

TOWN OF PHILLIPSBURG
Council Meeting Minutes
February 02, 2016

The Phillipsburg Town Council conducted its regular meeting on Tuesday, February 02, 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 Councilman Fey.

INVOCATION by Councilman 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 01-19-16
Executive Mtg. 01-19-16

Motion

Councilman Davis moved for approval of minutes. The motion was seconded by Councilman Fey.

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

NAYS: None

APPROVAL OF BILLS

SUMMARY

| | |
|---|----------------------|
| CURRENT FUND | \$ 97,052.27 |
| STATE & FEDERAL GRANTS | 395.44 |
| CAPITAL FUND | 2,999.99 |
| SEWAGE UTILITY FUND | 148,741.01 |
| SECTION 8 | 119.03 |
| AGENCY FUND | 433.78 |
| REVOLVING LOAN FUND | 210.00 |
| Total regular bills list February 02, 2016 | \$366,031.77 |
| IR COMMERCE PARL REDEVELOPMENT 2016 | |
| RT ENVIRONMENTAL | 6,817.00 |
| Section 8 Rent Payments Feb 01, 2016 | \$ - 0 - |
| | |
| PRE- PAID BILL LIST AS OF February 02, 2016 | |
| CURRENT FUND | \$ - 0 - |
| STATE & FEDERAL GRANTS | 45,000.00 |
| SEWER UTILITY FUND | - 0 - |
| AGENCY FUND-PENSION PAYMENTS | 153,842.03 |
| TOTAL PRE PAID BILL LIST | \$ 198,842.03 |
| | |
| GRAND TOTAL OF ALL FUNDS | \$ 571,690.80 |

MAYORS REPORT

Mayor Ellis spoke about the snow emergency, and I have to give credit to Chief Hay, Chief Faulborn, and Saturday we did the Town wide emergency and I want to give credit to Vicki and Bob for getting the haulers in, we had four (4) haulers. The importance of that with four fires in the past few weeks, 93 Sitgreaves a passerby saw the smoke, a mother with a six month old baby was in the adjoining house. There were kids drinking in the abandoned house. Friday night on Bullman Street we had a three (3) alarm fire, and the important action that was taken it was the last street that we cleaned, 72, 76, and 74 was the fire. A nine (9) year old boy alerted a 90 year old woman upstairs about the fire. People drive and broke hoses, and then someone broke through the fire line and got arrested. How great full for all those who helped.

Another issue was children getting across to the high school, the DOT owns the bridge and they didn't clean it Mike Stires cleared it we need to make sure the kids can get across the highway.

There is a new law that came out APRA Spot Blight, if Kevin Duddy detects first spot blight - and it is not repairable no CO, we will go in and removed it once removed put lien on everything the owner has not just the property.

I also met with the Down Town Association and they brought me up to speed, also Relay for Life.

We had the re-organization of the planning board, it was inspiring, and we are not just going to meet for applications, were a planning committee. The Chairman is T. Kent Corcoran, Vice Chair, Wm. Duffy, the Attorney, Bill Mandry, and the Engineer, Stan Schrek.

Mayor Ellis asked Randy Piazza what was his feeling.

Councilman Piazza stated both him and Stan Schrek were thrilled, is positive. The Trail meeting, we will be meeting on February 18th in the chambers. We have extended the invite to the historic society, warren county canal committee, and having this trail system will improve out tourism. The D&R rails to trails, we are also putting a little podium down in the grassy area that shows the trails, it was started by the bridge and will link up with PA

Mayor Ellis stated that I can bring the park service people will travel to see the bridge; Easton received a grant to structural repairs.

Stan Schrek stated example of the river crossing is the walkway across the Hudson.

Councilman Piazza stated it is sponsored by the National Park Service

Council Vice President Fey stated I think we know someone who is retired

Councilman Piazza stated the canal archway will get tied in too

Mayor Ellis stated the planning and historic society and many boards formed a coalition of groups with one member it's important and get sub committees

Councilman Piazza Phillipsburg Leadership Committee, is getting better and main street initiatives

Mayor Ellis stated that OPUS closed last Thursday on the IR section of Lopatcong, and they made their tax payment today. I toured the facility and the caverns with the generators developed by Thomas Edison. Ron Titus has chased me around there was an amazing dispensary, they had screw drivers and vice grips to close wounds. How rich they were to how they dismantled themselves.

