

TOWN OF PHILLIPSBURG
Council Meeting Minutes
SEPTEMBER 04, 2012

The Phillipsburg Town Council conducted its regular meeting on Tuesday, September 04 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 ready by Councilman Fey.

INVOCATION by Councilman Fey

PLEDGE by the Assembly

ROLL CALL

PRESENT: Councilmembers: Fey, Lynn, Stettner, Tersigni
President: Piazza

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

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

Regular Meeting-08-21-12

Discussion: Council President Piazza amends the Meeting minutes to include the sewer meeting minutes from August 21, 2012.

Motion

Councilman Stettner moved for approval of minutes. The motion was seconded by Councilman Tersigni. The motion was carried with a 5 – 0 vote.

APPROVAL OF BILLS:

SUMMARY

CURRENT FUND	\$ 155,894.15
STATE & FEDERAL GRANTS	2,727.23
SECTION 8	364.10
CAPITAL FUND	107,149.40
SEWAGE UTILITY FUND	158,686.55

Pre-Paid Bill List as of August 21, 2012

CURRENT FUND	1,482,581.04
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Motion

Councilman Tersigni moved for approval of bills. The motion was seconded by Councilman Fey, which was carried by a 5 – 0 vote.

Warren County Community College – College President Dr. William Austin and Samir Elbassiouny update on College.

Dr. Austin spoke about the annual report to the community; they are governed by the Board of Trustees. Not county or State government. The board of Trustees serves a four (4) year term and is made up of different members, there's a Judge, Educator, Scientist, Doctor, Employment Specialists, currently there are 10 Board members and one alumni Trustee.

Overall enrollment is increased we do a lot for businesses, training for work not always transferrable credits. In 2011 we renovated the Library. On the credit side of things we have Automotive that we have paired up with Warren Tech on and culinary program is big, We are looking at a program for returning Veterans so that they can get credit for what they have learned serving our country and take some classes to get a recognized college degree. We go directly to the business to train; we use outside funds and Federal grants.

Samir Elbassiouny talked about the foundation. He said they have three major events that they use to help students who don't qualify for financial aid, can't afford books, and scholarship monies.

Hall of Fame – which Gloria Decker is being inducted into.

Golf Outing

Celebrity Dinner

We are currently looking for students from 17 years of age to 21 years of age to apply we are giving four but they must be a single mother scholarship which is 100% tuition and a stipend for child care or transportation.

We have 22 active student clubs

Dr. Austin asked if there are any questions.

Councilman Tersigni asked if tuition percentage has increased over the last five (5) years.

Dr. Austin stated that presently in the county we are the lowest this year raising our fee to \$ 3.00 / credit, we are the lowest in the

Council President Piazza questioned the types of courses that are popular these days since it has been a few years since I have gone to school.

Dr. Austin stated that Nursing is still a big class; we are trying to do what people want. Automotive has sparked an interest so we will partner up. Criminal Justice and Nursing are the two most popular, creative writing, fiction and poetry, now some eco-tourism and environmental science is starting to grow.

Council President Piazza asked are there any other credited programs?

Dr. Austin stated culinary arts and the transition Veteran's.

With a higher education Bond tied into the UMDNJ, we can have the health science center and offer Radiography, Ultra sound training.

Mr. Cartabona asked Dr. Austin about the satellite campus?

Dr. Austin said that they do a lot of continuing education, book keeping, medical records, and office and computer skills; there are many programs you would have to check in the course guide.

Thank you gentleman for your time.

Railroad Historians

Mr. Paul Carpenito President is here to update the Council on the progress.

Mr. Carpenito stated that he has 2,600 volunteers' hours. 82 benefactors, 20 plus volunteers, the open house that we had on August 26th we had 28 volunteers working that day. We expanded the East and Western rides, and we try to use the entire five (5) acres that we have. We started a second train this year after we rehabilitated the engine that was in storage, and we are currently working on a caboose that is getting a full tongue and groove restoration. We fully loaded the gift shop.

We have a wonderful rail road library that we acquired many books from different sources estates. We put crossing flashers in the South East corner of the retaining wall and we just got a large sign to put up so people

can see where we are. That will be installed soon. Our Patronage is on the rise because we are not very visible, but we have bus service during the Thomas events, I like to brag to the patrons. Next year we are going to install a turntable. My volunteers are among the best in the world.

I would like Council to support me as we would love to be able to extend the train under the black bridge down to Market Street and our volunteers work in a safe and responsible manner. I want to advise you, that it took me nine (9) years to get the land that we have the West expansion on. In the next 2 years we will have to attempt getting past the NJ transit again. The people who sublease the property- Friends of the NJ Transportation Heritage Center, we have a 25 foot right of way. NJ transit is going to ask all the real estate leases and renters to increase their insurance coverage from a 2 million dollar policy to a 5 million dollar policy. This increases our cost which can come as a hardship for us and eventually drain our small non-profit organization. The other problem associated with this is that they want to charge us rent, which will affect the Town of Phillipsburg cause of the lease. As well, Tim Wynkoop he rents a portion for parking. What I would like to do is ask Council to support us, back us up and write a letter for us if we need it, when the time comes. We don't charge for anyone to come and ride it is free. I do want to ask again for your support and that you will hear from me again to help our group.

