

TOWN OF PHILLIPSBURG
Council Meeting Minutes
June 18, 2013

The Phillipsburg Town Council conducted its regular meeting on Tuesday, June 18, 2013 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 Piazza.

INVOCATION

by Councilman Piazza

PLEDGE

by the Assembly

ROLL CALL

PRESENT:

Councilmembers:

Piazza, Tersigni, Lynn,

Absent:

Fey, Stettner

TOWN OFFICIALS PRESENT:

Mayor Wyant, Acting Clerk
Kleiner, Attorney Wenner

APPROVAL OF MINUTES

Approval of meeting minutes
were submitted for approval:

Regular Meeting-06-04-13

Motion

Councilman Lynn moved for approval of minutes. The motion
was seconded by Councilman Piazza.

VOTE: YEAS: Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Fey, Stettner

APPROVAL OF BILLS:

SUMMARY

CURRENT FUND	\$ 312,165.79
STATE & FEDERAL GRANTS	4,075.00
SEWAGE UTILITY FUND	377,519.04
CAPITAL FUND	39,754.87
SECTION 8	2,946.08
Grand Total REGULAR BILLS LIST	\$736,460.78
<u>SECTION 8 PROGRAM</u>	\$126,970.00

PRE-PAID BILL LIST

CURRENT FUND	\$16.00
STATE & FEDERAL GRANTS	64,000.00
<u>GRAND TOTAL ALL FUNDS</u>	\$927,446.78

Motion

Councilman Piazza moved for approval of bills. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Piazza, Lynn, Tersigni,
 NAYS: None
 ABSENT: Fey, Stettner

Speaker: Nick Piperata – Grappa Group

Mr. Piperata spoke about his connection with Phillipsburg, He graduated High School in 1989, he played football, wrestled, his great grandparents came over from Italy in 1910, seven (7) siblings and opened a grocery store and a half way house for the rail road workers, when his Gram died they gave the house to Phillipsburg for their use as a Fire House # 1.

So, given the history I came here tonight to ask the Town of Phillipsburg for help in opening a distillery in the Down Town Revitalization Area.

I would like to ask does anyone know the number one distillery. Well it is Laired in Monmouth County which was shut down during prohibition.

Who knows the number two (2) distillery in New Jersey, well that could be us. The idea behind the business is to have a building, set up for distillery; it is on foot traffic factory type business. We will have Federal regulations to follow. The Township has the right to say Yea or Nay to the business's in Town. When I graduated I graduated with fantastic guys with great abilities, if you would put your trust in my and them to make this happen.

We bottle in house the old Harley building downtown, it would help promote tourism, people from across the bridge would come, I would love the Town's permission to get this off the ground.

Questions from Attorney Wenner do you need a resolution like the ABC requires?

Mr. Piperata stated it is done with Federal license, they do labs on our products and we use local produce.

Mayor Wyant stated that redevelopment council supersedes zoning

Mr. Piperata stated ATF and approval of the building

Councilman Tersigni stated that Mr. Piperata you are very passionate – your Father was a mentor and a coach, your Father was well respected and your Grandfather was my neighbor. I remember when American Motors was in that building and I will support you 100%

Councilman Lynn (has laryngitis so he is soft spoken tonight) I guess I am not so sure what you are requiring from us.

Mr. Piperata I have plans

Stan Schrek said it is a great idea, zoning Ordinances doesn't address distilleries, planning board can do a cite plan approval

Mr. Piperata stated that it's more regulated by the food and drug administration.

Councilman Tersigni can we do a verbal proclamation of support?

Mayor Wyant stated he comes to this board as redevelopment and goes before planning board as a courtesy

Mr. Piperata – I came here today because John Fritz said I should come and present it.

Attorney Wenner stated we can do a motion

Councilman Tersigni stated a Motion to move forward with no action taken
The motion was introduced by Councilman Piazza. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Tersigni, Lynn, Piazza

NAYS: None

ABSENT: Fey, Stettner

Attorney Wenner questioned if Mr. Piperata was leasing the building or purchasing it?

Mr. Piperata stated that hasn't been worked out yet.

