

TOWN OF PHILLIPSBURG
Council Meeting Minutes
OCTOBER 02, 2012

The Phillipsburg Town Council conducted its regular meeting on Tuesday, September 02, 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 & Moment of Silence for Mr. Tom Bush

by Councilman Fey

PLEDGE

by the Assembly

ROLL CALL

PRESENT: Councilmembers: Fey, Stettner, Tersigni

President: Piazza

Absent: Lynn

TOWN OFFICIALS PRESENT:

Mayor Wyant, Acting Clerk
Kleiner, Attorney Wenner

APPROVAL OF MINUTES

Approval of meeting minutes
were submitted for approval:

Regular Meeting-09-18-12

Motion

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

VOTE: YEAS: Fey, Stettner, Tersigni,

NAYS: NONE

ABSTAIN: Piazza

ABSENT: Lynn

APPROVAL OF BILLS:

SUMMARY

CURRENT FUND

\$130,441.22

STATE & FEDERAL GRANTS	48,471.78
SECTION 8	0
CAPITAL FUND	86,509.91
SEWAGE UTILITY FUND	148,087.00

Pre-Paid Bill List as of October 02, 2012

CURRENT FUND	\$744,694.97
Section 8	1,000.00
SEWER UTILITY FUND	9,1710.00

Motion

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

VOTE: YEAS: Fey, Stettner, Tersigni

NAYS: NONE

ABSTAIN: STETTNER PURCHASE ORDER #15263 Deal with Club he belongs to.

OLD BUSINESS NONE

MAYOR'S REPORT

Mayor stated that we have three new Officers here tonight but since the Chief is late and he wants to be here we will hold off on the swearing in and make you suffer through a meeting.

Mayor introduced Stan Schrek for an update on the projects.

Stan Schrek stated on the McKeen Street Project that they are handing out notices to the property owners that they are going to pave on Friday.

In the packet tonight there is a new resolution that shows that Phillipsburg is going to be in compliance with bikes and have bike markings on the roads. This will follow the complete streets conforming Towns. That way when we apply to the DOT for other grants they can see that we are conforming to the complete streets regulations.

Councilman Piazza thanks Stan Schrek

Councilman Fey makes a motion to amend the agenda. Councilman Stettner seconded.

Mayor Wyant spoke about the Best Practices, which we had to complete to get the 4th quarter of State Aid; we are allowed to answer yes to all but nine (9) questions. As part of the Best Practices I will be sending out a letter that requires you to take certain courses when you go to the League this year, this is a new requirement.

Mayor states he has three individuals that he will be swearing in tonight once the Chief gets here he had a family emergency at home.

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. What is the address of the property – listed?

Attorney Wenner stated its Frost Avenue development

Thank you.

Blaine Fehley and I helped him do that Ordinance that may pass, but a person should be able to tape from a – z from open till close it's a right that we should be able to use the video anywhere in public, The Police offers know that they are in the public venue that they have accountability your still in the public venue.

As Tauris vs Pine Hill rights were violated. The use of video should not be excluded at the meeting, when Mr. Fehley know we were going to exercise his rights, the clerk stated we didn't have enough signatures for a referendum petition to put this in front of the voters.

If I see this come thru I may file a referendum petition.

Blaine Fehley, 237 Bowhay Ave., # 6 video ordinance, Till meeting adjourned or recess I volunteer my services and your making me stay here if I want to attend another meeting.

4 hear if sound system is fixed that why I stay off to the side. You can't hear in the back of the room. I have mentioned many times.

Thank you Council

Tom Minchin, Chamber St.,
2012-20 cat ordinance, the house next to him has been boarded up and the t & r program and relocate them, I was asked by official relocated the cats to my property. Not right that I get fined when I was asked to take care of these cats. I supplied blankets; I have an insurance policy so that if something happens to me Common sense for animals will take care of these cats. I have an 8 – 10 year cat colony agreement.

Mayor stated that Bobby Santini is no longer ACO and no longer in charge of Cats

Attorney Rich Wenner asked if cats on your property

Tom Minchin stated he has a cat colony

Attorney Rich Wenner stated that we have to have Vince Catalli get in touch with you.

NEW BUSINESS:

Councilman Stettner got a call from the Board Office asking for a resolution to close the streets for the Pre-Thanksgiving day game and fireworks once they get the permit in place. Resolution 2012-162

ORDINANCES

O: 2012-18 (First Reading)

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

Discussion: Councilman Tersigni said we have made many concessions to this and it is ready to pass. Councilman Stettner we have talked enough.

