public Meeting Act Statement was read by Council Vice President Tersigni.

INVOCATION by Council Vice President Fey

PLEDGE by the Assembly

ROLL CALL

PRESENT: Council President Tersigni
Council Members Davis, Fey, Lutz, Piazza

TOWN OFFICIALS PRESENT: Mayor Ellis, Clerk Kleiner,
Attorney Wenner

APPROVAL OF MINUTES Approval of meeting minutes
Were submitted for approval:
Council Meeting 12-05-2015
Re-Org Meeting 01-01-2016

Motion

Councilman Piazza moved for approval of the Council Meeting minutes from 12-05-2015. The motion was seconded by Councilman Fey.

VOTE: YEAS: Fey, Tersigni, Piazza

NAYS: None

Council President Tersigni asked that the minutes be amended to reflect the proper vote for Vice President as 3-2 Vote.

Motion

Councilman Fey moved for approval of the Re-Org Meeting minutes from 01-01-16. The motion was seconded by Councilman Fey.

VOTE: YEAS: Fey, Davis Lutz, Tersigni, Piazza

NAYS: None

OLD BUSINESS

Council Action on Mayor Appointments that were tabled at the January 01, 2016 meeting.

Mayor Ellis requested that the Sewer Attorney be removed from the agenda

~~A. Mayor's selection for Sewer Attorney is Bill Mandry~~

ROLL CALL

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Piazza						
Lutz						
Davis						
Fey						
Tersigni						

B. Mayor's selection for Municipal Counsel is Arlene Quinones Perez, DeCotiis Law Firm

Mayor Ellis requested to leave this on the table.

Attorney Wenner stated it remains tabled until it is un-tabled to vote on, that you don't need to request it to remain tabled.

Council President Tersigni asked for a motion to un-table it. Councilman Piazza made a motion to un-table. The motion was seconded by Councilman Fey

ROLL CALL

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Piazza	x		x			
Lutz				x		
Davis				x		
Fey		x	x			
Tersigni			x			

Council President Tersigni asked for a vote on DeCotiis

Councilman Lutz made the first motion. Councilman Davis requested that Council allow the Mayor to table for the two weeks that he is requesting as a courtesy to the Mayor. The Motion was seconded by Councilman Fey.

ROLL CALL

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Piazza				x		
Lutz	x		x			
Davis			x			
Fey		x		x		
Tersigni				x		

By a vote of three (3) nays and two (2) yea DeCotiis is removed from the selection.

MAYORS REPORT

Mayor Ellis stated that I ran on a platform of change and put forth changes. You are ignoring my request. I am disappointed by Council President Todd Tersigni's decision to move forward with the appointment before I finished looking into the matter. Mr. Wenner is present and will be compensated for his time. My constituents voted for me for change, and obviously it does not look like we're headed in that direction and I will fight that fight.

PUBLIC DISCUSSION ON AGENDA ITEMS None

ORDINANCES None

RESOLUTIONS

~~R: 2016-17 (This was tabled on January 01, 2016 meeting)~~

~~A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES FOR MUNICIPAL ATTORNEY~~

R: 2016-18

A RESOLUTION APPROVING THE PAYMENT OF FIRST QUARTER 2016 COUNTY TAX AND OPEN SPACE TAX, DUE FEBRUARY 15, 2016 ACT was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Fey, Davis, Lutz, Piazza, Tersigni

NAYS: None

R: 2016-19

A RESOLUTION DESIGNATING HANDICAP PARKING SPACES WITHIN THE TOWN OF PHILLIPSBURG was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Fey, Davis, Lutz, Piazza, Tersigni

NAYS: None

R: 2016-20

RESOLUTION AUTHORIZING SUBMISSION, ACCEPTANCE AND EXECUTION OF A GRANT THROUGH DEPARTMENT OF ENVIRONMENTAL PROTECTION was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Davis.

VOTE: YEAS: Fey, Davis, Lutz, Piazza, Tersigni
NAYS: None

R: 2016-21

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, A CONTRACT TO ES2 FOR THE WASTEWATER TREATMENT PLANT PUMP STATION CONTROL REPLACEMENT was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Fey, Davis Lutz, Piazza, Tersigni
NAYS: None

R: 2016-22

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING REFUND TO FEMA was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Fey, Davis Lutz, Piazza, Tersigni
NAYS: None

NEW BUSINESS

Councilman Davis stated that he would like to know why those Councilmen voted no

Council President Tersigni stated a quote from our 32nd President of the United States of America Franklin D. Roosevelt. He said “certainly don’t change ships in the middle of the war.”

Attorney Wenner and our previous administration got us to this point with Phillipsburg Commerce Park.

Mr. DeCotiis from the firm of the same name stated in a meeting with Mayor Elect Ellis at the time witnessed. He was amazed what has been accomplished with work done at the Phillipsburg Commerce Park over the last two years. I admire him for

stating just that. And foremost most important reason is it is in the best interest of the people of Phillipsburg to retain this firm.

Councilman Piazza stated I have known Attorney Wenner for quite some time, he has provided exceptional service and with the upcoming IR project and with the OPUS project it makes better sense not to change in mid-stream. I don't know DeCotiis, but I believe Attorney Wenner deserves a chance.

Council Vice President Fey we hired and fired DeCotiis it is a cost at the expense of the tax payer the hidden charges when they worked for us, when all done Attorney Wenner had to complete what DeCotiis didn't. When we parted ways it was friendly, but they held information hostage till we paid in full, but we needed the work to close in the property. So the Town paid and we received the work that they did and it was incomplete.

Councilman Davis stated the vote is not an indictment or insult to his work – just disappointed that at the Mayor's request.

