

TOWN OF PHILLIPSBURG
Council Meeting Minutes
AUGUST 07, 2012

The Phillipsburg Town Council conducted its regular meeting on Tuesday, August 07, 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.

Moment of silence for Jacob Greco and Matthew Deery

INVOCATION

By Councilman Fey

PLEDGE

By the Assembly

ROLL CALL

PRESENT: Councilmembers:

Fey, Lynn, Tersigni, Stettner

President:

Piazza

TOWN OFFICIALS PRESENT

Mayor Wyant, Acting Clerk Kleiner,
And Attorney Wenner

APPROVAL OF MINUTES

The following meeting minutes were Submitted for approval:

Regular Mtg –07-17-12

Motion

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

Vote: YEAS: Fey, Lynn, Tersigni, Piazza
NAYS: None
ABSTAIN: Stettner

Executive Meeting 07-07-12

Motion

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

Vote: YEAS: Fey, Lynn, Tersigni, Piazza
NAYS: None
ABSTAIN: Stettner

SUMMARY

CURRENT FUND	120,795.12
STATE & FEDERAL GRANTS	85,708.52
SECTION 8	184.10
CAPITAL FUND	60,593.55
SEWAGE UTILITY FUND	284,704.90

Pre-Paid Bill List as of July 17, 2012

CURRENT FUND	8,784.26
SEWER UTILITY FUND	3,013.45

Motion

Councilman Tersigni moved for approval of bills. The motion was seconded by Councilman Fey, which carried by a 4 – 0 vote.

OLD BUSINESS NONE

MAYORS REPORT

Mayor stated that Stan Schrek is here to update us on the Down Town area.

Stan Schrek stated that phase 4 has lights up, phase 5 they are doing the flat work – paving. We are pleased that Z Brothers will be awarded thru resolution tonight the award to complete that area. Z Brothers will advise when they will start. Stan Schrek will speak with Z Brothers and Atlantic States on traffic control and alternate street entrance.

Stan Schrek stated that the Old Morris Canal walking trail will be cut from the boat ramp to a kiosk to get information and history on the Canal. The Developer will be cutting to install a trail that will have Warren County canal access.

Councilman Stettner said that discussion the developer should agree to across tract to the park, connecting the park and trail together.

Engineer Schrek stated that he estimates that there will be many more trails.

POLICE

Chief Faulborn gave his July stats 356 summons, 31 Crash, 4 DUI, 32 Criminal, and 8 temporary restraining orders, 46 Domestic Violence, a total of 549 cases.

Community Policing 149 hours in the neighborhoods, radar posts in the speed zones.

Chief Faulborn stated that several warning letters were issued to underage children out past curfew on July 25, in the Davis St., Filmore St.

Chief Faulborn stated that Officer Hulse has been in this area and is helping the residence resolve the issues with the juveniles.

Chief Faulborn stated that Officer Lou Deluca received a grant from Petco for \$10,000.00 for the dog park.

Chief Faulborn noted that the odometer was still broken in car 94-50 and that we are still waiting for the two new leased vehicles to arrive.

Chief Faulborn spoke of the ACO who had 36 calls, 15 loose and noisy dogs, 13 animal cruelties, 28 summons for no licenses.

Chief Faulborn asked that we accept the resolution Over the Limit, Under Arrest Statewide Crackdown which involves enforcement from August 17, 2012-September 03, 2012 for \$2400.00 grant.

Councilman Fey asked the Chief if there is any type of notification or tracking system that parents can use. They had an incident where an autistic child ran out into the street and was running around; a teen girl was able to get the child before the child got seriously hurt. The parents didn't know the child had gotten out of the house. Councilman Fey would like to reach out the Superintendent Chando and Roncoroni of the Phillipsburg school district to see if how we can avoid this in the future.

Council President Piazza said the ACO is really out there a lot with all types of animals and really enforces the laws.

Council President Piazza also stopped by the reading room and it was open there was such a nice job done and a lot of support.

Chief Faulborn stated that the officers hand out books to the kids and they had 1900 books donated. The officers read and are friendly with the kids and that is beneficial to the community.

Council President Piazza said it was going over really well, thanks Chief.

PUBLIC DISCUSSION

None

HABILITY HEARING

Attorney Wenner asked what the condition was of the building.

Ms. Hyndshaw stated that the siding would be replaced on the street side.

Attorney Wenner questioned how long Ms. Hyndshaw needs to have an idea of time, one month or two months?

Ms. Hyndshaw stated need two (2) months to do siding and plywood.

Attorney Wenner asked why is it boarded for protection?

Ms. Hyndshaw stated that they would side over windows and door.

Attorney Wenner asked how Ms. Hyndshaw would get into the house?

Ms. Hyndshaw stated the back door.

Attorney Wenner asked would you have the contractor frame out the front door and windows.

Ms. Hyndshaw stated yes that is what he said.

Attorney Wenner swears in Kevin Duddy.

Attorney Wenner asks Kevin Duddy if he is familiar with Ms. Hyndshaw property?

