

TOWN OF PHILLIPSBURG
Council Meeting Minutes
September 02, 2014

The Phillipsburg Town Council conducted its regular meeting on Tuesday, September 02, 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 Lynn.

INVOCATION by Councilman Lynn

PLEDGE by the Assembly

ROLL CALL

PRESENT: Council President Tersigni
Council Members: Fey, Lynn, Piazza, Stettner

TOWN OFFICIALS PRESENT: Mayor Wyant, Acting Clerk Kleiner,
Attorney Wenner

APPROVAL OF MINUTES Approval of meeting minutes
Were submitted for approval:

Regular Meeting-08-19-14

Discussion: none

Motion

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

VOTE: YEAS: Fey, Tersigni, Lynn, Stettner

NAYS: None

ABSTAIN: Piazza

APPROVAL OF BILLS:

SUMMARY

CURRENT FUND	\$	168,156.95
STATE & FEDERAL GRANTS		13,009.20
CAPITAL FUND		5,908.65
SEWAGE UTILITY FUND		151,709.27
PLANNING BOARD TRUST FUND		16,504.21
SECTION 8		760.59
COMMERCE PARK REDEVELOPMENT		727.42
Total regular bills list SEPTEMBER 02, 2014		\$356,776.29

PRE- PAID BILL LIST AS OF September 02, 2014

CURRENT FUND	\$624,953.45
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STATE & FEDERAL GRANTS	47,411.00
CAPITAL FUND	720,000.00
SEWER UTILITY FUND	1,810.42
SEWER UTILITY CAPITAL	275,000.00
TOTAL PRE PAID BILL LIST	\$ 1,669,174.87
GRAND TOTAL OF ALL FUNDS	\$ 2,025,951.16

Discussion: None

Motion

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

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

NAYS: None

OLDBUSINESS none

HABITABILITY HEARING - Empire TF2 Holdings, LLC, 475 South Main Street.

Attorney Wenner asked Housing Official Mr. Duddy what he found since this was the third (3rd) hearing on this matter.

Mr. Duddy went out on July 17th to gain admittance into the building with the Superintendent of Public Works, Dennis Viscomi the interior is deplorable, the roof is leaking for some time, I was choking from the smell of mold and mildew,

and although we did not test for mold you can smell it. There was paint cans stagnant water in buckets that have been there for a number of years. This was something that took a few years to get worse and worse. Since the building is next to an eatery, Tom's Lunch it should be cleaned out and get fixed to be safe.

Attorney Wenner asked in your opinion Mr. Duddy is there a danger, to the health safety and welfare of the residents of Phillipsburg?

Mr. Duddy stated the rubber roof is peeling up. Mayor Wyant asked Mr. Duddy if the building is worth salvaging. Mr. Duddy it is possible that there is an old lime stone wall in the building.

Council President Tersigni stated that he has been in that building 5,000 – 6,000 times in my life, in my opinion – what has it become, in 1969 to 1992 when my father owned the building it had some roof issues but we took care of it. I don't think that in the down Town area it is fair to Tom's Lunch, I don't think it is salvageable I am in big favor of the safety of the Town and its Citizens, that's my opinion, I agree with the Mayor.

Mr. Duddy to save the building it could cost a lot more; we should see the extensiveness of the mold

Councilman Fey stated that mold is a big issue, Tom's Lunch as far the mold can go in and out in my opinion we need to take the proper steps, it is a health hazard, fire hazard and the people are in jeopardy.

Councilman Lynn this isn't something that the Department of Public Works can remediate? The Owner is not doing anything?

Mr. Duddy Stated this is not that simple

Councilman Lynn economically it's got to go

Councilman Stettner asked do we know who has the title

Attorney Wenner stated he spoke to the broker they are trying to market the property deed in lieu – foreclosed on tax sale certificate in October 2013, they recently became the title holder

Mayor Wyant there is a sale sign on the building

Attorney Wenner we will order them to raise it if they don't we will do it like we did on South Main Street and Kornspan Property

Councilman Piazza asked if it can be cleaned first there are several hazards

Attorney Wenner stated that the contents off set the demo price, they walk through bids. Mr. Duddy is it your opinion to raise the building

Mr. Duddy stated I was choking inside

Councilman Lynn asked if there was a threat structurally, is it sound

Attorney Wenner stated for now

Councilman Fey they will end up putting more into the building than it is worth

Attorney Wenner we will do an order to the owner to test and remediate, fix roof make it healthy sound, if they don't comply in 30 days the Town will do a lien on the building

Council President Tersigni said the rafters can't be any good too much water

Mayor Wyant stated is there a basement

Council President Tersigni said yes

Councilman Stettner 30 day notification

Councilman Fey said we need to do something before the snow on the roof and ice

Mr. Duddy cost involved into habitability

Councilman Fey I don't see them doing anything that's my overview

Council President Tersigni I agree with you 100 %

Councilman Lynn do we have to give him a chance

Attorney Wenner yes of course

Councilman Lynn made a motion to have Attorney Wenner send a notice to remediate and demo the property. The motion was seconded by Councilman Fey.

