

TOWN OF PHILLIPSBURG  
Council Meeting Minutes  
July 01, 2014

The Phillipsburg Town Council conducted its regular meeting on Tuesday, July 01, 2014 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 Lynn

PLEDGE

by the Assembly

ROLL CALL

PRESENT:

Council President

Tersigni

Council Members:

Fey, Lynn, Stettner, Piazza

TOWN OFFICIALS PRESENT:

Mayor Wyant, Acting Clerk Kleiner,  
Attorney Wenner

APPROVAL OF MINUTES

Approval of meeting minutes  
Were submitted for approval:

**Regular Meeting-06-17-14**

**Executive Meeting 06-17-14**

Discussion: none

Motion

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

VOTE: YEAS: Fey, Tersigni, Lynn, Piazza, Stettner

NAYS: None

APPROVAL OF BILLS:

SUMMARY

CURRENT FUND	\$	170,340.51
STATE & FEDERAL GRANTS		3,414.78
SEWAGE UTILITY FUND		136,213.91
SECTION 8		300.08
GENERAL TRUST FUND		1,542.71

**Total regular bills list July 01, 2014** **\$317,670.60**

Section 8 Rent Payments \$ 0

PRE- PAID BILL LIST AS OF July 01, 2014

CURRENT FUND	\$	50,800.00
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**TOTAL PRE PAID BILL LIST**                      **\$ 50,800.00**

**GRAND TOTAL OF ALL FUNDS**                      **\$ 368,470.60**

Discussion: Councilman Lynn said Thanks for the account break down.

Motion

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

VOTE:      YEAS:      Fey, Lynn, Piazza, Stettner, Tersigni

NAYS:      None

HABITABILITY HEARING 475 South Main Street. Attorney Wenner stated that Mr. Cartabona is not titled; Mr. Cartabona named the lienholder. I reached out to them and a representative stated he would try to be here. Mr. Duddy is not here yet. We will have to table it for now.

Mayor Wyant asked Council President to address the front of the property and the debris in-between. That it is part of the habitability process if you look at the photos it is unsightly and un-neighborly. Regardless, some action should be taken.

Attorney Wenner said we need a testament

Mayor Wyant said he would testify to the property that is total disrepair for quite some time and we have been after Mr. Cartabona to fix the holes and the trash for a number of years. We can continue the hearing and have someone come in and tell us their intentions.

Attorney Wenner agreed that is the proper thing to do

Council President Tersigni stated he has been in that property six or seven times a day I have memories of my father's building he owned the property. It is not fair to Toms Lunch and I agree with the Mayor.

Attorney Wenner stated that we can table it to another meeting, oh there is Kevin Duddy. Mr. Duddy please come up and get sworn in.

Mr. Duddy, Town Inspector stated that the property was posted on June 19, you can see the junk behind the blinds, and it is storage. I was in touch with Bob Schwartz he is the broker for the lienholder, I would like to get inside but the steps are ripped out and last week two people were stripping copper out of the property

Attorney Wenner questioned if it was structurally sound

Mr. Duddy said that he drove up to Walters Park to view the roof of the building but the trees were too big to get a good look, there is a rubble stone gaping hole in the wall between the two buildings.

Mayor Wyant stated that if you want a good look go into Toms Lunch he will get you on the roof. In some spots boards are rotten waded and leaking water

Attorney Wenner stated that the exterior and premise is a danger to the health, safety and welfare of the public, a nuisance to the neighbor who shares a common alley

Mr. Duddy said that there is an easement of the alley for the last 25 years

Attorney Wenner stated that we have an interim order that the debris be removed on the premise within 10 days of the letter

Councilman Lynn said inside cleaned too or just outside, concern of rodents

Council President Tersigni asked for a motion

Councilman Lynn motioned that the property be cleaned in 10 day period. Councilman Fey seconded the motion.

VOTE: YEAS: Fey, Lynn, Piazza, Stettner, Tersigni

NAYS: None

Councilmen Fey asked Mr. Duddy once you go in and review the property are you going to write a report of what's going on with the property and photos

Mr. Duddy stated yes he would

Council President Tersigni said that when he looked it was filled with junk, the ceiling was falling, it is musty and unsanitary, that's where my dad kept his siding.