I am also working close with George Chando for the intersection Attorney Wenner there is a need for the turn lanes; Lopatcong and Phillipsburg are in the process of talking with the property owners to acquire the land to widen the intersection. The appraisal of the properties was prepared in October for lots (1-4). The corner lot 1 has the most property to acquire, the other three take permanently and also one property will have an easement. We are reaching out to the property owners all needs to be done by September.

Mayor Ellis stated Stan and I are headed out to speak with them

Stan Schrek stated the plans are completed and they want to start April 01 – and finish before August.

Mayor Ellis said he went to the school board meeting where it was the PITT VS the NEW HS

Council Vice President Fey stated he was being very modest that the Mayor kept Council very informed thank you and your due diligence

Council President Tersigni stated I want to reiterate for taking over I commend you and the Dept. of Public works with 31.2 inches of snow, it was handled well

OLD BUSINESS

Councilman Lutz the items on Ingersoll we must move it, it is old dates back to the 1800's can it be moved?

Mayor Ellis stated they are willing

Stan Schrek they talked about it, the block bridge, very preliminary we walked the site they seem to give us what we want.

Councilman Lutz stated that Ron Titus wants all the RR stuff in the warehouse

Stan Schrek stated his name was brought up several times

Councilman Lutz stated that they are big volunteers, Ron Titus and his wife.

Council Vice President Fey stated that they did a great job on the switching tower

Mayor Ellis stated that the Bethlehem Steele Stacks and Music Fest, the Stacks and the blast furnaces are a symbol and that IR is very similar to that, we need to keep something we can see.

Councilman Lutz stated to bring the Amish in they are good at moving things

Stan Schrek stated sub- terrain

Mayor Ellis stated it was clean and neat some shiny, and we should because once it is gone it is gone.

Councilman Lutz stated the old Reese school, the police station, the coal shoots, and we need to preserve some stuff

Mayor Ellis yes agreed

Council Vice President Fey we can never duplicate it

Councilman Lutz I heard they closed on the building not on the land

Attorney Wenner stated Land and building owned by Preferred, they purchased a note. Now they have to either foreclose or deed in lieu should take 4-5 months.

Center Campus

Councilman Lutz the demo, won't be touched till we had a chance to get items out

Mayor Ellis stated that they did pay on the taxes that were due.

Councilman Lutz questioned what happens if they go bankrupt

Attorney Wenner stated if bankrupt, in default once purchase form Town

Council Vice President Fey stated same process

Attorney Wenner stated the bios – out of Allentown, putting up real money, investing real money, \$200,000 of which \$150,000 non-refundable just invested and pay out ten million dollars.

Councilman Lutz questioned all the DEP items settled

Attorney Wenner stated that Gary Brown has a summary of what needs to be done, there are a few areas of concerns but the redevelopment agreement states as is from the Town they are assuming all the risk, and the entire obligation

Mayor Ellis if they fold what about the bonding

Councilman Lutz, yes two realtors called me a few people wanted to buy IR, a film company, wanted a heliport, and Texas road house, was turned down,. And cold storage went to PA.

Council Vice President Fey stated that was Preferred who turned them down

Councilman Lutz a factory Nabisco was turned down who gave the ok for the Mayor to do contracts

Attorney Wenner stated that yes the Council

Councilman Lutz questioned do they ever come back to council to see

Attorney Wenner stated yes they do.

PUBLIC DISCUSSION ON AGENDA ITEMS

Joe Meyner, 392 South Main Street, hurrah for the Mayor and Staff on the snow clean up. So, can Victoria give the amounts to the public on the State contract purchases? NORWESCAP and the facade something needs to be done with the wires down town P'burg.

