

COUNCIL MEETING MINUTES  
June 19, 2012

The Phillipsburg Town Council conducted its regular meeting on Tuesday, June 19, 2012 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 Stettner.

INVOCATION By Councilman Stettner

PLEDGE OF ALLEGIANCE By the Assembly

ROLL CALL

PRESENT: Councilmembers: Fey, Lynn, Stettner, Tersigni

ABSENT: Council President Piazza

TOWN OFFICIALS PRESENT

Mayor Wyant, Acting Clerk Kleiner,  
Attorney Wenner and Engineer  
Schrek

APPROVAL OF MINUTES CONTENTS

The following meeting minutes were  
submitted for approval:

Meeting – May 01, 2012  
Executive Mtg – June 05, 2012

Motion

Councilman Tersigni motioned for approval of minutes. The motion was seconded by Councilman Lynn, which carried by a 3-0-1 vote.

APPROVAL OF BILLS

The following bills were submitted for payment approval:

## SUMMARY

CURRENT FUND	\$ 77,766.22
STATE & FEDERAL GRANTS	107,219.07
SECTION 8	956.00
CAPITAL FUND	67,210.40
PUBLIC DEFENDER TRUST FUND	0
SEWAGE UTILITY FUND	164,255.70
SEWAGE CAPITAL FUND	0
<b>Section 8 Rent Payments for 2012</b>	
SECTION 8 PROGRAM	136,427.00
<b>Pre-Paid Bill List as of January 17, 2012</b>	
CURRENT FUND	5,351.56
STATE & FEDERAL GRANTS	0

Motion

Councilman Tersigni moved for approval of bills. The motion was seconded by Councilman Lynn, which carried by a 4-0-1 vote.

OLD BUSINESS

No Old Business

MAYOR'S REPORT

The Mayor asked our Town Engineer, Stan Schrek to explain where Phase 4 and Phase 5 stand. Phase 4 near completion, Phase 5 will start next week and Phase 4 and Phase 5 will be paved together to avoid disturbances to the Downtown businesses. The project should be done by July.

DOT grants and Trust Fund application are due by July 17, 2012. Councilman Lynn questioned if was a DCA grant. Mr. Schrek stated it was a Transportation Trust Fund.

PUBLIC DISCUSSIONS ON AGENDA ITEMS

None

NEW BUSINESS

No new business

ORDINANCES

O: 2012-10 (First Reading)

AN ORDINANCE FOR THE TOWN OF  
PHILLIPSBURG, COUNTY OF WARREN, STATE  
OF NEW JERSEY RENAMING FROST AVENUE  
FROM THE INTERSECTION OF ELDER AVENUE

TO THE TERMINUS NORTH OF CORLISS AVENUE, PURSUANT TO N.J.S.A. 40:67-1 (k) was introduced by Councilman Fey, Councilman Stettner moved for its adoption. The motion was seconded by Councilman Tersigni.

VOTE: YEAS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

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O: 2012-11

AN ORDINANCE AMENDING ORDINANCE

O: 2012-20 ADOPTED DECEMBER 06, 2011 was introduced by Councilman Fey, Motioned for adoption by Councilman Tersigni. The motion was seconded by Councilman Lynn.

VOTE: YAYS: Fey, Lynn, Stettner, Terigni

NAYS: None

ABSENT: Council President Piazza

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RESOLUTIONS

R: 2012-96

A RESOLUTION TO PROVIDE FOR REFUND OF SEWER OVERPAYMENT was introduced by Councilman Fey, and moved for adoption by Councilman Lynn. The motion was seconded by Councilman Stettner.

VOTE: YAYS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

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R: 2012-97

A RESOLUTION AUTHORIZING THE CANCELLATION OF CERTAIN LOANS RELATIVE TO THE SMALL CITIES COMMUNITY DEVELOPMENT ECONOMIC REVOLVING LOAN PROGRAM FOR THE PURPOSES OF AUDITOR COMPLIANCE. LOAN NUMBER 880256126. Was introduced by Councilman Fey, and motion for adoption by Councilman Lynn. The motioned was seconded by Councilman Stettner.