Mr. Duddy it is a derelict property

OLD BUSINESS Councilman Fey stated that they did a good job cleaning up the Ice House Property, they were true to the work and I want to go on records that he did everything we've asked him to do

MAYORS REPORT Mayor Wyant swears in Sandra A. Callery to the Tax Collector position.

Council President Tersigni stated that I am sure you will do a great job.

Mayor Wyant stated that at 11pm last night there was a severe sewer break at the force main sprung a leak, the affluent North Main Street and Lopatcong Township, we are pumping the wet well into tankers and transporting to man hold behind Wynkoop's property. There is a huge hole 15 feet deep and they are just getting to the pipe it was built prior to the RR being there. The storm sewer, gravity line and force main. DEP was notified and continue to work till completed. We will have to prepare emergency to pay for that.

Also today Sitgreaves Street was getting paved today maybe it is done looks very nice, Jersey to Stockton and Stockton to McKeen sure it would be completed today. Thank you

## PUBLIC DISCUSSION ON AGENDA ITEMS

Gary DeAlmo, 525 Fisher Avenue, I read in the Express Times about the raise I think the Town of Phillipsburg Council is asking for a raise when the Town is sinking, when we don't have PAL anymore because we can't afford it.

Mayor Wyant's stated that's not true, the league was not complying with the regulations, they did not comply – you can't play- we have to protect the children. IT is not a Police Athletic Association any longer, they have to submit and pass the background checks

Councilman Fey stated that something we're expanding on is the youth baseball, fall baseball, field hockey, fall spring soccer, we are expanding on activities, restructuring to keep up with what is going to help our kids in high school, other municipalities around offer these sports for our kids and were trying to keep up.

Mr. DeAlmo the problem is the news from the papers is not enough we need meetings to find out what's going on behind the scenes.

Council President Tersigni said he sat in meetings the Mayor and Capt. Stettner, I do remember you as a wrestler, and I have been following for 50 years, and not telling the truth in front of the Police Capt. Coaching a child

Attorney Wenner stated not saying he was a pervert

Mr. DeAlmo have you given thought to IR solve the HS project and Perrucci with the low income housing I have some ideas don't know how to bounce them against.

Thank you

NEW BUSINESS NONE

ORDINANCES

O: 2014-16 (Second and Final)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG,  
COUNTY OF WARREN, STATE OF NEW JERSEY,  
AMENDING CHAPTER 67-28, PARKING LOTS, OF THE  
CODE OF THE TOWN OF PHILLIPSBURG  
AND TO ESTABLISH REQUIREMENTS FOR CERTAIN  
OFF-STREET PARKING LOTS *REGULATIONS* was  
introduced for a second reading by Councilman Stettner and  
there being no errors corrections or objections, Councilman  
Stettner moved that the ordinance be adopted according to law.  
The motion was seconded by Councilman Fey.

VOTE: YEAS: Fey, Lynn, Piazza, Stettner, Tersigni

NAYS: None

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O: 2014-17 (Second and Final )

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG,  
COUNTY OF WARREN, STATE OF NEW JERSEY,  
AMENDING CHAPTER 360 OF THE CODE OF THE TOWN  
OF PHILLIPSBURG ENTITLED LAND USE PROCEDURES  
TO ADD A NEW SECTION REGARDING INFORMAL  
REVIEW *REGULATIONS* was introduced for a second reading  
by Councilman Stettner and there being no errors corrections or  
objections, Councilman Stettner moved that the ordinance be  
adopted according to law. The motion was seconded by  
Councilman Fey.

VOTE: YEAS: Fey, Lynn, Piazza, Stettner, Tersigni

NAYS: None

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O: 2014-15

AN ORDINANCE CONCERNING SALARIES was introduced for a first reading by Councilman Fey who moved that the ordinance be properly advertised. The motion was seconded by Councilman Lynn for discussion.