Inspector Duddy stated that he is and that she had work done in 1993 – 1995 last year 2011 a garage roof was also fixed but they need to get in and complete the permit.

Inspector Duddy stated that this has been a blighted property.

Attorney Wenner asked if by code if the door can be closed up?

Inspector Duddy stated that it can be.

Attorney Wenner stated that Ms. Hyndshaw has been here several times.

Ms. Hyndshaw said that Kenneth Beers is the contractor, and she hopes it can be done in two (2) months.

Attorney Wenner stated since this has gone on for some time that the council has a few choices, they can place it on the abandon property list or a remediation plan or, a court review and place cost against the property.

Councilman Fey stated that Mr. Beers should have two (2) weeks to take out a permit and speak with Mr. Duddy regarding the property, and have one (1) month to update in good faith to get the work done.

Councilman Tersigni stated that Ms. Hyndshaw hasn't had the funds to get this done and we should just do it. The building hasn't been touched since 1965 when he lived at Chamber/Summit Ave. Councilman Tersigni is a builder and believes it is beyond repair and a hazard and not safe. I hate to sound harsh but Ms. Hyndshaw has had plenty of time.

Ms. Hyndshaw said people make the holes in the wood.

Councilman Lynn agrees that 10 to 12 years ago this was addressed and I don't believe that she'll do anything. Councilman Lynn stated that council has been very patient with you for the past 10 years.

Councilman Stettner asked that if abandoned does it violate the fire code?

Inspector Duddy stated that only if it is habitable.

Councilman Stettner agrees.

Attorney Wenner stated that it will be considered abandoned if nothing gets done. No contract or permit we will move to abandonment.

Council President Piazza moved for a motion to allow Ms. Hyndshaw to get the permit to get the work completed.

VOTE: YAYS: Fey, Stettner, Piazza

 NAYS: Lynn, Tersigni

Officer Hulse community policing, some residents received pool passes from Georgine at NORWESCAP to keep them busy. Kids have been out late at night and received a letter breaking curfew. The second time they will receive a fine.

Officer Hulse spoke to a four (4) year old about wearing a helmet and the four year olds response was mind your own business. Officer Hulse approached the child's mother who also had attitude and told him the same thing. Reminded her that she will be fined if she doesn't comply and she didn't care.

Officer Hulse stated that there are a lot of children in this area, the first 200 ft. of the street have 25 kids. Officer Hulse's shift ends at 7 PM and the children are out making noise and are with the parents from midnight to 1 AM.

The Mayor asked that Officer Hulse stay to talk to the residents.

NEW BUSINESS None

ORDINANCES

O: 2012-13

ORDINANCE OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY
AMENDING THE CODE OF THE TOWN OF
PHILLIPSBURG, SECTION 140-08(A) RELATIVE TO
CRIMINAL BACKGROUND CHECKS was introduced for a
second reading 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 Lynn.

Discussion: Councilman Stettner 2011-15 should be amended to include this. Attorney Wenner stated he would review that.

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

NAYS: None

O: 2012-014

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY
REGARDING MID-BLOCK CROSSWALKS WITHIN THE
TOWN OF PHILLIPSBURG was introduced for a second
reading 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 Fey.

Discussion: none

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

NAYS: None

O: 2012-15 (first reading)

AN ORDINANCE ESTABLISHING THE SALARY

OF THE ANIMAL CONTROL OFFICER was introduced by Councilman Lynn who moved that the ordinance be properly advertised. The motion was seconded by Councilman Fey.

Discussion: none

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

NAYS: None

O: 2012-16 (first reading)

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 was introduced by Councilman Tersigni who moved that the ordinance be properly advertised. The motion was seconded by Councilman Lynn.

Discussion: Councilman Tersigni stated that he will support and this ordinance.

Councilman Lynn stated that no recording until the gavel hits.

Attorney Wenner stated that BOE decision that in a Superior Court no expectations of privacy to omit paragraph eight (8).

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

NAYS: None

RESOLUTIONS

R: 2012- 128

A RESOLUTION EXTENDING PAYMENT OF
THIRD QUARTER TAXES was introduced by Councilman
Fey and moved for adoption. The motion was seconded by
Councilman Stettner.

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

NAYS: None

R: 2012-129

A RESOLUTION IMPOSING LIEN FOR
MUNICIPAL SERVICES was introduced by
Councilman Fey and moved for adoption. The motion
was seconded by Councilman Lynn.

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

NAYS: None

R: 2012-130

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

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

NAYS: None

R: 2012-131

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING AND AMENDING BUDGET YEAR TRANSFERS OF APPROPRIATION RESERVES was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

R: 2012-132

A RESOLUTION AWARDDING CONTRACT FOR DEMOLITION OF 62-66 SITGREAVES STREET was introduced by Councilman Fey and was moved for adoption. The motion was seconded by Councilman Lynn.

