

TOWN OF PHILLIPSBURG
Council Meeting Minutes
JULY 17, 2012

The Phillipsburg Town Council conducted its regular meeting on Tuesday, July 17, 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 By the Assembly

ROLL CALL

PRESENT: Councilmembers: Fey, Lynn, Tersigni

President: Piazza

Absent: Stettner

TOWN OFFICIALS PRESENT Mayor Wyant, Acting Clerk Kleiner,
And Attorney Wenner

APPROVAL OF MINUTES The following meeting minutes were
Submitted for approval:

Regular Mtg –07-03-12

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

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

Executive Meeting 07-03-12

Motion

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

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

Special Meeting 06-29-2012

Motion

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

Vote: YEAS: Fey, Lynn, Tersigni, Piazza
NAYS: None
ABSENT: 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 Fey moved for approval of bills. The motion was seconded by Councilman Lynn, which carried by a 4 – 0 – 1 vote.

OLD BUSINESS

Councilman Lynn received a call from Mr. Himmel from Service Electric and because we took care of business so quickly with them. Service Electric has decided to pay for the \$1600.00 worth of equipment that we need to get the access channel up and running.

Councilman Lynn thanked the Service Electric Company for being so community minded.

Mayor Wyant stated that we still need to purchase the cameras for the Access Channel, and maybe the monies that were donated can be used for the cameras.

Councilman Lynn stated the school districts IT department will help get things underway. So, in approximately 90 days we will be shown how to work the equipment and get the channel up and running.

Council President Piazza asked how much the cameras will cost.

Councilman Lynn's response was a few hundred dollars.

MAYORS REPORT

Police Chief

Police Chief Faulborn stated that the police have been sitting with radar in the areas where the community has complained about speeders. They even watched a DPW driver miss a stop sign. Andover Street lot is being monitored.

Officer Deluca had a great turnout for the dog park fundraiser. He is planning on at least two more.

Chief Faulborn spoke of the Animal Control Officer (ACO) about how many animal calls he gets, not only dog or cat, but skunks, and bears. He had several loose dogs, and animal cruelty summons also. Also we are still having a cat issue. Bobbi Santini works with the cats but there is nowhere to take them.

Chief Faulborn thanked everyone who helped at the pocket park on Mercer Street. They did a great job.

Mayor Wyant spoke about the resolution that has to do with McKeen Street, and how Atlantic States is a good neighbor and donating 50% of the project, in replacing sidewalks, pavers, curbs, lighting etc.

Mayor Wyant stated how Atlantic States has been a good neighbor to Phillipsburg; they have donated for the band shell, seating and many different organizations throughout the Town. They have been working on improving the plant to make it safer and a better work place, and making this donation will bring the area up to today's standards.

Council President Piazza stated that it was nice to deal with this industry, and Atlantic States was improving McKeen from Sitgreaves to South Main St.

Stan Schrek, Town Engineer said based on the generous offer this ties into phase 4 and 5 and the lights will be in after Labor Day, the bid will be advertised this week. Stan Schrek stated the grants are part of the transportation enhancement, streetscapes, pedestrian improvement and senior housing, to improve the areas along Center and to Sawmill.

Councilman Fey thanked the Mayor for all his efforts in working with Atlantic States to make improvements to Phillipsburg.

Mayor Wyant wants to have an Executive Session for the purpose of considering personnel matters.

Council President Piazza noted that would be Resolution 2012-127

PUBLIC DISCUSSION AGENDA ITEMS

None

NEW BUSINESS

None

ORDINANCES

O: 2012-10 (second reading)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY RENAMING FROST AVENUE FROM THE INTERSECTION OF ELDER AVENUE TO THE TERMINUS NORTH OF CORLISS AVENUE, PURSUANT TO N.J.S.A. 40:67-1(k) 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.

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

O: 2012-13 (first reading)

AN 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 first reading by Councilman Fey who moved that the
ordinance be properly advertised. The motion was seconded
by Councilman Tersigni.

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

O: 2012-014 (first reading)

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

Discussion: Councilman Lynn questioned Engineer Schrek if there will any others in the future. Engineer Schrek replied not at this point.

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

RESOLUTIONS

R: 2012-116

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

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

R: 2012-117

A RESOLUTION AURTHORIZING EXECUTUTION OF PROFESSIONAL SERVICES PROPOSAL FOR RT ENVIRONMENTAL SERVICES, INC. was introduced by

Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

R: 2012-118

A RESOLUTION PROVIDING FOR INSERTION OF SPECIAL ITEM OF REVENUE IN THE BUDGER OF ANY COUNTY OF MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1948) was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

R: 2012-119

A RESOLUTION APPROVING THE RENEWAL 2012-2013 LIQUOR LICENSE FOR THE TOWN OF PHILLIPSBURG was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

R: 2012-120

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

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

R: 2012-121

A RESOLUTION APPROVING FINAL PAYMENT APPLICATION FOR C&T ASSOCIATES, INC. was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

R: 2012-122

A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87 was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

R: 2012 – 123

A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH VAN CLEEF ENGINEERING ASSOCIATES FOR IMPROVEMENTS TO MC KEEN STREET was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

R: 2012-124

A RESOLUTION AUTHORIZING APPROVAL OF FUNDS FOR A RAW INFLUENT PUMP AND INSTALLATION AT THE WASTE WATER TREATMENT PLANT was introduced by Councilman Fey and was moved for adoption. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

R: 2012-125

A RESOLUTION PROVIDING AN APPOINTMENT OF JOHN KORP TO THE PHLLIPSBURG HOUSING AUTHORITY BOARD OF COMMISSIONERS was introduced by Councilman Lynn and moved for adoption. The motion was seconded by Councilman Tersigni.