The motion carried a vote 5-0

Mr. Duddy Stated it would be cheaper than fixing

Mr. Duddy Spoke about 99 Sitgreaves Street, which had the fire, he issued a notice of unsafe structure on July 16, 2014 and hasn't heard from them yet.

Mayor Wyant stated that I think an order can be in place.

Mr. Duddy stated if they don't follow the order

Councilman Lynn made a motion to go out to bid for demolition. Councilman Piazza seconded the motion. Vote 5 – 0

Mr. Duddy, I will seek bids for demolition

Thanks Mr. Duddy

MAYORS REPORT

Mayor Wyant spoke about the Council Chambers that Dave Phillips Music and Sound came out to give us a quote on the sound, speakers and microphones. One for each at the Dias and the attorney's tables, there is funding available so we will move forward with that.

NEW BUSINESS None

ORDINANCES

O: 2014-19 (First Reading)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING SECTION 67-23, SCHEDULE VII, STOP INTERSECTIONS, OF THE CODE OF THE TOWN OF PHILLIPSBURG TO ADD STOP INTERSECTIONS AT ARLINGTON AVENUE, HILLSIDE ROAD AND RIDGE STREET WITHIN THE TOWN OF PHILLIPSBURG was introduced for a first reading by Councilman Fey who moved that the ordinance be properly advertised. The motion was seconded by Councilman Piazza for discussion.

Discussion: Councilman Fey stated he grew up there, parking on both sides of the street it needs to be done. Mayor Wyant stated this will take away some parking 25 ft. Council President Tersigni stated thanks to Mrs. Lefler that there should be stop signs in that area. Stan Schrek – Town Engineer stated to Councilman Lynn that Sayer and Webster Street doesn't qualify. Councilman Lynn stated that there was one there before.

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

NAYS: None

13. RESOLUTIONS

R: 2014-150

A RESOLUTION DESIGNATING HANDICAP PARKING SPACES WITHIN THE TOWN OF PHILLIPSBURG was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Stettner.

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

NAYS: None

R: 2014-151

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

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

NAYS: None

R: 2014-152

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

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

NAYS: None

R: 2014-153

A RESOLUTION PROVIDING FOR PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 2119-33-026-004 was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

R: 2014-154

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH VAN CLEEF ENGINEERING ASSOCIATES FOR IMPROVEMENTS TO SOUTH MAIN STREET PHASE 6 was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Lynn.

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

NAYS: None

R: 2014-155

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AWARDED CONTRACT TO VMG GROUP IN THE AMOUNT OF \$145,975.00 was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Stettner.

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

NAYS: None

R: 2014-156

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AWARDED CONTRACT TO VMG GROUP IN THE AMOUNT OF \$60,200.00 was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

R: 2014-157

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AWARDING CONTRACT TO VMG GROUP IN THE AMOUNT OF \$267,875.00 was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Lynn.

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

NAYS: None

R: 2014-158

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

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

NAYS: None

R: 2014-159

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH REMINGTON & VERNICK ENGINEERS (RVE) FOR SERVICES RELATED TO THE PHILLIPSBURG WASTEWATER TREATMENT PLANT UV DISINFECTION AND SUPERSTORM SANDY REPAIRS was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

R: 2014-160

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

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

NAYS: None

PUBLIC PETITIONS

Joe Meyner, South Main Street, Spoke about the Community Fiscal Impact Study of 2006 and the Perone Construction.

Bill Timmin, 433 South Main Street, questioned tax increases, after tax appeals.

Ann Davis, Lewis Street, has a person going through garbage for scrapping, working a chop shop every day.

Councilman Lynn questioned if he was running a business, cut up release the refrigerant

Council President Tersigni stated you're not allow to release Freon

Mayor Wyant stated that inspections has been out

Ms. Davis stated he is going onto properties and taking stuff not just cans

Councilman Piazza asked Ms. Davis if she knew where he lives

Council President Tersigni stated make the ordinance have more teeth, do you have pictures?

Mayor Wyant stated once the garbage is out to the curb it is the Town's property

Ms. Davis stated he follows the recycling truck down the aley

OPENTIME

Council President Tersigni said thanks to Officer Mecca walking, talking and taking notes down in the alleys, I want to commend him for that.

MOTIONS

Approval for Raffle License No. RL: 1196 issued to Sts. Philip & Sts. James Church for a Calendar Raffle on:

January **07**, 14, **21**, 28, **2015**

February 04, **11**, 18, **25**, **2015**

March **04**, 11, **18**, 25, **2015** all at 12:00 PM

Councilman Fey moved to adopt the motion. The motion was seconded by Councilman Lynn.

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

NAYS: None

EXECUTIVE MEETING

R: 2014-161

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING personnel matters no action to be taken

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

NAYS: None

ADJOURNMENT

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

VOTE: YEAS: Fey, Lynn, Stettner, Tersigni

NAYS: None

ABSENT: Piazza