

COUNCIL MEETING MINUTES
May 1, 2012

The Phillipsburg Town Council conducted its regular meeting on Tuesday, May 1, 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 read by Councilman Fey.

INVOCATION By Councilman Fey

PLEDGE OF ALLEGIANCE By the Assembly

ROLL CALL

PRESENT: Councilmembers: Fey, Lynn, Stettner, Tersigni

President: Piazza

ABSENT: None

TOWN OFFICIALS PRESENT

Mayor Wyant, Clerk/Administrator
Broubalow and Attorney Wenner

APPROVAL OF MINUTES

The following meeting minutes were
submitted for approval:

Regular Meeting – April 17, 2012

Motion

Councilman Tersigni moved for
approval of minutes. The motion was

seconded by Councilman Fey, which carried by a 5-0 vote.

APPROVAL OF BILLS

The following bills were submitted for payment approval:

SUMMARY

CURRENT FUND	231,406.14
STATE & FEDERAL GRANTS	45.29
SECTION 8	2,750.00
CAPITAL FUND	1,870.00
SEWAGE UTILITY FUND	217,027.06
SEWAGE CAPITAL FUND	11,040.00

Pre-Paid Bill List as of May 1, 2012

CURRENT FUND	215,998.56
CAPITAL FUND	2,231,928.00

Motion

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

HABITABILITY HEARING

64 Filmore Street

Attorney stated this is a hearing continuation from October 2011. He noted at that time, owner had represented that steps would be taken in regards to property. He questioned status.

Anna Hyndshaw, 60 Filmore Street and owner of property, stated she has been waiting for Scott Williamson, a local contractor, to place siding on building. She indicated that she has not heard from him since prior to the October hearing. Further, she indicated that Mr. Williamson expressed interest in repairing building and using for storage.

Ms. Hyndshaw stated she can not afford to do anything with this property.

Attorney questioned whether she has ever reached out to Mr. Williamson.

Ms. Hyndshaw replied no; she was in hospital and works every day.

Attorney addressed whether personal items from the interior has been removed.

Ms. Hyndshaw replied no; these are her items and that is where she is storing them.

President Piazza questioned whether siding would be placed on two sides.

Ms. Hyndshaw replied front, side and back where windows are.

Attorney questioned whether property remains the same as it did in October 2011.

Ms. Hyndshaw replied yes except there has been vandalism.

Attorney questioned what vandalism.

Ms. Hyndshaw stated wood covering cellar window was broken off with window being broken out.

Attorney questioned whether property is secured.

Ms. Hyndshaw replied yes.

President Piazza questioned whether anyone has been contacted regarding siding work.

Ms. Hyndshaw replied no.

Attorney urged her to contact Mr. Williamson to question his interest within the next 2 weeks.

Councilman Fey questioned whether she ever had a proposal or contract for the work.

Ms. Hyndshaw replied no.

Councilman Fey noted they are trying to incorporate safety for the children and those residing area this property. He urged her to at least, take steps to secure proposals. Further, he noted the Town will work with her but she also has to work with the Town.

President Piazza questioned whether she could have proposals within 60 days.

Ms. Hyndshaw replied she could try.

Attorney noted Council is looking for her in the immediate future to at least show good faith in remediation. He noted concern has been raised since she has not even tried to move forward at all since October.

Councilman Lynn questioned whether she has owned property for a long time.

Ms. Hyndshaw replied yes.

Councilman Lynn noted Council held hearing on this property back in 2000 therefore; she was owner at that time also.

Ms. Hyndshaw agreed.

Councilman Lynn expressed property has remained in this condition for too long.

Ms. Hyndshaw replied building has not really been a problem.

Councilman Lynn stated this property has been an eyesore for a long time.

Councilman Tersigni stated a bus stop is located on that corner and in his opinion, the building is beyond repair. Further, he stated building looked like that back in 1965.

Ms. Hyndshaw agreed only that it is the same siding.

Councilman Tersigni stated they have been patient but it is time that the building is made safe. He questioned whether she would vow to move forward.