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

R: 2012 – 126

A RESOLUTION AUTHORIZING NJ DOT GRANT SUBMISSION AND CONTRACT AND EXECUTION AND MAINTENANCE COMMITMENT was introduced by Councilman Tersigni and moved for adoption. The motion was seconded by Councilman Lynn.

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

PUBLIC PETITIONS

Mr. Tom Bush, Columbus Ave., thanked the Chief for his time and speaking with him on matters of concern also thanked the Acting Clerk for doing a good job. Thanked the Mayor reaching out to Atlantic States and John Lynn for working on the Cable Access.

Mr. Bush questioned the status of the police merger contract;

Attorney Wenner stated that we are close to completing a contract.

Mr. Bush questioned the Ingersoll Rand Tract progress.

Attorney Wenner stated that we have a tentative DEP landfill closure and that the plan is due to be approved on July 19, 2012. Then in the beginning to mid-October we will have the closing on the property.

Mr. Bush asked if the unpaid taxes on that property will affect the Towns Budget.

Council referred to Jeff Theriault our CFO for the answer. CFO Theriault answered that there would be a tax sale lien on the property.

The Mayor stated that there are four (4) lots that were not put for tax sale because we had a contract with them. No one had previously had moved on the sale property not knowing the environmental situation, and we will not have that revenue from the taxes.

Mr. Bush asked that if Council would start to work on the Budget in September as past Council member Dave DeGerolamo had asked.

Mr. Bush also asked if Council could send a letter to Governor Chris Christie to support the 10% tax cut program.

Council President Piazza said he would look into it and call Mr. Bush in two days.

Mr. Blaine Fehley, Bowhay Ave., he wanted to congratulate Council on only taking 15 months to get the Access Channel up and running.

Mr. Fehley questioned that the Council Minutes, and Agendas, are not on the web site.

Mayor Wyant explained that we have been having difficulty with the program.

Mr. Fehley said that there are activities, announcements on the website.

Mayor Wyant responded that we have been having problems with the program.

Mr. Fehley questioned the garage behind the Old Italian Bakery and the parking lot on Cedar Alley and how it is full of garbage, debris and that a person is running their business out of the garage and that someone should look into that.

Councilman Tersigni stated that he has previously cleaned up the lot there twice and will go take a look tomorrow at it.

Mr. Fehley stated that the man who fixes the cars in the garage parks in the parking lot with no plates on his vehicles and they sit there. Then when police come they take off and drive them all over.

Mr. Fehley questioned what his cousin, Tom Fehley, asked about last week with the kids making a disaster from Davis Street.

Council President Piazza stated he would look into it.

Dawn Paulus, South Main Street wants stores on South Main Street, cute shops and Dunkin Donuts, McDonalds on the street would give the kids something to do when they came for the train with their parents.

Ms. Paulus wants council to make the store look nice.

Council President Piazza stated that they are working on the revitalization downtown but in today's economy it is sluggish but things are showing signs and starting to pick up. Councilman Piazza stated that they are working with the Chamber to come up with ideas, and maybe performing arts.

Ms. Paulus said that the 200 to 400 block needs a decent restaurant.

Council President Piazza explained how Phillipsburg is a linear Town, and parking is an issue. That it is not the same Phillipsburg as it was in the 1950's and 1960's. In Easton they have the circle and everything revolves around the circle.

Ms. Paulus said probably in my day I'll never see Phillipsburg that way. Ms. Paulus questioned the food tax in NJ and asked how Joe's Steak shop can charge 7.5 % tax at his restaurant.

Council didn't know what the tax rate was for restaurant; no one really pays attention to the rate.

Christine Neider, 81 Summit Ave., explained to Council that Section 8 does not follow the rules, she complained that Inspector Ted Serrano came out to look at a leak that has been leaking for a few years stating that it was a pipe that wasn't vented properly and that sewer gases were coming into her

house. She stated that Gina Fey told to her to get packed up and get out of that place before I move or they will have my head.

Mayor Wyant told Ms. Neider that he will look into the problem and to speak with him after the meeting.

OPEN TIME

Councilman Fey took his family to Thomas the Train this last weekend. Took the family to the Historical Rail Road Society, the amount of people that were smiling and the kids were all happy, it was a wonderful day with the family. Thanks to the people who ran the Thomas event and the volunteers for making a special day.

Councilman Tersigni mentioned that Ole Town Festival starts Friday at 6:00 PM at Shappel Park, and continues this weekend starting at noon on Saturday and Sunday. Councilman Tersigni is looking forward to Fireworks Sunday evening.

Council President Piazza thanked everyone who helped with Thomas the train.

Mayor Wyant stated it was very well organized.

MOTIONS

Attorney Wenner made note that Resolution (R: 2012-118) on the agenda tonight had the wrong Title written. Even thou it was voted on and passed we need to re-read the title and vote again. The Council voted on the corrected Resolution.

A motion was made by Councilman Tersigni. The motion was seconded by Councilman Fey.

EXECUTIVE MEETING

R: 2012-127

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING PERSONNEL was introduced by Councilman Lynn and moved for adoption. The motion was seconded by Councilman Tersigni.

VOTE: YEAS: Fey, Lynn, Tersigni, Piazza

NAYS: None

ABSENT: Stettner

Council President Piazza recessed the meeting at 7:50 p.m. for the purpose of conducting meeting.

Motion

Councilmen Tersigni moved at 8:20 p.m. that Council return to public session. The motion was seconded by Councilman Lynn, which carried a 4-0-1 vote.

ADJOURNMENT

Councilmen Tersigni moved for adjournment at 8:21 p.m.