Councilman Fey I was there with my kids and they loved it they rode four times before the rain pushed us away.

Mr. Carpenito stated that the next train rides are October 07, Fall Festival, October 27th and Santa train on December 02.

Council President Piazza bring his Granddaughter

Council Tersigni said Thank you for the newsletter with updates.

Thank you Mr. Carpenito

OLD BUSINESS NONE

MAYOR'S REPORT

Mayor stated that we have a new gazebo that was purchased by the employees and friends of Michele Broubalow and Joe Hriczak that we will have a dedication of that and NO TOWN FUNDS were used.

Council President Piazza questioned when the dedication would be?

Mayor stated no date yet. The youth corp will be putting in a brick walk and benches inside with names on them.

Mayor stated that the two (2) cameras are up and running on South Main Street, Service Electric ran a fiber line from Andover Kent Towers to City Hall and More up to 16 lines to Police Head Quarters. It is almost completed as of today and I will invite council once it is finished.

Police Chief will give his report next meeting

Stan Schrek had a prior commitment

Mayor stated we need a short executive session to discuss the Preferred site, contract – landfill.

Mayor said in your packers you received a Mayor's advisory please read there is a resolution support assembly 2681, concerning information in there may take some type of action.

Councilman Stettner stated he read it and that there could be legal issues and a problem to protect our children

Mayor stated a ramification of this.

PUBLIC DISCUSSION ON AGENDA ITEMS

Louis Cartabona 1119 5th Ave., Alpha, I want to say as a resident of Alpha and a tax payer in both towns. Alpha had limited police presence. Chief Faulborn was at the Alpha meeting answering a lot of questions I fully give my support.

Brad Rinehart WFMZ concerned about the ordinance, as you received my letter last week. You are charting in specific affairs in the community. The potential of this ordinance and channel 69 and two (2) cameras per meeting has been met. And neither of us will be doing the service that we intended to do. Two Camera limit? Is there any provision, the ordinance doesn't specify. The potential here to limit news coverage.

Council President Piazza we will be addressing this tonight.

NEW BUSINESS:

Councilman Tersigni was asked by the Bernadine Mae Post to be the Council Liaison; the Veterans are a very important part of our community. I will be attending a meeting once a month. I want to Thank Will Spencer for referring me to them and thank the Veteran's for asking me.

A motion was made by Councilman Tersigni to take a five minute recess. The motion was seconded by Councilman Fey.

A motion to reconvene the meeting was made by Councilman Lynn. The motion was seconded by Councilman Fey.

ORDINANCES

O: 2012-15 (second reading due to paper error)

AN ORDINANCE ESTABLISHING THE SALARY OF THE ANIMAL CONTROL OFFICER was introduced for a second reading by Councilman Fey. And there being no errors corrections or objections, Councilman Fey moved that the ordinance be adopted according to law. The motion was seconded by Councilman Tersigni.

Discussion: None

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

NAYS: None

O: 2012-16 (second reading due to paper error)

ORDINANCE OF THE TOWN OF PHILIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY
AMENDING SECTION 5-35 OF THE CODE OF THE
TOWN OF PHILIPSBURG RELATING TO
VIDEOTAPING AND RECORDING

Discussion:

Mr. Bush, Columbus Ave., discussed Ordinance 2012-16 that he can remember going into Harry's office and Ann Dwyer, and discussing the T 1 lines over 12 years ago and even before that. John Lynn when he was first on Council and Jay Yarnell also talked about videotaping the meetings. This has been going on a long time, as you know I support that idea of the web cast. It disturbs me, that there are lots of challenges and a declining tax base 40% receive government assistant. The Situation that does not dwell well. This ordinance is almost childish Potential of putting 16 cameras up to spy on the resident of Phillipsburg. I feel uncomfortable with smart phones how do we know you're not taping us and how do you enforce it. I just don't understand what you are afraid of. How are you going to enforce it? It is almost like we are worried that we have thin skin.

Council President Piazza that is not our intent.

Councilman Lynn will be more elaborate.

Kathy Stepney agrees with Mr. Bush.

Mr. Cartabona said that before Council votes on this tonight that they look at the courts views on the legislation.

See attached sheet for Mr. Cartabonas discussion.

Mr. Bouquin stated that Council would never be able to enforce it with Smart Phones.

No more public comments, Rich Wenner stated that there are reasonable guidelines for the number of cameras, and the types of cameras that are permitted along with Lighting and unnecessary noise levels. I do not believe that is unconstitutional. You can make amendments and republish it/notice it.

Councilman Lynn asked if there were any suggestions. He states that First of all the video includes news media and our own camera, second we can eliminate power source. Third we eliminate scanning the room. I don't believe in anyway shape or form it needs to be broadcasted TV or Camera.

Our concern was prior to end for sole purpose of humiliation. It's important to choose to amend that and I will support this ordinance.