PUBLIC PETITIONS

Joe Meyner, 392 So. Main Street, We did vote to change.

On 12/15 2.5 million in bonds to sub bonds, 1.4 million yearly there was no exhibit A or financial agreement. Is OPUS responsible for the bonds? If I understand it then you'll understand it and I am doing my job.

Todd you're a thinking man you can change your vote, so Mayor Ellis can have his two weeks. Quit concealing the financial agreements.

Councilman Davis stated Attorney Wenner correct me if I am wrong. The Bond in terms is their undertaking. It is a taxable piece of land 5 % pilot goes to the County, the remainder to the trustee.

Joe Meyner questioned who the holder is

Councilman Davis stated the person who holds the bonds after phase 1 – income of property paying the trustee and the trustee is paying us.

Joe Meyner glad to find that out, they are bringing students in. Is it a public bond-publically financed? Issuer is a Government agency?

Attorney Wenner stated the Town is a pass-through the bonds are non-recourse as Councilman Davis stated there is a bond trustee, if the payments are not made it is the same as a lien. This does not affect the bond rating, or Moody's.

Joe Meyner that doesn't explain the liability question, or the financial agreement, I would like to get a copy.

Blaine Fehley, 237 Bowhay, I have the minutes from July 3, 2012 when I took Mayor Wyant to court. I want to know if attorney Wenner ever re did the ordinance regarding the signs.

Attorney Wenner stated he did do it

Blaine Fehley stated he couldn't find it on the web site

Attorney Wenner stated that it wasn't adopted by Council

I also want to ask about the meetings being televised, maybe the Mayor can look into that.

Mayor Ellis stated he couldn't promise but he would look into it.

Blaine Fehley questioned the Ordinance about the cameras and how did we allow the channel 69 in the front.

Attorney Wenner stated that you wrote the language with Mr. Cartabona

Blaine Fehley why didn't anyone stop them

Attorney Wenner stated that I am not sure what the point is

Blaine Fehley questioned what do we do with the money we collect from Service Electric

Council President Tersigni stated that it is percent of each person's bill

Blaine Fehley asked what the blank plaque was for (speaking of the name plate on the dais)

Council President Tersigni stated it was for Mayor Ellis's special Council appointment of the Mayor

Attorney Wenner stated Joel Kobert used to sit there he was the Town Attorney

Robert Fulper 17 Marshall Street, I would like to offer my services to the Council and get the video up and running

Ralph McConnell 5 Henshaw Court, I am the liaison for Narcotics Anonymous, I want to reach out we need a place to hold out meetings, we are currently called serenity by the river we have meeting two times a week.

Councilman Fey questioned the meeting place now

Ralph McConnell stated we are now at the Church on Chambers street.

Council President Tersigni asked what times do you meet

Ralph McConnell stated Monday, 7-8:30 PM, and Saturday 7-9 PM

Mayor Ellis stated he is more than willing to help try to find a new place

Ralph McConnell asked if they could be kept by the river

MOTIONS None

OPENTIME

Councilman Lutz asked that February 9th work session if we could have R. Guerra come in so we can speak with him.

Council President Tersigni stated that he has had plenty of time

Councilman Lutz stated that he hasn't touched it.

Councilman Lutz asked that the attorney review the service electric contract and make sure they are doing is correct. We need to have the engineer look at Center and South Main at the paving, and the cross sections of Hudson to Union Square by the train the crosswalks.

I would also like to see if we could have a part time person who can go to the senior citizens homes to see if they need help so they can stay in their home, they all take pride in their houses. We don't want people to sell their homes and leave, there are grants out there to help but there are a lot of seniors who are too proud to come out and ask for help. But, if someone approached them the way talk by them self and not in a crowd. We need to help the senior's the best we can.

Council President Tersigni stated that he believes that we provide through NORWESCAP small price or nothing

Councilman Lutz lot of proud people who don't want to do it

Councilman Fey Georgine Trinkle of NORWESCAP is a good resource for grants

Mayor Ellis I agree many seniors could use help – I will be glad to help with that

Councilman Piazza stated Mayor when you review your budget maybe we can get one or two more housing inspectors, I went out with Mr. Bullock and Mr. Little and with the lack of funding we were walking and looking at properties. The inspection office is overwhelmed at times.

Mayor Ellis I am working with Bob Merlo and the Town Clerk and I have yet to get with Kevin Duddy.

Councilman Piazza stated Councilman Lutz we both live downtown
Councilman Davis asked about the redevelopment committee and Mayor Ellis being a part of it.

Council President Tersigni stated that Mayor Ellis's roll is instrumental in the redevelopment committee. I have supported the inspections office over the years, despite the fact that I have taken people to court, landlords to court, along with citizens, I will assist, I agree with Councilman Lutz and Councilman Piazza, we need more help. I started the fight and the war on garbage with the bed bug ordinance, inspectors and fines must be followed, and this will help the Mayor and Council keep the community clean.

Mayor Ellis stated pest control or the Department of health

Attorney Wenner stated we can follow the State guidelines

Mayor Ellis I would like to have discussion on this next Tuesday and invite Mr. Stires. I would also like to remove Mike Swick appointment, and Mike Stires called me at 0500 today with a spill and the influent pump.

We are having some problems with some outlying districts not paying and in defense of the lawsuits we need to have an addendum, protocol and gallons, with the readings. They are not paying the full payments and we are going to put them on notice to pay, it is going to affect the finances for the FY 2015.

Thank you.

EXECUTIVE MEETING

NONE

ADJOURNMENT

Councilman Lutz moved to adjourn the meeting. The motion was seconded by Councilman Davis.

VOTE: YEAS: Fey, Davis Lutz, Piazza, Tersigni

NAYS: None