Councilman Lutz I have called the power company because of the problem on Mercer Street, lines blow the transformer, 34 years on Mercer Street, once they sold for First Energy – they do no preventative maintenance like JCPL did. In the summer sparks fly and there are kids playing in the streets – they could get burned badly. We are always finding the porcelain spools – they changed them and it only held for one year and now the same problem

Joe Meyner it is a major problem, I pick the spools up all the time

ORDINANCES NONE

RESOLUTIONS

R: 2016-32

A RESOLUTION AWARDDING PURCHASES UNDER NEW JERSEY STATE CONTRACT was introduced by Councilman Lutz who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

R: 2016-33

A RESOLUTION AWARDDING PURCHASES UNDER NEW JERSEY STATE CONTRACT was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Piazza.

Discussion: Council Vice President Fey stated for Green Street

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

NAYS: None

R: 2016-34

A RESOLUTION AWARDDING PURCHASES UNDER NEW JERSEY STATE CONTRACT was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Lutz.

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

NAYS: None

R: 2016-35

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, APPROVING CHANGE ORDER FOR THE BLOWER REPLACEMENT AT THE WASTEWATER TREATMENT PLANT was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

NEW BUSINESS None

PUBLIC PETITIONS

Bill Timmann, 230 South Main Street, OPUS has all this money why is Phillipsburg arranging for 2.5 million dollar bond.

Attorney Wenner stated it is a bridge gap in the equity money up front

Bill Timmann their giving us and we are giving it back

Attorney Wenner stated the Redevelopment Area Bond (RAB) is common way that the legislative bonds done get issued till they own the land. We are scheduled to close on April 25, 2016. We will receive 2.5 million less the \$250,000 that the Town is holding in escrow. Demolition, acquire the title first and go through the foreclosure or deed in lieu. Then start the demolition and site prep.

Bill Timmann if default on the bond

Attorney Wenner stated portion of PILOT payment pledge to the bond holders, default under property taxes, and then a municipal lien we are first position on the loan and then tax sale just as if you or I defaulted on our taxes.

Second in absents of bond being issued a special assessment ordinance – on the property. Increase to 2.5 million bond hold as surety and assurance the special assessment obligation, municipal tax. There is no 100% it is risk allocation we do the best we can, the Town is as well protected as it can be. You just don't drop several million in case – for IR and the Center Campus. They employed Chester Ploussas professionals they pay attention to the environmental work, they have Fox Rothschild also. I do have the CD's of the principal and equity.

Bill Timmann, 2.5 million why do we have to fall to start the process.

Peter Marino – yelling to TODD YOU NEED TO RESIGN AS A DEMOCRAT!

Alan Amey, 71 Lewis Street, I work for the parks system, there are 56 miles of rail trail. Last week at the park there was 350 people, locals, in Andover and Newton, the restaurants, delis, bring money in.

Council Vice President Fey stated come on board with us and the Heritage trail
Councilman Piazza trout unlimited

Alan Amey stated few Town streams, with native brown trout

Council President Tersigni stated Mr. Amey would like to be part of this, come to the third meeting of the month

Alan Amey till you see it you wouldn't believe how much money it brings in

Mayor Ellis stated you're in now

Steve Zarbatany please keep me informed, digitizing photos, please let them know.

Mayor Ellis stated 7,000 people employed during WWII we will make sure – a nonprofit they have them digitized.

Councilman Piazza what has been overlooked is West Easton

Council President Tersigni stated and you did work there for 30 years

Steve Zarbatany stated more than happy to help

Mayor Ellis stated last walk through – should be photographed

Steve Zarbatany stated why not recorded

Mayor Ellis I will make sure someone is along with us

Stan Schrek stated the department of defense test buildings

Steve Zarbatany stated tonight was a much better meeting, much better

Pete Mulshine, Hudson Street, there was an auction back in 2000, a drill press was sent to china, my friend worked with preferred and had a liquor license and someone should get those timbers they are back form 1830's they should be reclaimed.