VOTE: YAYS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

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R: 2012-98

A RESOLUTION ESTABLISHING A NEW PETTY CASH FUND was introduced by Councilman Fey, and Motioned for adoption by Councilman Lynn. The motioned was seconded by Councilman Stettner. The Resolution was amended by Attorney Wenner to show the bonded value to fall under a blanket JIFF bond.

VOTE: YAYS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

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R: 2012-99

A RESOLUTION RECINDING PETTY CASH FUND  
Was introduced by Councilman Fey, and motioned for  
adoption by Councilman Tersigni. The motion was  
seconded by Councilman Lynn.

VOTE: YAYS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

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R: 2012-100

A RESOLUTION PROVIDING FOR THE  
INSERTION OF SPECIAL ITEM OF REVENUE IN  
THE BUDGET OF ANY COUNTY OR  
MUNICIPALITY PURSURANT TO N.J.S. 40A:4-  
87(CHAPTER 159, P.L. 1948) was introduced by  
Councilman Fey, and moved for adoption by Councilman  
Tersigni. The Motion was seconded by Councilman  
Stettner.

VOTE: YAYS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

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R: 2012-101

A RESOLUTION APPROVING 2012-2013 LIQUOR LICNESES WITHIN THE TOWN OF PHILLIPSBURG was introduced by Councilman Fey, a motion for adoption was made by Councilman Tersigni. The motion was seconded by Councilman Lynn.

VOTE: YAYS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

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R: 2012-102

A RESOLUTION AUTHORIZING THE MAYOR OF THE TOWN OF PHILLIPSBURG TO EXECUTE THE FIRST AMENDMENT TO AGREEMENT OF SALE WITH REGARD TO PHILLIPABURG ASSOCIATES I, LP AND PHILLIPSBURG ASSOCIATES III, LP was introduced by Councilman Fey, Councilman Tersigni motioned for adoption. The motion was seconded by Councilman Lynn.

VOTE: YAYS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

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R: 2012-103

A RESOLUTION AUTHORIZING CHANGE ORDER FOR THE MORRIS STREET PROJECT was introduced by Councilman Fey, Councilman Lynn moved for its adoption. The motion was seconded by Councilman Stettner.

VOTE: YAYS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

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R: 2012-104

A RESOLUTION DESIGNATING THE MAYOR AS THE TOWN COUNCIL DESIGNEE FOR THE PURPOSE OF STEP 2 GRIEVANCE REVIEWS RELATIVE TO THE TOWN OF PHILLIPSBURG POLICE DEPARTMENT was introduced by Councilman Fey, Councilman Tersigni moved for its adoption. The motion was seconded by Councilman Lynn.

VOTE: YAYS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza



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R: 2012-105

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, REGARDING TREATMENT WORKS APPROVAL was introduced by Councilman Fey, Councilman Tersigni moved for its adoption. The Motion was seconded by Councilman Stettner.

VOTE: YAYS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

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R: 2012- 106

A RESOLUTION SUPPORTING APPLICATION TO THE 2012 ROUND OF THE WARREN COUNTY MUNICIPAL AND CHARITABLE CONSERVANCY TRUST FUND was introduced by Councilman Fey, Councilman Tersigni moved for its adoption. The Motion was seconded by Councilman Lynn.

VOTE: YAYS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

## PUBLIC PETITIONS

Patty O'Neil, 53 Schultz Ave., would like the house next door to her 57 Schultz Ave., to get cleaned up, grass, garbage, baby seat on the porch, and trampoline in the yard. Mayor Wyant explained to Mrs. O'Neil that the Town can't just remove personal belongings from the property, only debris that's in the yard. Mrs. O'Neil wants the banks to foreclose and sell, so people can buy the houses and maintain them. She is very disgusted with the amount of abandoned houses in her Phillipsburg.