Discussion: Councilman Piazza I want the Council Salary to be omitted, I have a statement that I want to read.

July 01, 2014

To: Vicki Kleiner  
Phillipsburg Municipal Clerk  
Members Phillipsburg Town Council  
Mayor Harry Wyant  
Residents of the Town of Phillipsburg

In the last two to three years, the Town of Phillipsburg has been undergoing historic changes through the efforts of this governing body, the mayor's Office, school board officials, and through the help of various contracted professional services; as well as through various local volunteer organizations spending long dedicated hours with one common goal in mind - and that is to make the Town of Phillipsburg a better place to live and work - but more importantly - to make Phillipsburg a town we can all be proud of again.

The town has been working on long term objectives to help revitalize economic growth but, as all large projects do, they take a considerable amount of time. The town of Phillipsburg acquired and is in the process of planning and developing the former IR tract.

The Town of Phillipsburg is in the process of building a new high school.

The Town of Phillipsburg is now in the process of working on the planning phase again of the Riverfront Development project, which one day would help support the economic development of the downtown business district.



The Town of Phillipsburg is now in the process of planning and developing a riverfront -multistate trail system with the help of the National Park Service. The Town of Phillipsburg is in the process of turning what were once considered liabilities back into community assets again such as the municipal pool, the Roseberry Homestead and monument area of Shappel Park. New events and organizations have developed through a new team of people which has been meeting for the past three years enabling various volunteer groups to work and communicate together.

I would like to add that these objectives are being accomplished in addition to the normal everyday expenditures of running a town.

The projects mentioned earlier in my opinion, are a great start and we are making progress however, we aren't there yet. As I mentioned before these projects take a considerable amount of time and a few are currently in the planning phase.

We haven't fully met these objectives and *until* the Town Officials as well as residents see substantial progress in meeting these objectives, I believe this amendment to increase the salaries of the Town Council is unwarranted and premature.

I realize that the budget has taken the council salary increases into account but, we as the legislative body of Phillipsburg do NOT have to take any action on it at this time.

I am therefore opposing and have been opposed to the proposed salary increases for the Phillipsburg Town Council.

Sincerely, Randy S. Piazza Sr.

Council President Tersigni 33% is not warranted we should amend the Salary Ordinance to only have Sandy's salary.

Councilman Lynn made a motion to amend the salary ordinance to remove Council's increases. The motion was seconded by Councilman Piazza.

ROLL CALL VOTE ORDINANCE 2014-15

NAME	YEA	NAY	ABSTAIN	ABSENT
STETTNER	X			
PIAZZA	X			
LYNN	X			
FEY	X			
TERSIGNI	X			

RESOLUTIONS

R: 2014-118

RESOLUTION CANCELLING AN AGGREGATE \$65,338.34 OF A TOTAL \$146,000.00 IN SEWER UTILITY IMPROVEMENT AUTHORIZATIONS COLLECTIVELY APPROPRIATED PURSUANT TO ORDINANCE NUMBERS 2002-12, 2004-10 AND 2004-26 HERETOFORE ADOPTED BY THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY, AND RETURNING SUCH CANCELED APPROPRIATIONS TO THE SEWER UTILITY CAPITAL IMPROVEMENT FUND was introduced by Councilman Lynn who moved for its adoption. The motion was seconded by Councilman Piazza.

Discussion: Councilman Lynn questioned why cancelled? Mayor Wyant stated that they were completed and excess funds

VOTE: YEAS: Fey, Lynn, Piazza, Stettner, Tersigni

NAYS: None

R: 2014-119

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH REMINGTON & VERNICK ENGINEERS (RVE) FOR SERVICES RELATED TO THE PHILLIPSBURG WASTEWATER TREATMENT PLANT ROOF REPLACEMENT PROJECT was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Fey, Lynn, Piazza, Stettner, Tersigni

NAYS: None

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R: 2014-120

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH REMINGTON & VERNICK ENGINEERS (RVE) FOR SERVICES RELATED TO THE PHILLIPSBURG WASTEWATER TREATMENT PLANT INFLUENT PUMP REPLACEMENT PROJECT was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Fey, Lynn, Piazza, Stettner, Tersigni

NAYS: None

R: 2014-121

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1948) NJ TRANSPORTATION TRUST – 2014 URBAN AID was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Lynn.

