

TOWN OF PHILLIPSBURG  
Council Meeting Minutes  
AUGUST 21, 2012

The Phillipsburg Town Council conducted its regular meeting on Tuesday, August 21, 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.

A moment of silence for Mr. Barber.

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-08-07-12**

Discussion: Councilman Tersigni asked that the clerk reflect the minutes as did the express times “I support council meetings being videotaped 100 percent, this ordinance eliminates all shenanigans and makes our meetings done fairly and more professional.”

Motion

**Executive Meeting-08-07-12**

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

APPROVAL OF BILLS:

SUMMARY

CURRENT FUND	\$41,947.79
STATE & FEDERAL GRANTS	46,840.28
SECTION 8	229.99
CAPITAL FUND	92,228.88
SEWAGE UTILITY FUND	1,366.82

**Pre-Paid Bill List as of August 21, 2012**

CURRENT FUND	2,194,114.17
SEWER UTILITY FUND	200.00

## Motion

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

## OLD BUSINESS

Council President Piazza asked Mike Dowd to come up and speak on the 25<sup>th</sup> year of Ole Town Festival.

Mike Dowd said Thank you. I think that being Meg's first year taking on this festival she did a great job.

Ann Davis was a key member to the festival; Cindy Bowman and Helene Meisner and Mayor Wyant always were available to answer questions.

Produced a color magazine for the 25<sup>th</sup> anniversary addition to the festival you will all received a copy. The Express Times had a nice article today about festivals.

Meg Dowd and I made a presentation to UEZ. Upcoming events, a luau with island theme, Radio City Music show and NYC trip helps raise money for the scholarship fund. We give \$500.00 out and we like to do two a year, these events help us do that.

Also don't forget that the fall festival, we are having two haunted houses on for the little children and one for the teen/adults later that day, garden club will be judging the houses, scary festival down town Phillipsburg.

## MAYOR'S REPORT

Mayor Wyant stated that Mike Dowd and Meg Dowd took over monumental tasks, many sleepless nights and it went off beautifully, it was a great event.

I hope you all will come out and enjoy the events and show support for the community, there are two more movies in the park and it is much better now with the blow up screen. The movies will be extended one week to get in the one that was missed.

I would like to make a few appointments:

One Brian Otto to the Planning board, clerk please send a letter to him, and planning board secretary.

Second James Graham to the UEZ Board of Trustees he is the new executive director of the Chamber of Commerce. Motion to approve the appointment was made by Councilmen Lynn. The motion was seconded by Councilman Stettner. Clerk please send a letter to him and to the UEZ.

Mayor Wyant stated that Stan Schrek is here he can speak of the road improvement program.

Stan Schrek said that they is a pre-construction meeting Thursday and that we are talking with Atlantic states closely because of the construction causing an issue with their entrance into the plant.

Council President Piazza asked if the canal trail is supported by the County.

Stan Schrek said that Dave Dietrich and John Hendrix are. They are placing kiosk and trail markers that are recognized statewide.

Councilman Tersigni asked how long will it take?

Stan Schrek said that it is there now established.

Councilman Tersigni how long to finish the markers?

Stan Schrek said about a month.

Mayor Wyant states that we will talk in executive session about the shared service agreement we will have to pass a resolution and it would take effect

On October 01, 2012 we will have an Executive session to discuss with possible action

POLICE:

Chief Faulborn said that they increased patrols in the Filmore and Davis Street areas and the neighbors had quality of life issues, we are monitoring the improvements and feedback has been positive.

Mayor Wyant set up an additional meeting to air concerns.

Thank you Chief

Council President Piazza stated that they are having a meeting with the cemetery board tomorrow night at 6:00 pm in the Historical Society room downstairs.

Council President Piazza are there any questions?

None

PUBLIC DISCUSSION ON AGENDA ITEMS

Louis Cartabona, 1119 5<sup>th</sup> Ave, Alpha, stated that the O: 2012-016 was not advertised properly stating the time and place the public could come to discuss the ordinance. Mr.Cartabona said that he didn't see the advertisement in the Free Press but made a copy of what was in the Express and it was not properly noticed.

Mr. Zarbatany, 317 Irwin St., said this goes a little too far, who checks the equipment, have regulations, I am against any government hiding things, not saying that you're hiding anything. But you really should think about what you are doing.

Blain Fehley, 237 Bowhay Ave., I have circulated a petition, in a few days I will produce the rest.

NEW BUSINESS: None

## ORDINANCES

O: 2012-15 (second reading)

AN ORDINANCE ESTABLISHING THE SALARY OF THE ANIMAL CONTROL OFFICER 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

Public Discussion: None

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

NAYS: None

O: 2012-16 (second 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

Discussion: Attorney Wenner spoke to Council President for five minute recess. Councilman Tersigni made a motion for recess. Councilman Fey seconded the motion. The motion was carried with a 4-0 vote.

Councilman Stettner made a motion to reconvene. The motion was seconded by Councilman Lynn  
Ordinance 0:2012-16 the Ordinance was introduced for a second reading by Councilman Tersigni who made a motion to table the ordinance. The motion was seconded by Councilman Fey. This ordinance will have a second reading again on September 04, 2012.