OLD BUSINESS

Councilman Lynn wanted to question Mayor Wyant on the air conditioning unit that makes the noise.

Mayor Wyant stated that he just approved an expenditure of \$4800.00 to fix the motor, what happens in the motor starts and the belts stretch so, when the belts stretch too far the belts squeal, so we are going to get a motor that starts gradually. The parts are on order and should be in soon, as soon as they are in the work will be done.

Thanks

MAYORS REPORT

CHIEFS Faulborn's **report:** we still have problems with kids out past curfew in the Freeman school area. Davis Street has more enforcement now; the skate park has garbage and broken bottles. ACO had 50 calls, birds, opossum's, duck with babies at boat ramp.

Councilman Tersigni questions that he spoke with the chief about splitting up those areas where there are problems.

Chief stated that Davis St / Filmore St., are together and the Housing Authority is by itself.

Thanks Chief

ENGINEER'S REPORT

Stan Schrek stated that he and the Mayor met with the National Parks service today, along with Dave Maski with the trail plan for Phillipsburg, rail, historic, trails, and canal. Dave Maski will be forwarding the report he put together for Council. The National Parks service is an assistance program, a trail assistance application is due by August 01, 2013

Councilman Lynn asked what the restrictions – to trail system are

Stan Schrek stated it just provides assistance

Councilman Tersigni said this will bring us to another level Federal

Stan Schrek Federal Guidance, Marble Hill, highlands no park

Mayor Wyant the trails will have the backing if National Park gets more recognition

Stan Schrek said they started the Lopatcong Creek restoration yesterday and you will be seeing more material on site.

Mayor Wyant asked Stan about the Sewer Line across

Mayor Wyant stated that just south of Norton's the piers washed out, gas line and loose sewer line we don't want to lose completely with the storm waters.

Stan Schrek stated they did a cantilever over the last pier

Mayor Wyant asked about the Sitgreaves St.

Stan Schrek stated that the grant we received for the road work \$260,267.00 the plans should be finished by the end of the week and in the next two to three weeks we will go out to bid.

Mayor Wyant stated we didn't get the money for the next phase of McKeen and Saw Mill we will reapply next year.

Stan Schrek stated that the grant transportation enhancement grant went to Centenary college \$800,000.00 for streetscapes

Thanks Stan

PUBLIC DISCUSSION ON AGENDA ITEMS

NONE

NEW BUSINESS

NONE

ORDINANCE

O: 2013-11

AN ORDINANCE AMENDING ORDINANCE
O: 2011-20 ADOPTED DECEMBER 06, 2011” was
introduced for a first reading by Councilman Piazza who
moved that the ordinance be properly advertised. The
motion was seconded by Councilman Lynn.

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

O: 2013-12

ORDINANCE OF THE TOWN OF
PHILLIPSBURG, COUNTY OF WARREN,
STATE OF NEW JERSEY, AMENDING
CHAPTERS 140-8 AND 140-9 OF THE CODE
OF THE TOWN OF PHILLIPSBURG REGARDING
BACKGROUND CHECKS was introduced for a first
reading by Councilman Lynn who moved that the
ordinance be properly advertised. The motion was
seconded by Councilman Piazza.

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

O: 2013-13

A FULLY FUNDED CAPITAL IMPROVEMENT ORDINANCE IN THE AMOUNT OF \$10,000.00 FOR THE WALTERS PARK PROJECT IN THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY was introduced for a first reading by Councilman Piazza who moved that the ordinance be properly advertised. The motion was seconded by Councilman Lynn.

Discussion: Attorney Wenner stated some word changes to the document

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

RESOLUTIONS

R: 2013-97

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

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

R: 2013-98

A RESOLUTION PROVIDING FOR REFUND OF TAX OVERPAYMENTS was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Lynn.

Discussion: Councilman Lynn questioned why are there overpayments? Mayor Wyant responded that several things cause that, sale of property.