Mayor Ellis stated their huge

Pete Mulshine mentioned to the DRJTB commission about the lanterns

Council President Tersigni – the oil lanterns

Pete Mulshine stated oil dirks; they should have been replaced with fiber optics when the bridge was redone. They should pass an ordinance to donate the abandoned houses to habitat for humanity

Mayor Ellis stated D. Dietrich on Mercer Street

Pete Mulshine and the rock wall

Council President Tersigni stated code, with the older homes no fire wall

Pete Mulshine, my brother is an army vet and he has living trust

Council President Tersigni stated before will, dedicate property

Councilman Lutz stated that is very involved

Pete Mulshine hands the Mayor papers on weed killer

Joe Meyner, I like the planning board is going to be more active
The last whereas OPUS needed 2.5 million dollars
Attorney Wenner stated not just meeting also the Lopat parcel
Joe Meyner 1.4 million
Mayor Ellis the previous owner owed 100,000 in first quarter taxes
Attorney Wenner stated 1.4 is not until the PILOT, they don't own the property yet
Joe Meyner, taxes on the assessed value
Attorney Wenner, yes
Joe Meyner 400,000 a year
Councilman Davis stated the 1.4 million, phase 1 3-4 years in, building and land –
improvements to the property infrastructure, first phase
Councilman Fey stated it is hard to recall the exact numbers when you don't have
the papers in front of you
Joe Meyner can we collect the 2.5 million if OPUS goes broke
Attorney Wenner stated they give the municipality and the bond holder another
tool and we can acquire title if we have to

Jeff Lutz, 359 Firth Street, why is it is a question gets asked of OPUS we will get
it, every week he asks the same questions and never gets an answer I have been
here for the past 8 meetings and its always we will get that.

Attorney Wenner stated that's not correct, that a presentation was done by Joe
Baumann, several times in detail.

Jeff Lutz, he wants to know (referring to Joe Meyner)

Attorney Wenner stated I can't recall the dollar amount

Jeff Lutz, Mumbling as he sits back down

Joe Meyner you do give me the information I ask for I don't like it or always agree
with it, and I don't have that criticism

Dave Morrisette, 5 Fairview Heights, in 1996 there was 36 inches of snow that fell
and there was four (4) days I couldn't get out, this storm there was 31 inches and
the roads were clear I want to thank you and the DPW for the amazing job that was
done.

OPENTIME

Councilman Lutz – nothing tonight

Council Vice President Fey stated that something been weighing heavy on his
heart, understood that coming from a child-dad you coached me all my life and
coach my sister and the younger ones, been on different boards, done benefits, and
attributes of sitting on Council, I look at you as a hero so why are people saying
bad things about you. I explained to my son that they are just opinions and you
can't let social media interfere. With all the conflicts in life you always have to do
what is right when you make your decisions.

Also, I do have to say that this evenings meeting is pleasurable.

Councilman Piazza Councilman Fey that was spoken like a true father

Councilman Davis Thank you Mayor and the DPW for handling the snow, my
sentiments also, with social media forums are crazy

Council President Tersigni told Mayor Ellis every time I contacted you with
people's concerns you took care of every situation and I commend you for that.

This was a real test the DPW did a great job and working all together. Darren Slack helped everyone, I commend you Mayor, and I would like to have Mr. Guerra come in next Tuesday. It has taken too much time and it is not finished and in my opinion it should be torn down.

Mayor Ellis stated Councilman Piazza and Mr. Margolis drive through down and looked at the historic structures some are too far gone down in center square. I am thankful for the crowd and see everyone here means so much to me and it means that the Town cares. There is so much cool stuff around.

Blain Fehley shouts from the back of the room – what is happening with the Ice House?

Council President Tersigni we will bring him it

Mayor Ellis I heard that they wanted a craft brewery, let's set it up, March 8th work session for the Ice House.

Councilman Lutz questioned the Agway being in foreclosure

Attorney Wenner trail head

Council Vice President Fey stated Greens Bridge

Councilman Piazza small Hodge podge system Greens Bridge and Agway

Mayor Ellis stated that the Greenway is huge

Randy Piazza stated that national park service supports us, the Canal Arch, Greens Bridge safety issue

MOTIONS none

EXECUTIVE MEETING none

R: 2016-

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF
THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE
PURPOSE OF CONSIDERING

ADJOURNMENT

Councilman Lutz moved to adjourn the meeting. The motion was seconded by Councilman Fey. Motion was carried with a 5 – 0 vote.