Councilman Tersigni agreed with Councilman Lynn 100% of those suggestions to be transparent reasonable we heard concerns and make concessions. We did receive the email from Mr. Rinehart and WMFZ, media is always welcome to interview before and after a meeting, media is always welcome.

Attorney Wenner context should be included provision a person could be, 1983, prior to meeting 7 is ok.

Councilman Fey I heard different things as far as devices – no distractions no sure how many is the correct amount or the number that should be passed. I know that we don't want cords all over as a tripping hazard, these are **my views** and **opinions**, maybe they could tape any cords with duct tape, it's a safety issue not a power usage issue.

Councilman Stettner two or not number not if a distraction we can suspend the meeting to take care of the distraction , sure we can ask people to sign in would they be subject to OPRA regulations.

Councilman Lynn state just the Town is.

Councilman Lynn stated that we propose and amend motion to move to table the Ordinance. Councilman Fey seconded, motion to table.

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

NAYS: None

RESOLUTIONS

R: 2012-142

A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS PURSUANT TO N.J.S.A. 40A: 4-87 was introduced by Councilman Tersigni. The motion was seconded by Councilman Stettner.

Discussion: None

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

NAYS: None

R: 2012-143

A RESOLUTION AUTHORIZING The TOWN OF PHILLIPSBURG TO EXECUTE AN INTER-LOCAL SERVICE AGREEMENT BETWEEN THE BOROUGH OF ALPHA AND THE TOWN OF PHILLIPSBURG was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Stettner.

Discussion - none

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

NAYS: None

R: 2012-144

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

VOTE: YAYS: Fey, Lynn, Piazza, Stettmer, Tersigni

NAYS: None

R: 2012-145

A RESOLUTION AWARDED CONTRACT FOR PURCHASE OF 2012 TRUCK EQUIPPED WITH AERIAL LIFT AND SERVICE BODY Council Tersigni made a motion to table this resolution due to no certified funds. Councilman Lynn seconds the motion.

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

NAYSS: None

11. PUBLIC PETITIONS

Mr. Cartabona questioned the Faulkner Act petition that Mr. Fehley handed in and stated that we have 20 days for the Clerk to verify the signatures.

Carrie Stepney, 9 Davis Street, came here today to bring light to the issues that have been happening on Davis St., There is no one here that can say that a 12, 13 or 14 year old isn't somewhat rebellious. Some youngsters that are friends of my children that were labeled reckless and slandered by Blaine Fehley on his web site. I don't appreciate people talking about us and won't confront me and talk to me personally. My children are here tonight, you can see they are sitting quietly waiting for a chance to speak. We have small yards the children are in front, on our porches or at times they play in the street. They have been harassed for curfews even walking home from the movies in the park. I just don't appreciate us being slandered and our kids being called names.

I don't want to see the Council meetings on Blaine Fehley's web site he doesn't care about the kids. When the problem is not our kids we just want peace.

The Mayor stated the children shouldn't play in the streets we don't want anyone to get hurt.

Councilman Fey said it seems like the neighborhood kids hang out at your house, in my house we tell the children that they are responsible for what their friends do maybe you should have your children do the same.

Ms. Stepney stated that it is not fair to link her family into this mess her, we don't vandalize and they don't live on our street. They come into the neighborhood.

Council President Stettner said that he was glad that Ms. Stepney came in because we usually get one side of the story. He also asked the Mayor if we can get a meeting together with the Chief and with both sides to get this out in the open and solve this problem.

Ms. Stepney also stated that the reason the officer gave the kids the passes for the pool is that they were cleaning up the neighborhood. Picking up garbage.

Ms. Ross 19 Davis St., stated that Blaine Fehley is very prejudice and rides his scooter around calling a five year old a “NIGGER” giving the girls in the area the middle finger and constantly riding around them, telling the kids if they get hit he doesn’t care. He was riding his scooter today before the meeting. He rides his scooter into people’s back yards and posts the photos on his web site. He makes all sorts of comments.

Ms. Jill Fillapone., 11 Davis Street said that she has recently moved and had lived there for years; she stated that these children were the most respectful children she has ever met. That Phillipsburg Raw made a fool out of that Street

Council President Piazza stated that we have no jurisdiction over a private web site.

Councilman Lynn Stated that we hope to have our camera up and running in 30-45 days.

12. OPEN TIME

None

13. MOTION

Approval for Raffle License No. RL: 1148 issued to the St. Philip and St. James Church / school for an on premise 50/50 to be conducted on October 13, 2012 was introduced by Councilman Tersigni and moved for motion. The motion was seconded by Councilman Stettner. The motion carried a 5-0 vote.

Approval for Raffle License No. RL: 1149 issued to the Steele Hill Youth Club for an on premise raffle on October 28, 2012 was introduced by Councilman Fey and moved for motion. The motion was seconded by Councilman Tersigni. The motion carried a 5-0 vote.

14. EXECUTIVE MEETING

R: 2012-146

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING landfill. No action taken.

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

NAYS: None

15. ADJOURNMENT

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