Ms. Hyndshaw stated she does not want bus stop because all they do is ruin her property.

President Piazza suggested Mr. Duddy inspect property within next 60 days at which, an update on the property be given to the Council. Further, he noted Council might have to consider demolition of property.

Attorney stated within the next 60 days, she is to contact either Mayor or Council President to notify of steps taken. Upon conclusion of those 60 days, Attorney continued, she is to report to Council but if nothing is done, the Council may proceed with taking further action on property.

Councilman Stettner questioned whether there are inspection reports on this property.

Attorney replied Mr. Duddy does have inspection reports.

Councilman Stettner questioned whether property is habitual and does she intend to rent it.

Ms. Hyndshaw replied no; she will keep property for storage.

Councilman Fey questioned intentions for property.

Ms. Hyndshaw replied she has no intentions.

Motion

Councilman Stettner moved that Ms. Hyndshaw advise Council within 2 to 3 weeks steps taken and that she is to appear before Council in 60 days at which time, a determination would be made whether repairs had been made and if not, final action would be taken. The motion was seconded by Councilman Tersigni, which carried by a 4-0-1 vote, Councilman Lynn voted 'no'.

PUBLIC HEARING

2012 Municipal Budget

President Piazza opened public hearing at 7:17 p.m.

Thomas Bush, Columbus Avenue, addressed Resolution R:2012-75 providing for adoption of 2012 Municipal Budget. He referred to Municipal Debt Service, Excluded from "CAPS", in the amount of \$1,697,545.80 and requested explanation.

Heidi Wohlleb, Nisivoccia & Company, provided explanation as to items incorporated in that amount. She noted Phillipsburg has always taken an aggressive position in paying down debt.

Mr. Bush stated he is disappointed that no one attempted to mitigate at least \$10,000 from the budget. He indicated he would have liked to see someone at least make an effort. Furthermore, he stated he would hope that next year's budget is not prepared at the last minute.

OLD BUSINESS

No Old Business

MAYOR'S REPORT

Clean Communities

Mayor announced Town has been awarded \$25,835 grant.

Police Contracts

Mayor announced negotiations are on-going with Patrolmen and Superior Officers.

NJDOT

Mayor announced meeting has been scheduled for Thursday morning with NJDOT to address Route 22 / Roseberry Street Pedestrian walkway.

PUBLIC DISCUSSION ON AGENDA ITEMS

No Public Discussion

NEW BUSINESS

Note Sale

Clerk/Administrator referred to memorandum from Jeff Theriault, Chief Financial Officer, regarding April 18, 2012 Note Sale, Series 2012-1 for Capital Fund Note in the amount of \$2,890,102.

Clerk/Administrator advised note carries a net interest rate of 1.2934% per annum with an issuance date of April 18, 2012 and a maturity date of April 17, 2013.

CERTIFICATE OF DETERMINATION AND AWARD

TOWN OF PHILLIPSBURG IN THE COUNTY OF WARREN STATE OF NEW JERSEY

\$2,890,102 Bond Anticipation Notes

Pursuant to the authority conferred upon me by the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, as amended and supplemented, and bond ordinances heretofore adopted by the Town Council of the Town of Phillipsburg, in the County of Warren, State of New Jersey (the "Town"), I hereby award the \$2,890,102 aggregate principal amount of Bond Anticipation Notes dated April 18, 2012 and maturing April 17, 2013 (the

“Notes”) to TD Securities (USA) LLC, New York, New York, purchaser, at the price bid of \$2,896,055.61 (\$2,890,102.00 par amount of Notes plus a premium in the amount of \$5,953.61). The Notes shall bear interest at the rate of one and fifty hundredths per centum (1.50%) per annum.

No grants have been received, no pay downs have been made and no cancellations have been enacted that would reduce the debt authorization below the amount of notes outstanding under the bond ordinances described on the attached Schedule B except as noted on such Schedule B.

