

TOWN OF PHILLIPSBURG  
Council Meeting Minutes  
August 20, 2013

The Phillipsburg Town Council conducted its regular meeting on Tuesday, August 20, 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 Tersigni.

INVOCATION by Councilman Tersigni

PLEDGE by the Assembly

ROLL CALL

PRESENT: Councilmembers: Piazza, Tersigni, Lynn, 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-08-06-13

Motion

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

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

APPROVAL OF BILLS:

SUMMARY

CURRENT FUND	\$464,322.01
STATE & FEDERAL GRANTS	2,322.32
CAPITAL FUND	113,554.80
SEWAGE UTILITY FUND	6,583.87
SEWAGE CAPITAL FUND	23,138.30
PLANNING BOARD TRUST FUND	642.00
GENERAL TRUST FUND	7,900.00
REVOLVING LOAN FUND	185.28
Grand Total REGULAR BILLS LIST	\$618,648.58
<u>SECTION 8 PROGRAM</u>	\$124,831.00

PRE-PAID BILL LIST      August 20, 2013

CURRENT FUND	\$1,812,029.38
STATE & FEDERAL GRANTS	51,807.00
SECTION 8	1,250.00
GRAND TOTAL ALL FUNDS	2,608,565.96

Motion

Councilman Stettner moved for approval of bills. The motion was seconded by Councilman Tersigni.

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

**PUBLIC HEARING** - Wastewater Treatment Plant Upgrades & Outfall Relocation Project

Stephanie Cuthbert from Remington & Vernick Engineers spoke during the Public hearing on the plant upgrades. The type of project that it is and how it gets looked at by the NJDEP, the first is the environmental area, and then there is a more involved look the environmental features, the endangered species, they map and demonstrate the designed process and controls, the piping designed and the project is minimized and reviewed.

The Engineers report is attached. Council President Fey Thanked Stephanie Cuthbert.

**CONTINUED HEARING** on 1116 South Main Street, (Ice House Property) Attorney Wenner Swears in Mr. Hernandez of 471 Amwell Road, Hillsboro, NJ, the new owner of 1116 South Main Street.

Mr. Hernandez stated that he contracted Mr. Tom Bartha – Contractor to remove the tower at the Ice House Property. Kevin Duddy and Stan Schrek spoke and believe it will be taken down in a safe manor.

Kevin Duddy stated that the permits and paperwork is being completed and that they are in the process of notifying the adjoining property owners and Norfolk Southern. The Tower should be down by the end of next week.

Councilman Tersigni said Thank you for coming and this is an ongoing process – showing that being safe for our community. Following thru on the promise the Town will be business friendly with your and it will be a bright spot in our Town. Thank You.

Engineer Stan Schrek stated that if we notify the RR it may take a long time to get a response and become a timely issue.

Attorney Wenner stated that isn't there a contingency plan in place?

Mayor Wyant well what we can do is notify as a potential danger at the track and they stop all the trains.

Councilman Stettner said this is done frequently

Councilman Piazza was curious to what Mr. Hernandez's plan is for the property? Mr. Hernandez stated that he would like to keep the historic look to the property it is a prime location. Mr. Hernandez isn't sure what he is going to do with it at this time, once it is cleaned up some he will be able to see the full potential. I want to keep the aesthetics to the property.

Mayor Wyant asked that Mr. Hernandez keeps in contact with his office to notify of the date and time that the tower is coming down. Thank you.

**CONTINUED HEARING** on 328 Kent Street, Attorney Wenner asks if there is anyone here on behalf of 328 Kent Street. No one in the audience is here for that property. Attorney Wenner asks Kevin Duddy to speak about his property.

Inspector Duddy Stated that the property has the grass maintained most likely from the bank. It is in a disheveled state and vacant over the last 12 years at least. Mr. Kelly (a previous owner) had taken out a roofing permit in October of 2000 and it was vacant prior to him. The roofing permit was for an enclosure that was built on top of a deck. I am not sure what the inside is like, there is a sink hole in the back yard possibly from a cesspool or cistern. There has been an old car on the property and it has been boarded at least 12 years it depresses the values of the surrounding properties.

Attorney Wenner said you have the authority to notify the lien holder we will re-visit this in 30 days. Thanks Mr. Duddy.