## RESOLUTIONS

R: 2012-136

A RESOLUTION PROVIDING FOR AN APPOINTMENT TO THE MUNICIPAL ALLIANCE was introduced by Councilman Lynn. The motion was seconded by Councilman Stettner.

VOTE:      YAYS:      Fey, Lynn, Stettner, Piazza

NAYS:      None

ABSTAIN:      Tersigni

R: 2012-137

A RESOLUTION AUTHORIZING APPLICATION TO THE NJDEP FOR REGULATORY PERMITTING ASSOCIATED WITH BANK RESTORATION OF THE LOPATCONG CREEK was introduced by Councilman Tersigni. The motion was seconded by Councilman Stettner.

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

NAYS: None

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R: 2012-138

A RESOLUTION PROVIDING FOR A REFUNDFOR PAVILLION RENTAL FEE was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Stettner.

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

NAYS: None

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R: 2012-139

A RESOLUTION PROVIDING FOR A REFUND  
PLANNING & ZONING BOARD OF  
ADJUSTMENTS/ESCROWS was introduced by  
Councilman Tersigni and moved for adoption.  
Councilman Fey seconded the motion.

VOTE:            YAYS:      Fey, Lynn, Stettner, Tersigni, Piazza  
  
                     NAYSS:     None

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R: 2012-140

A RESOLUTION PROVIDING FOR A REFUND  
FOR PERMIT FEES was introduced by  
Councilman Tersigni and moved for adoption.  
The motion was seconded by Councilman Stettner.

VOTE:            YAYS:      Fey, Lynn, Stettner, Tersigni, Piazza  
  
                     NAYS:      None

## 11. PUBLIC PETITIONS

Mr. Tom Bush, Columbus Avenue, asked for an explanation of why the Ordinance was tabled? How many other ordinances have not been done correctly? Who makes sure? Who fact checks these ordinances?

Attorney Wenner stated that the ordinance was tabled because it was not properly advertised. Attorney Wenner stated he will make sure that the ordinances are checked.

Mr. Kane Front St., said that the traffic comes up the hill pas the Do NOT Enter sign. Can't something be done?

Council President stated that they will make some inquires about it.

Mr. Cartabona, 5<sup>th</sup> Avenue, Alpha. (*see attached statement*) \*\*

Blaine Fehley, Bowhay Avenue, How many cameras will be put up and where will they be put?

Councilman Lynn stated one camera and that it is yet to be determined where it will be.

Blaine Fehley, Don't talk to me like I am an asshole!

Council President Piazza ok Blaine

Blaine Fehley, there should be a projection screen for presentations.  
Campaign sign ordinance

Attorney Wenner yes it is process

Blaine Fehley has there been any complaints from residents about me videotaping?

Council had no response.

## 12. OPEN TIME

Councilman Lynn stated Mr. Kane I feel your pain there are several do not enter signs, but yet people still go the wrong way. There are three do not enter signs and a large blockade so I don't know how much more we can do

Councilman Tersigni let's remember who started this initially, we all support it. There just has to be proper protocol I did call for transparency and let me set the record straight. But somehow it got all twisted around. We all support it and it needs to be done professionally and done right. Let's just remember who started this initially. Thank you.

Council President Piazza let's make one thing clear that we are not here to censor anything or take away the right of free speech. We do have an access committee and these meetings will be televised. This is not about any one individual, it is about anyone.

13. MOTION

Approval for Raffle License No. RL: 1146 issued to the Philipsburg High School in Warren County for an on premise 50/50 to be conducted on the following dates:

12-14-12    12-18-12    12-21-12    01-11-13    01-19-13  
01-25-13    01-26-13    02-01-13    02-07-13    02-09-13  
02-12-13    02-16-13    02-19-13    02-22-13    was introduced by  
Councilman Fey and moved for motion. The motion was seconded by  
Councilman Tersigni. The motion carried a 5-0 vote.

Approval for Raffle License No. RL: 1147 issued to the Church of St. Philip & St. James for a three (3) month Calendar Raffle. January, February and March of 2013 was introduced by Councilman Tersigni and moved for motion. The motion was seconded by Councilman Stettner. The motion carried a 5-0 vote.

Application for Active Duty – Matthew E. Van Scoten – Jersey Hose Company No. 2. Councilman Tersigni moved for approval and thank you. The motion was seconded by Councilman Stettner. The Motion carried a 5-0 vote.

Application for Active Duty – Jerid J. Burger – Jersey Hose Company No. 2. Councilman Tersigni moved for approval and thank you. The motion was seconded by Councilman Stettner. The motion carried a 5 – 0 vote.

Application for Active Duty –Carlos E. Acosta– Jersey Hose Company No. 2 Councilman Stettner moved for approval and thank you. The motion was seconded by Councilman Tersigni. The motion carried a 5-0 vote.

14. EXECUTIVE MEETING

R: 2012-141

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

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

NAYS: None

15. ADJOURNMENT

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