

TOWN OF PHILLIPSBURG
Council Meeting Minutes
December 17, 2013

The Phillipsburg Town Council conducted its regular meeting on Tuesday, December 17, 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: Tersigni, Fey,
Stettner, 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-12-03-13
Executive Meeting – 12-03-13

Motion

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

VOTE: YEAS: Fey, Tersigni, Stettner

NAYS: None

ABSENT: Lynn

APPROVAL OF BILLS:

SUMMARY

CURRENT FUND	\$890,562.95
STATE & FEDERAL GRANTS	10,942.00
SEWAGE UTILITY FUND	142,068.92
PLANNING BOARD TRUST	1,135.00
SECTION 8	116.04
GENERAL TRUST FUND	2,307.63
Total REGULAR BILLS LIST	\$1,047,722.04
<u>SECTION 8 PROGRAMS</u>	\$ 136,302.00

PRE-PAID BILL LIST December 17, 2013

STATE & FEDERAL GRANTS	\$50,618.22
SEWER UTILITY FUND	674.82
PAYROLL AGENCY FUND – PENSION PMTS	126,529.80
TOTAL PRE PAID BILL LIST 12-03-13	\$177,822.84
GRAND TOTAL OF ALL FUND	1,361,846.88

Motion

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

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

PROCLAMATION OF TIMOTHY JAMES KISH:

Council President Fey read about Timothy Kish for Councilmen Lynn who spoke so highly of this young man. Council President reads the proclamation the Mayor congratulates Timothy Kish.

OLD BUSINESS NONE

MAYORS REPORT

The Mayor wishes everyone a Merry Christmas and Happy New Year. I would like to reappoint James Shelly to the Planning Board for a four year term. I also would like to reappoint Ed Bullock and Richard Barelli to the Library Board for another four year term.

I would like to remind Council that they are invited to the luncheon at Marianna's Friday at 2:00 pm.

CHIEFS REPORT

Chief Faulborn spoke of the speeding issues on Hudson, Mercer Streets. The highlight this month was the reading room that was moved to the Housing Authority on Saturdays, 1 – 4 pm officers are there, it is a much better location.

Mayor questioned the Chief on the DUI patrol that will be continued over the Holiday's.

Chief stated yes we have the DOT grant of \$4,400.00 for extra patrols; I want to thank the Governing body for that resolution.

Mayor Wyant stated that during the holidays if you go out you need to have a designated driver, Mayor questioned if there was anything new with the Bank robbery in Lopatcong??

Chief stated that only photos were released to the press

Mayor Wyant asked if there were any suspects yet.

Chief stated that we did assist on Saturday but nothing else to report.

Thank you Chief

Chief Faulborn also wished everyone a Happy New Year and Merry Christmas

PUBLIC DISCUSSION ON AGENDA

Joe Imhoff, Aurora Street, Lopatcong Township, I want to question the 2013-206 resolution regarding the Town Mandated Norton Oil refund for \$ 11,000.00 dollars.

Attorney Wenner stated that do to a Court Order, and phone calls to Judge Bronico. we “the Town” did would they could.

Mr. Imhoff said well at least now there is \$11,000 for people

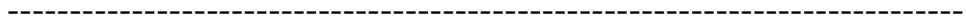
Mayor Wyant stated we really tried the court said they would hold us in Contempt of Court we had no choice.

NEW BUSINESS

Appointment of a Chief Financial Officer we will do that in a little bit.

ORDINANCE

NONE



RESOLUTIONS

R: 2013-204

AUTHORIZING IN REM FORECLOSURE PROCEEDINGS was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Stettner.

VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

NAYS: None

ABSENT: Lynn

R: 2013-205

RESOLUTION AUTHORIZING EXECUTION OF INDEMNIFICATION AND RIGHT OF ENTRY FORM WITH NORFOLK SOUTHERN RAILROAD RELATIVE TO THE PREPARATION OF SURVEY FOR WATER INSTALLATION AT THE SWITCHING TOWER was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Stettner.

Discussion: Is this Ron Titus Switch Tower. Councilman Tersigni stated he gives him a lot of credit the countless hours all the volunteers – really making something to be proud of.

VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

NAYS: None

ABSENT: Lynn

R: 2013-206

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

VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

NAYS: None

ABSENT: Lynn

R: 2013-207

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

VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

NAYS: None

ABSENT: Lynn

R: 2013-208

A RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

NAYS: None

ABSENT: Lynn

R: 2013-209

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$7,907,500 SEWER UTILITY BONDS, SERIES 2013-14, OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE 2013-14 NEW

JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Stettner.

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

R: 2013-210

RESOLUTION OF THE TOWN OF PHILLIPSBURG IN WARREN COUNTY, NEW JERSEY DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES FOR PROJECT COSTS FROM THE PROCEEDS OF DEBT OBLIGATIONS IN CONNECTION WITH ITS PARTICIPATION IN THE YEAR 2013-14 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Stettner.

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

R: 2013-211

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE

DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE 2013-14 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Stettner.

VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

NAYS: None

ABSENT: Lynn

R: 2013-212

AUTHORIZING IN REM FORECLOSURE PROCEEDINGS was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

NAYS: None

ABSENT: Lynn

R: 2013-213

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, APPOINTING ROBERT J. MERLO AS CHIEF FINANCIAL OFFICER FOR THE TOWN OF PHILLIPSBURG was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Stettner.

Discussion: Councilmen Tersigni stated that you work extremely hard and have big shoes to fill and I know you will be great.

VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

NAYS: None

ABSENT: Lynn

R: 2013-214

A RESOLUTION AUTHORIZING THE TOWN ATTORNEY TO EXECUTE A SETTLEMENT STATEMENT IN CONNECTION WITH THE SALE OF REAL PROPERTY was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

NAYS: None

ABSENT: Lynn

R: 2013-215

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, GRANTING EASEMENT TO PROPERTY OWNER was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Stettner.

VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

NAYS: None

ABSENT: Lynn

ABSTAIN: Fey

PUBLIC PETITIONS

(Public comments)

Pam Chunh, owner of Red Chopsticks, 375 South Main Street, has had a business for five years and wants a parking permit for the street.

Mayor Wyant clarified that Mac Sullivan recently purchased the old Algarve restaurant and owns the parking area, when the property was empty the Chinese restaurant used the lot but it is private parking.

Ms. Chunh wants to get a parking pass for delivery vehicles.

Mayor Wyant said there is no permit for the meters, and to talk to him after the meeting.

Joe Imhoff, Aurora Street, Lopatcong questioned the executive meeting regarding the school and shared services.

Attorney Wenner state that there was no public resolution.

OPEN TIME

Councilman Stettner stated Merry Christmas, Season's Greetings hope everyone has a prosperous New Year

Council President Fey complimented the road crew for a great job they didn't slack off and had little sleep. Thank you to all our road crew for the great job.

The Re Organization meeting will be on January 07th at 7:00 PM wants to wish you all a Merry Christmas

Councilman Tersigni thanks Bob Merlo and Vicki Kleiner for taking him to the affordable health care act seminar it was a learning experience. Thanks

MOTIONS

Approval for Raffle License No. RL: 1178 issued to Sts. Philip & James Church for an Off- Premise Raffle on:

April 27, **2014** @ 11:30 AM – 5:00 PM Councilman Tersigni moved to adopt the motion. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

 NAYS: None

 ABSENT: Lynn

Approval for Raffle License No. RL: 1180 issued to Lady Liner AAU Inc., for an on Premise 50/50:

January 3, 7, 10, 17, 21, 24, 27 2014 6-8:00PM

February 7, 13, 28 2014 6-8:00 PM

February 8,15, 22 2014 12-5:00 PM

March 3, 8 2014 6-8:00PM

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

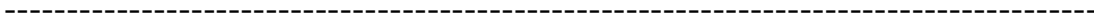
VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

 NAYS: None

 ABSENT: Lynn

Approval for Raffle License No. RL: 1181 issued to Knights of Columbus #474 Warren Council for an Off- Premise Raffle on: February 17, **2014** @ 7:00 PM Councilman Tersigni moved to adopt the motion. The motion was seconded by Councilman Piazza.

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



Approval for Bingo License No. BL: 1182 issued to Sts. Philip & James Church on the following dates in 2014:

January 7,14,21,28	Feburary 4,11,18,25	March4,11,18,25
April 1,8,15,22,29	May 6,13,20,27	June 3,10,17,24
July 1,8,15,22,29	August 5,12,19,26	
September 2,9,16,23,30	October 7,14,21,28	November 4,10,18,25
December 2,9,16,23,30		

From 7:00 – 10:00 PM

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

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

Approval for Bingo License No. BL: 1183 issued to Sts. Philip & James Church on the following dates in 2014:

January 2,9,16,23,30	February 6,13,20,27	March 6,13,20,27
April 3,10,24	May 1,8,15,22,29	June 5,12,19,26
July 3,10,17,24,31	August 7,14,21,28	September 4,11,18,25
October 2,9,16,23,30	November 6,13,20,	December 4,11,18

From 7:00 – 10:00 PM

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

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

Approval for Bingo License No. BL: 1184 issued to Sts. Philip & James Church on the following dates in 2014:

January 4,11,18,25	February 1,8,15,22	March 1,8,15,22,29
April 5,12,26	May 3,10,17,24,31	June 7,14,21,28
July 5,12,19,26	August 2,9,16,23,30	September 6,13,20,27
October 4,11,18,25	November 1,8,15,22,29	December 6,13,20,27

From 7:00 – 10:00 PM

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

VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

NAYS: None

ABSENT: Lynn

Approval for Raffle License No. RL: 1185 issued to Sts. Philip & James Church for an instant raffle for the January 01, 2014 thru December 31, 2014. Councilman Tersigni moved to adopt the motion. The motion was seconded by Councilman Stettner.

VOTE: YEAS: Tersigni, Fey, Stettner, Piazza

NAYS: None

ABSENT: Lynn

EXECUTIVE MEETING

R: 2013-NONE

ADJOURNMENT

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

VOTE: YEAS: Fey, Stettner, Tersigni, Piazza

NAYS: None

ABSENT: Lynn