**OLD BUSINESS** NONE

### **MAYORS REPORT**

The Mayor introduces Mr. Stan Prater from Jersey Central Power and Light he is the Area Manager for Northern New Jersey. The Mayor and Mr. Prater have worked together for many years. The Mayor asked Mr. Prater to go out and look at the Pursel Street tunnel area since there is no light and residents are concerned. Mr. Prater said they had engineering look at that section and wires going over the bridge or a pole would be dangerous, he said that the best bet would be underground service with a decorative light there.

Also he had a look at Main Street and Jefferson there was abandon wiring exposed. They will be removing that shortly there is a work order in place.

Mr. Prater stated that since the storms in the past have been so bad there has been a lot of emphasis on preparation just like we all did for Y2K and nothing happened. The last two Halloweens have been bad so we have been working with public utilities so I have papers and ask that you put this on the Town web site have your residents register for notifications of power outages. We found that 70 % of the people used their cell phones during the storm to call in power outages and look up areas that were without power.

If the power is out for 24 hours we will provide ice and water and the location will be posted to the web site add MyTown Municipal Web Pages. Visit [www.firstenergycorp.com/connect](http://www.firstenergycorp.com/connect) 24/7 power center. Or you can register with the mobile App for JCP & L customers. Go to [www.jcp-l.com](http://www.jcp-l.com) or [www.firstenergycorp.com](http://www.firstenergycorp.com) apps are available for Apple I phone and Android Smart phones Use the keyword “JCP&L.”

We are doing the ICS (internet command system) which is geared by FEMA it's a way of handling emergencies, road closures State, County, than Local for first responders, OEM tape we will be having a STORM DRILL on the anniversary of Storm Sandy. I am located in Washington, 111 Kinnaman Ave.,

Mayor Wyant asked Mr. Stan Prater if there is priority given for medical necessity.

Mr. Prater responded that they do have a program that people with critical care needs must have their doctor complete. That will give them notice if they are without power they can get the first responders over to them and the municipality can also know to be prepared for any situations. This does not mean that the power will get up the that person any faster we have an order that we follow, waste water treatments plants, fire departments, EMS, hospitals and so on. At times we may have to move them or we can get ice and water in to them.

Mayor Wyant questioned we don't always know who they are. Is there a way the Town can be notified, maybe the amount of people who need the critical care in a particular area?

Mr. Prater stated that we can give the list to the Town but the County gets the list also, and Town and County notified of the outages.

Council President Fey is the liaison for that board

Mayor Wyant said they must be certified as critical care, we will put it on our web site, remind the people that it must be done once a year.

Councilman Stettner stated that there was a light under the tunnel in the 50's, 60's and maybe even the 70's that the light was probably for the conductor as a phone box was there years ago.

**ENGINEERS REPORT** Stan Schrek update the Council on the Lopatcong Creek. The landscaping is almost done. We have to wait for the right time to put in the willow sticks.

We just had the bid last Thursday for the Sitgreaves Street we ended Phase 3 to McKeen Street. The Low bidder was Z Brothers \$473,542.42.

Mayor Wyant stated that we had gotten the grant for \$ 267,000.00 for this project. I have some good new Atlantic States donated \$100,000.00 to get this project done. The rest will come out of road improvement capital fund. Atlantic States has given \$75,000 for two years for the reconstruction of McKeen St., \$100,000.00 to reconstruct Sitgreaves Street that's a tremendous contribution and outstanding company like that in this economy. All they do with these ASCAP endeavors through the year they help the Town and the Citizens, the plant exterior is safer and environmentally friendly.

Engineer Schrek said we applied for discretionary aid for Washington Street was submitted.

Mayor Wyant stated that new water main and aqua water partnered and reconstructs that street.

Engineer Schrek stated that it is curb face to curb face.

Councilman Tersigni would like to reiterate that Atlantic States, Sharmone industry employee all types of people and I commend Mayor Wyant for reaching out to Atlantic States to make that infrastructure better.

Council President Fey stated that Atlantic States has given new tables and chairs to the Senior Center, projects at the Firth Youth Center; they have done such great things for our community.

## **POLICE CHIEFS REPORT**

Chief Faulborn stated that in July we had 153 hours of Community Policing, we have had underage children in the parks, dirt bikes, and many people in Walters Park after hours. Some speed traps in some areas.

306 summonses were issues, 49 Crash investigations, 56 Domestic Violence, 14 DWI, 47 Criminal and 582 cases were assigned, and with the License plate reader we had 19 summonses.

I would like to Thank Council for coming to the National Night Out and we had a good response. Having the meeting down town kept people there longer.