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

R: 2013-99

A RESOLUTION PROVIDING FOR A REFUND PLANNING & ZONING BOARD OF ADJUSTMENTS/ESCROWS was introduced by Councilman Lynn who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

R: 2013-100

A RESOLUTION PROVIDING FOR A REFUND was introduced by Councilman Lynn who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

R: 2013-101

A RESOLUTION APPROVING 2013-2014 LIQUOR LICENSES WITHIN TOWN OF PHILLIPSBURG was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

R: 2013-102

A RESOLUTION PROVIDING FOR RENEWAL OF ENTERTAINMENT LICENSE was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

R: 2013-103

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH NEW JERSEY TRANSIT was introduced by Councilman Lynn who moved for its adoption. The motion was seconded by Councilman Piazza.

Discussion: Councilman Tersigni stated this Resolution is vital to bring business and commerce to our community. I support this. That's all I have to bout this matter.

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

R: 2013-104

RESOLUTION AUTHORIZING SUNESYS, LLC TO INSTALL, OPERATE, AND MAINTAIN FIBER OPTIC CABLE WITHIN THE TOWN OF PHILLIPSBURG was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Lynn.

Discussion: Councilman Lynn questioned why. Attorney Wenner stated it is in the Town's rite of way, and the Town will be paid for it also.

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

R: 2013-105

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

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

R: 2013-106

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE DISPOSITION OF PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE was introduced by Councilman Lynn who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

R: 2013 – 107

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE TO THE PHILLIPSBURG BOARD OF EDUCATION was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

R: 2013- 108

RESOLUTION DESIGNATING RT ENVIRONMENTAL, ON BEHALF OF THE TOWN OF PHILLIPSBURG, AS THE AUTHORIZED SIGNATORY OF GROUNDWATER DISCHARGE WASTE CHARACTERIZATION REPORT SUBMITTAL FORMS TO NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION was introduced by Councilman Lynn who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

R: 2013-109

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE TOWN ENGINEER TO SUBMIT A NATIONAL PARK SERVICE APPLICATION FOR PURPOSES OF SOLICITING TECHNICAL SUPPORT FOR THE HERITAGE TRAIL SYSTEM was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner

PUBLIC PETITIONS

Blaine Fehley, 237 Bowhay Ave., asked Council to drop the Ordinance regarding trash.

Attorney Wenner stated we must give 10 days' notice-property maintained code

Blaine Fehley Stop happening no Father's day weekend.

Councilman Tersigni stated I saw it.

Blaine Fehley Stiffer ones – half block emptied house

Mayor Wyant yes it is still there.

Blaine Fehley sad - I blame it on Council not the home owner; Council just puts stickers on it.

Attorney Wenner stated that we can look into it further and give the ordinance more teeth

Blaine Fehley it's the rentals

Mayor Wyant stated that there could be a cost to that a landlord cost

Attorney Wenner stated that we will work on making the Ordinance stiffer

Blaine Fehley stated Thank you

Blaine Fehley questioned the television and when will things be on the Town Web site?

Councilman Lynn stated that he is still waiting on Service Electric since they donated the equipment we are waiting for training, he is very frustrated as well as you are.

Blaine Fehley, can't you post to the Web site

Councilman Lynn stated that I can make DVD's or CD's but we are at the mercy of Service Electric

Blaine Fehley questioned the Town Web site and the minutes shown are from October 2012, Mr. Fehley also questioned the campaign sign ordinance, it was August 21, 2012 meeting that the sign ordinance was discussed and not adopted yet.

Blaine Fehley I have another question how much does Flow Serve pay to the Town?

Mayor Wyant's response was nothing

Mr. Harold Baylor, 67 Riverview Road questioned the ice house and the tower demolition.

Mayor Wyant stated that the ice house was recently sold and with 30 days the tower was to come down. The new owner is aware of the Tower coming down. We will send Kevin Duddy out to check on things.

OPENTIME

Mr. Brad Decker, 685 Belvidere Road, I will volunteer to help with the web site if you need it.

Councilman Lynn appreciated the help said Thank you.

Councilman Tersigni questioned if we are having an Executive session?

Mayor Wyant stated not tonight

Councilman Piazza moved for adjournment. The motion was seconded by Councilman Lynn, the meeting adjourned at 8:00 PM

VOTE: YEAS: Lynn, Tersigni, Piazza,

NAYS: None

ABSENT: Fey, Stettner