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

NAYS: None

R: 2012-133

A RESOLUTION AWARDDING CONTRACT FOR MCKEEN STREET IMPORVEMENTS was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

PUBLIC PETITIONS

Blaine Fehley, Bowhay Ave., stated that all these people were here to talk about Davis Street and the disaster. Mr. Fehley also stated that the web site was still not working properly.

Mayor stated that we have two individuals working on this at the moment.

Mr. Fehley said that since April 17th there have been no agendas, or minutes put on the site.

Mr. Fehley stated that there is garbage all around the Township, questioned that the landlords should be fined more money for garbage; he said the fine should be raised since it is cheaper than a dumpster.

Mr. Fehley asked about the garbage in the lot on Cedar Alley.

Councilman Tersigni stated that he did go to the Church after the last meeting and look there was some debris there but it has been 50 times worse in the past. It needs a little going over.

Mr. Fehley asked did you see it today.

Council President Piazza asked where you are going with this question.

Mr. Fehley asked if there was a variance for operation in the alley way business.

Mr. Fehley said the Davis Street area is out of control.

Belinda Bray 190 Filmore St., stated her girls have been harassed, cars vandalized, threatened to be killed and beat their white asses, the police come give warnings, tells me that they can't do anything unless you know the names of the kids.

Chief Faulborn stated if the officer witnesses it's a disorderly offense.

Ms. Bray said I have no names, can't get the names, but we are reprimanded for calling the police to help us.

Chief Faulborn stated I can't speak for your incident try to identify them.

Ms. Bray said I love Phillipsburg, I grew up here, raised my kids here, we want our neighborhood back. We are busting our asses to keep things together.

Attorney Wenner stated that Ms. Bray should file a citizen's complaint.

Ms. Bray said if I strike a child I will go to jail.

Chief Faulborn stated I will be glad to address all these issues.

Councilman Fey asked if there was any way to start rehabbing the area, foot patrol after hours.

Chief Faulborn stated I will speak to the Shift Commander.

Ms. Bray asked can't the landlords be held accountable for something?

Council President Piazza stated OUT OF ORDER

Suzanne Parichuk 186 Filmore St. The hooligans come into my yard, steal my kid's bikes, toys, they have keyed my car. On Irwin St., five kids pulled a man out of his house beating him, they all ran, police came and didn't find any of the kids.

Ms. Parichuk stated that she can see the children drinking in the cemetery at night, we can't sit on the porch, our yard is fenced in but it doesn't stop them they help themselves to whatever they want.

Ms. Parichuk also stated that the father and older brothers come by and stand in front of our house just pointing at the house. On Friday night the police were called but we were told they were shorthanded and only one car drove by in several hours. Filmore St. and Davis St. area needs much more patrolling.

Ms. Parichuk asked Chief Faulborn if I video tape these little hoodlums would you arrest them then?

Councilman Tersigni asked what time they are all out.

Ms. Parichuk said 11pm, 2am, and 4 am in those hours and they never saw an officer.

Christine Albright 249 Filmore St., states she can see a bike chop shop from her window, bike parts. PLEASE something has to be done.

Ms. Albright warned the Mayor of his property getting eyed up, and he should take precautions to keep it safe.

Mr. & Mrs. Millon, 2 Davis St., happy to buy their first home 8 ½ years ago, but this last year and a half has been a war zone, children scream, yell, only 50 feet away from you, the renters leave a lot of garbage around.

Mrs. Millon stated that on day she had her air on, door shut, and heard loud music, she called the police, they came out turned music down, once they left it went right back up. The neighbors talking to each other said that MF lady called the cops on me again, calling Mrs. Millon a raciest, the children spit on the porch, and use foul language.

Mrs. Millon stated that they had a buyer for the house it was raining and they were here for 45 minutes they were sure that they were getting an offer, but the neighbor had an argument outside as they were getting in the car and it was with a foul mouth and they lost the buyers.

OPEN TIME

Councilman Stettner told the residents we can rectify this situation I have seen it before, the evil will leave.

Councilman Lynn stated that we need to help these people even if it is just advice, please help them I don't want to come and hear this again.

Councilman Tersigni stated that he was born at 182 Filmore St., Please Chief Faulborn and Officer Hulse, so these people can stay in their homes they are quality people.

Councilman Tersigni said he went to the IR property where the fire department and the emergency squad work together in a mock drill. I want to thank and commend them to keep the Town a safer place for our community.

Council President Piazza stated he is the VP of the Cemetery board and that the vandalism that goes on is terrible. Council President Piazza will talk to the Chief after and try to get something done.

MOTIONS

Approval for Raffle License NO. RL: 1145 issued to the Steele Hill Youth Organization for an on premise raffle to be conducted on November 22, 2012 was introduced by Councilman Tersigni and moved for motion. The motion was seconded by Councilman Fey.

VOTE: YAYS: Fey, Lynn, Stettner, Piazza

NAYS: None

A motion was made by Council President Piazza to take a five minute recess before going into Executive session. The motion was seconded by Councilman Stettner. The motion carried a 5 - 0 vote.