Mary Knauth, 269 Irwin St., lives in half a double had mold in her basement the other half of the double 271 Irwin has been empty for months, she is worried that there is water in the basement, carpet also which when wet grows mold, and she paid over \$8,000.00 to have her side made mold free and is concerned that it could spread. She said that 271 Irwin St., owners removed all the kitchen appliances, cabinets to sell, concerned that people who may be interested in buying would have a lot of work to do.

Louis Cartabona, 1119 Fifth Ave., Alpha, mentioned that the Town can go into the house at 271 Irwin St. with an "acting emergency", Pending a threshold of mold penetrating into the house.

Mr. Cartabona applauded the Town of Phillipsburg for being aggressive in handling the overgrown grass issues in Phillipsburg.

Blaine Fehley, Bowhay Ave., questioned again at whose discretion on whether or not to keep a board member whose background check came back questionable. The Town Council replied that it is up to the Board that the member is on.

Mr. Fehley questioned the situation at the Ice House, with the roof that fell in and overgrown grass. Councilman Fey stated that the Town Inspector, Mr. Duddy, went out to the property. Contacted the owners who stated the property is in the middle of being sold but the owners are still being cited for property maintenance.

Mr. Fehley said that they are still kids getting into the building on Stockton St. and doing gang related graffiti inside. The owner of the property Mr. Capozzo was well aware that the kids were inside his property he removed the plywood door for them to enter. Mr. Fehley was concerned that the kids removed the door themselves and shoes were hanging over the wires on that street. A neighbor shed was spray painted and Mr. Fehley wants the graffiti removed, Council stated that graffiti inside a building is not under the Ordinance. Mr. Fehley stated he could see the graffiti inside the house from the outside so it should be removed. Attorney Wenner stated that only the outside of the buildings can be cleaned from graffiti as per the Ordinance. The inside was they owners choice how it is painted.

Mr. Fehley questioned the Attorney how many days for an OPRA response. Mr. Wenner response was seven (7) days.

### OPEN TIME

Councilman Tersigni thanked all the volunteers who came out to help clean up the park on Mercer Street last Saturday. Tammy Lynn, Officer Mecca, Officer Baylor, Officer Hulse.

Councilman Fey mentioned that Phillipsburg should think about offering recreational Lacrosse so that our Children can compete for High School teams on an even competitive level. Every child is good at playing something and Lacrosse isn't offered here but it does get offered in other districts. He is going to look into it for the Township.

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### Motion

Approval for Raffle License No. RL: 1139 issued to the Exchange Club of Warren County for an on premise to be conducted on October 02, 2012. Councilman Lynn moved for approval. The motion was seconded by Councilman Stettner.

VOTE:        YAYS:        Fey, Lynn, Stettner

NAYS: None

ABSENT: Council President Piazza

ABSTAIN: Councilman Tersigni

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Approval for Raffle License No. RL: 1140 issued to the Garnet Boosterettes for an on premise raffle to be conducted on:

September 07, 2012

September 28, 2012

October 05, 2012

November 02, 2012

November 09, 2012

November 16, 2012

Councilman Tersigni moved for a motion. The motion was seconded by Councilman Lynn.

VOTE: YAYS: Fey, Lynn Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

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Approval for Raffle License No. RL: 1141 issued to the Garnet Boosterettes for an on premise raffle to be conducted on:

October 19, 2012

The motion was moved by Councilman Stettner. The motion was seconded by Councilman Tersigni.

VOTE: YAYS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

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Application for Active Duty – Aaron C. Rush – Alert Hook and Ladder Co. No. 1. Councilman Stettner moved for approval. The motion was seconded by Councilman Tersigni.

VOTE: YAYS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Council President Piazza

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#### 15. ADJOURNMENT

Councilman Tersigni moved for motion of adjournment the meeting at 7:59 PM. The Motion was seconded by Councilman Stettner.

SUBMITTED BY:

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Victoria L. Kleiner  
Acting Municipal Clerk

APPROVED:

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Randy S. Piazza, Sr.  
Council President