I also want to thank Mayor Wyant for the Finger print machine as money is always an issue it will be beneficial to our department.

Mayor Wyant stated that the black graphite gets all over and currently they are using a make shift box that one of the officers put together, does the job but doesn't look too good. It is time that we had something up to date.

Councilman Piazza commended the Chief on the National Night Out, it was great to see everyone out there, movies in the park we see everyone that's downtown feels safe there.

Mayor Wyant questioned the Chief on the mileage report and the new vehicles and which ones they were?

Thanks Chief.

Mayor Wyant stated that he needs an executive session regarding Commerce Park at the end of the meeting.

## **PUBLIC DISCUSSION ON AGENDA**

Dustin Pierce, 119 Lewis Street, on the Resolution 2013-138 I think this is a great idea but will you be doing random checks or road blocks?

The Police Chief Faulborn responded that they will be doing random checks.



Dusting Pierce questioned Resolution 2013-140 –the State Contract who is the vehicle for?

Mayor Wyant responded that it is for the Fire Chief because of the accident last year with the Assistant Chief we needed to get a new vehicle.

### **NEW BUSINESS**

NONE

### **OPEN TIME**

NONE

### **ORDINANCE**

O: 2013-14 (Second Reading & Final Reading)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY TO DELETE AND REPLACE CHAPTER 1-16 OF THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO ADD A PROVISION FOR STOP PAYMENT FEES 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 Tersigni.

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

NAYS: None

O: 2013-15 (Second Reading & Final Reading)

ORDINANCE OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN STATE OF NEW JERSEY ESTABLISHING THE SALARIES OF CERTAIN EMPLOYEES OF THE TOWN OF PHILLIPSBURG FOR THE YEARS 2012, 2013, 2014 AND 2015 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 Piazza.

Council President Fey stated that the Police Force is second to none and both parties are happy, Thank you.

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

NAYS: None

ABSTAIN: Stettner

O: 2013-16 (First Reading)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY APPROPRIATING \$2,537.00 FROM THE CAPITAL SURPLUS FUND FOR THE ACQUISITION OF A DOWNFLOW WORK STATION FOR THE POLICE DEPARTMENT 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: Fey, Lynn, Tersigni, Piazza, Stettner

NAYS: None

RESOLUTIONS

R: 2013-137

A RESOLUTION OF THE TOWN OF PHILLIPSBURG,  
COUNTY OF WARREN, STATE OF NEW JERSEY,  
AWARDING CONTRACT TO Z BROTHERS  
CONCRETE CONTRACTORS, INC. IN THE AMOUNT  
OF \$473,542.47 was introduced by Councilman Tersigni  
who moved for its adoption. The motion was seconded by  
Councilman Lynn.

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

---

R: 2013-138

RESOLUTION SUPPORTING THE OVER THE  
LIMIT, UNDER ARREST 2013 STATEWIDE  
CRACKDOWN was introduced by Councilman Lynn who  
moved for its adoption. The motion was seconded by  
Councilman Piazza.

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

---

R: 2013-139

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

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

NAYS: None

---

R: 2013-140

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

Question: Is the Insurance paying – yes it is going back to Capital Fund

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

NAYS: None

### **PUBLIC PETITIONS**

Dustin Pierce, 119 Lewis Street, I just wanted to say that I think National Night Out went great and Old Town Festival It was nice to see Council Members and I was on the committee this year and it was a nice time and I enjoyed what we did. There was a good turn out on the National Night Out and it was great to see everyone mingling. I was in the News Paper for the Warren County Community College Alumni group if you graduated there you could be part of the group too.

I do have a question regarding the Service Electric taking channels away and not notifying us about that. The Public Broadcast channel doesn't have the Council meetings listed. Councilman Lynn responded to check the Government Education Channel.

Dustin Pierce stated this will be his last meeting for a while as he is going off to College to study to be an English teacher.

Council Members stated Good Luck to you.

MOTIONS

Approval for Raffle License No. RL: 1170 issued to the Garnet Boosterettes for an Off - Premise Raffle on November 27, 2013 at 6:00 PM

Councilman Stettner moved to adopt the motion. The motion was seconded by Councilman Tersigni.

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

NAYS: None

EXECUTIVE MEETING

R: 2013-141

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING...litigation and contract regarding Commerce Park, No Action to be taken

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

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

NAYS: None

ADJOURNMENT

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