Discussion: Councilman Fey asked if this is new. Mayor Wyant stated this is in addition to that original grand. Councilman Stettner asked if it was outside the CAP. Mayor Wyant responded yes.

VOTE: YEAS: Fey, Lynn, Piazza, Stettner, Tersigni

NAYS: None

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R: 2014-122

A RESOLUTION IMPOSING LIEN FOR MUNICIPAL SERVICES was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Fey, Lynn, Piazza, Stettner, Tersigni

NAYS: None

R: 2014-123

A RESOLUTION AUTHORIZING THE TOWN OF PHILLIPSBURG TO ENTER INTO THE CRANFORD POLICE COOPERATIVE PRICING SYSTEMS AGREEMENT was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Fey, Lynn, Piazza, Stettner, Tersigni

NAYS: None

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### PUBLIC PETITIONS

Mr. Joe Meyner, South Main Street. \*\* Please see attached sheet that Mr. Meyner read at the meeting.

Councilman Piazza stated that the increase of people will help the business district

Mr. Meyner agreed.

Council President Tersigni stated that he can't look into a crystal ball and know how many students

Mr. Meyner said that when we had Cedar Crest College looking and a second access road there were promises put together in the last proposal independent of the PILOT request and no one came through on the promises

Attorney Wenner stated that the site plan goes to the planning board

Mr. Meyner it will be at a Council Meeting?

Attorney Wenner stated condemnation with site plan

Mayor Wyant said I'll help you out; there is a full blown site plan certain provisions as to part of that project. Center Street to 22 was another project – Preferred not part of Riverview at Delaware Station. This starting again looking at the resolutions to see if they're warranted.

Mr. Meyner asked, are they on hold?

Attorney Wenner stated that they are designated Redeveloper, Council and Agreement is reinstated nothing to do with the site plan and planning board to justify and receive approval

Mr. Meyner was it updated planning board?

Attorney Wenner stated that planning board can't hand out PILOT

Mr. Meyner said his memory is different than your memory necessary housing

Attorney Wenner stated we had this discussion last time

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Mr. Keyser, 563 South Main Street, I want to know why the park is not non – Smoking.

Council President Tersigni never had an Ordinance passed

Mr. Keyser said he walks his dogs and his dog was mauled on June 12, 2014, there are no dogs at the park but I see dog's loose everyday

Mayor Wyant stated that the roads are public roads

Mr. Keyser stated the road is not part of the park

Mayor Wyant said the park starts at curb side

Mr. Keyser said people from Pennsylvania vehicles are putting trash in the parks garbage cans. The park should be non- smoking would you want your children to breathe that. Why don't we have a moving fee \$ 25.00 there are 13 cars

Council President Tersigni said pertaining to the smoking in the park we have a work session the second week in September, September 09 we can discuss that at the work session.

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Mr. G. DeAlmo, 525 Fisher Avenue. IR property bothers me, have soil samples been done, studies on rates of cancer in Valley View, Toxic superfund clean-up with IR where the chemicals go. I was on a sub, I know chemicals

Attorney Wenner stated that the Commerce Park – has a consent order 1992-1993 that the lifetime remediation and ground water monitoring, areas of concern (AOC) check levels settling pond, Cameron tract, have remediated action orders (RAO) the public records are with the DEP – HQ and you can look at the remediation efforts.

Mr. DeAlmo the land seems unusable no business wants to go there

Council President Tersigni said we can build and I believe it can be

Mr. DeAlmo stated no homes it is unsafe for children

Thank you

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OPENTIME

Councilman Fey congratulated the Steele Hill Girls Softball, championship games, the girls and coaches are competitive and I want to congratulate them.

MOTIONS none

EXECUTIVE MEETING none

ADJOURNMENT

Councilman Stettner moved to adjourn the meeting. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Fey, Lynn, Piazza, Stettner, Tersigni

NAYS: None