No notes or other obligations in anticipation of the issuance of bonds have heretofore been issued pursuant to the bond ordinances referred to on the attached Schedule B which now remains outstanding and unpaid except as noted on such Schedule B.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of April, 2012.

JEFFERY THERIAULT
Interim Chief Financial Officer

(Notes)

(Notes)

(Notes)

RESOLUTIONS

R:2012-75

A RESOLUTION PROVIDING FOR ADOPTION OF THE 2012 MUNICIPAL BUDGET FOR THE TOWN OF PHILLIPSBURG was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Stettner.

Discussion

Councilman Tersigni noted surveillance cameras are in this budget to protect our citizens and businesses alike and noted the security of the people of Phillipsburg is their main concern.

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

NAYS: None

R:2012-76

A RESOLUTION AUTHORIZING THE CLOSING OF STREETS was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Stettner.

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

NAYS: None

R:2012-77

A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES was introduced by Councilman Stettner who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

R:2012-78

A RESOLUTION AUTHORIZING LEASE AGREEMENT WITH FORD MOTOR was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Stettner.

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

NAYS: None

R:2012-79

A RESOLUTION APPROVING THE PAYMENT OF SECOND QUARTER 2012 COUNTY TAX, DUE MAY 15, 2012 was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Stettner.

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

NAYS: None

PUBLIC PETITIONS

Thomas Bush, Columbus Avenue, questioned number of police vehicles used per shift.

Mayor replied up to 7 patrol vehicles.

Mr. Bush reported that on April 21 between 11 am and 12 pm, there were 5 vehicles at Jack's Pizza with their engines running.

Mayor noted Police Chief would be in attendance at the May 15 meeting and he could address that with him at that meeting.

Blaine Fehley, 237 Bowhay Alley, referred to April 3 meeting where he addressed status of 4 properties; 64 Filmore Street was addressed this evening.

Mr. Fehley questioned status of former Cornet building.

Attorney stated Town is in process of taking title of 62-66 Sitgreaves Street and once completed, the Town would request RFP's for demolition of property.

Mr. Fehley questioned status of Center Street property.

Attorney stated contact has been made with Bank of America who advised that Mr. Kornspan has abandoned property. He noted the Town's order was for demolition therefore; Town would need to request RFP's for that demolition.

Mr. Fehley questioned status of Ice House. He noted property is an eyesore and roof is caving in.

President Piazza replied no action has been taken in regards to that property.

Attorney advised Mr. Duddy could issue report on property for the next meeting.

Mr. Fehley stated he had interior pictures of a property located on Stockton Street, which is down from the HiQu property sent to him showing Latin King markings. Furthermore, he noted there are boots strung across the street.

Mr. Fehley referred to property located at intersection of Silk and Stockton where the roof is starting to cave in.

Mr. Fehley questioned status of survey on access channel.

Councilman Lynn replied nothing new.

James Piazza, 293 Filmore Street, addressed dumpster located on sidewalk in area of 29 Market Street, which is the location of his business. He complained it is overflowing and believes it is used by tenants of an apartment complex up the street.

Mayor noted there was a dumpster for the restaurant, which is no longer there. He advised Town picks up trash for those tenants.

Mr. Piazza stated residents are using dumpster. He stated everyone coming to ride the train has to smell that garbage.

Mr. Piazza complained about parking. He noted there is no parking on either side of street but people continue to park there during train rides and nothing is done.

Mayor indicated normally, there are 'No Parking' signs on both sides.

Councilman Lynn questioned whether dumpster locations are included in ordinance.

Mayor replied no.

OPEN TIME

Councilman Tersigni referred to comment by Mr. Bush regarding budget and fact that no one pursued any cost savings. He noted when Town hired new Chief Financial Officer, there was a cost savings of \$26,000 and there was a \$10,000 donation from St. Luke's for the pool.

ADJOURNMENT

Councilman Tersigni moved for adjournment at 7:45 p.m.

SUBMITTED BY:

MICHELE D. BROUBALOW
Clerk/Administrator

APPROVED:

RANDY S. PIAZZA, SR.
Council President