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

O: 2012-19 (First Reading)

ORDINANCE AMENDING CHAPTER 530, SOLID WASTE; RECYCLING, AND CHAPTER 447, PROPERTY MAINTENANCE, OF THE CODE OF THE TOWN OF PHILLIPSBURG MUNICIPAL was introduced by Councilman Tersigni and there being no errors corrections or objections. Councilman Tersigni moved that the ordinance be adopted according to law. The motion was seconded by Councilman Stettner.

Discussion: None

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

O: 2012-20 (First Reading)

ORDINANCE AMENDING ARTICLE IV OF THE TOWN OF PHILLIPSBURG MUNICIPAL CODE ENTITLED "FERAL AND SEMIWILD CATS" was introduced 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 Stettner.

Discussion: None

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

At this time the Mayor will swear in the three Police Officers,

Please have a member of your family come up and hold the Bible for you.

Dominic Belcastro
Michael Connaughton
Brett Marino

Please repeat after me. (they all repeat the Oath)

Congratulations and Thank you!

R: 2012-154

A RESOLUTION AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTE was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Fey.

Discussion: Councilman Tersigni questioned if we will save on Interest. Acting Clerk replied yes. Councilman Tersigni stated this will save the Town and Tax payer's money.

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

R: 2012-155

RESOLUTION AUTHORIZING THE EXECUTION OF A DEVELOPERS AGREEMENT BY AND BETWEEN BELVIDERE ROAD LLC AND THE TOWN OF PHILLIPSBURG NOTE was introduced by Councilman Fey and moved for adoption. The motion was seconded by Councilman Stettner.

Discussion: Councilman Stettner stated this is Frost Avenue.

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

R: 2012-156

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY NOTE was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Stettner.

Discussion: none

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

R-2012-157

A RESOLUTION AWARDDING CONTRACT FOR PURCHASE EMERGENCY RESPONSE RADIO SYSTEMS FOR POLICE, FIRE, EMS, OEM, AND PUBLIC WORKS, FOR 2013 NARROW BAND COMPLIANCE NOTE was introduced by Councilman Stettner and moved for adoption. The motion was seconded by Councilman Tersigni.

Discussion: none.

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

R: 2012-158

A RESOLUTION IN SUPPORT OF THE NEW JERSEY DEPARTMENT OF TRANSPORTATION'S COMPLETE STREETS POLICY NOTE was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

R:2012-160

A RESOLUTION AWARDING PURCHASE UNDER
NEW JERSEY STATE CONTRACT NOTE was introduced by
Councilman Tersigni and moved for adoption. The motion was
seconded by Councilman Fey.

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

R:2012-161

A RESOLUTION AWARDING PURCHASE UNDER
NEW JERSEY STATE CONTRACT NOTE was introduced by
Councilman Fey and moved for adoption. The motion was seconded
by Councilman Stettner.

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

R:2012-162

A RESOLUTION AUTHORIZING THE CLOSING OF STREETS NOTE was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

R: 2012-162A

A RESOLUTION SUPPORTING DISCHARGE OF FIREWORKS AT PRE-THANKSGIVING CELEBRATION was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

11. PUBLIC PETITIONS

Mr. Cartabona, Alpha, I was so happy to see the Alpha/Phillipsburg Police Patrolling.

I am disappointed on the Ordinance and Education and continuance of this.

Blaine Fehley last council meeting State Statute of Disability of scooters. I came in to register and I got a letter back from the chief. Stating that a resolution or ordinance in your municipality.

Rich Wenner stated that you must go through the Division of Motor Vehicles have proof of insurance and wear a helmet. You can't go over the 25 MPH speed. That's a requirement of the Statutes. It is a motorized vehicle. If you have a state wide prohibition you can't operate a motorized vehicle under that statute.

Mr. Fehley responded that yes you can register with the Town?

Mr. Wenner told Mr. Fehley to contact the MVA commission to get an application for a placard and permission to operate on the street. It is clear that if you do not have a valid driver's license that you can't operate it on the street.

Mr. Fehley said I have lots of other things to say but I am sick today.

12. OPEN TIME

Councilman Tersigni said Thank you and Congratulations to the new officers. Ryan Otto being added to the Planning Board will be an asset to the Town.

Council President Piazza Congratulated the officers also, It makes me Proud to see young officers very PROUD

13. MOTION

Approval for Raffle License No. RL: 1151 issued to the life choices inc., for an on premise raffle on November 24, 2012 was introduced by Councilman Stettner and moved for motion. The motion was seconded by Councilman Fey.

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

14. EXECUTIVE MEETING

R: 2012-163

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING preferred, and personnel, contract possible action taken

VOTE: YAYS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn

15. ADJOURNMENT

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