

TOWN OF PHILLIPSBURG  
Council Meeting Minutes  
October 20, 2015

The Phillipsburg Town Council conducted its regular meeting on Tuesday, October 20, 2015 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 Council Vice President Tersigni.

**INVOCATION**

by Council Vice President Tersigni

**MOMENT OF SILENCE**

for Mr. & Mrs. Rodgers, who were lifelong residents of Phillipsburg

**PLEDGE**

by the Assembly

**ROLL CALL**

**PRESENT:**

Council President

Lynn

Council Members

Fey, Piazza, Tersigni, Stettner

**TOWN OFFICIALS PRESENT:**

Mayor Wyant, Clerk Kleiner,  
Attorney Wenner

**APPROVAL OF MINUTES**

Approval of meeting minutes  
Were submitted for approval:

Council Meeting 10-06-2015  
Executive Session 10-06-2015

Motion

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

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

NAYS: None

ABSTAIN: Stettner

Motion

Councilman Fey moved for approval of the Executive Session Meeting minutes. The motion was seconded by Councilman Tersigni.

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

NAYS: None

ABSTAIN: Stettner

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**APPROVAL OF BILLS**

SUMMARY

CURRENT FUND	\$ 1,025,706.93
STATE & FEDERAL GRANTS	950.00
SEWAGE UTILITY FUND	145,022.09
SEWAGE CAPITAL FUND	118,090.00
OPUS INVESTMENTS	10,873.10
SECTION 8	3,227.34

AGENCY FUND	1,016.37
REVOLVING LOAN FUND	870.00
<b>Total regular bills list October 20, 2015</b>	<b>\$1,305,755.83</b>
SECTION 8 RENT PAYMENTS November 02, 2015	\$134,161.16
PRE- PAID BILL LIST AS OF October 20, 2015	
CURRENT FUND	\$ 5,346.00
SEWER UTILITY FUND	\$ 2,549.47
AGENCY FUND	\$ 156,430.31
<b>TOTAL PRE PAID BILL LIST</b>	<b>\$ 164,325.78</b>
<b>GRAND TOTAL OF ALL FUNDS</b>	<b>\$ 1,604,242.77</b>

Motion

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

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

NAYS: None

Clerk Kleiner asked the Council to approve the following bills from Z Brothers construction and also Your Way Construction as the jobs are completed, and we just received the engineer's report of completeness.

**APPROVAL OF ADDED BILLS**

SUMMARY

STATE & FEDERAL GRANTS	\$183,197.74
CAPITAL FUND	182,695.40

REGULAR BIL LIST AS OF OCTOBER 20, 2015	\$365,893.14
GRAND TOTAL:	\$365,893.14

Motion

Councilman Stettner moved for approval of added bills list. The motion was seconded by Councilman Fey.

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

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**MAYORS REPORT**

Mayor Wyant asked CFO Robert Merlo to discuss with Council the Best Practices 2015. Robert Merlo spoke about the Best Practices survey and that it determines how much of the municipalities final 5% allocation of State Aid will be disbursed. It also encourages you to promote financial accountability and transparency in the Municipality. There are 50 questions, five that were new in 2015; the survey is broken down in to six categories, budget, finance, health insurance, personnel, general management and procurement. All questions are answered yes/no, but some questions have a not applicable or perspective. In order for the municipality not to have a penalty from state aid payment they must score a 41 or higher, this year we had 43 out of 50 and no reduction in funding we will get 100%. Last year we had some perspective questions this year we had none. Last year we answered seven with a no answer, this year we answered no to the same seven questions. Council President Lynn do you feel we should look at that Robert Merlo stated yes for example the bargaining negotiations discussion Council President Lynn so there is some room Robert Merlo yes we are in a good position to get all the funding this year Mayor Wyant stated same questions to every municipality – they should be tuned to each municipality, some questions don't pertain to us, then we don't get to 100% Robert Merlo if you reach 100% I am sure they will look at you, we are in good shape we had 43 yes's this year and last year.

Councilman Piazza questioned what action can we as a Governing Body addresses these issues?

Councilman Stettner stated as question #23 the Pay to play, verbiage is not correct Attorney Wenner stated it is not realistic for some municipalities especially Phillipsburg. The non-contractual employees, PBA, are governed by Civil Service. Elimination of health Benefits have conversation now.

Robert Merlo if yes and approximate dates discussed are also being asked.

Attorney Wenner stated this Administration and Council discusses, not eliminating longevity- the SOA, no long percentage base but we need to take baby steps start with new hires.

Councilman Stettner stated it falls within the scope

Robert Merlo if you do offer – have you increased longevity

Attorney Wenner we have taken steps to reduce

Mayor Wyant stated we have had discussions with SOA and it went NO where – but we complied.

Thank you

## **MAYORS REPORT**

Mayor stated that in 2006 and 2007 – 142 Broad Street through habitability hearings this property was listed on the abandoned and blighted properties list.

I would think that Councilman Stettner would probably remember this, now we have an individual who wants to purchase it and take it off the blighted and abandoned property list.

Attorney Wenner stated that the title company can see on a search. Bill Eddeleston would like the complaint to be removed from the record of title so they can get a clear title. I can draw up a resolution doing so but be held in escrow till closing occurs, because if we do prior to closing and it doesn't occur

Councilman Stettner questioned if there are any liens

Attorney Wenner stated no

Mayor Wyant said he wants it held in escrow

Attorney Wenner stated that resolution 2015-170- removal cancelation of abandoned property, removal of unfit buildings list contingent of pending closing.

Council President Lynn questioned what guarantee

Mayor Wyant stated the property owner rather than the bank that lives there and will rehab the property, it is have eight or nine years dealing with this property, they need to fix it if not they will be brought back to Council

Councilman Piazza stated we still have to inspect it

Councilman Fey stated perspective buyer lives in Town now

Mayor Wyant stated he reached out to Attorney Eddelston who has a perspective buyer.

Attorney Wenner stated he will need a for a motion for R2015-170 to authorize 142 Broad Street, Block 206, lot 5 to be discharged compliance of fitness of said property upon closure.

A motion was made by Council Vice President Tersigni. The motion was seconded by Councilman Stettner.

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

NAYS: None

Mayor Wyant also mentioned that Stan Prater of JCPL informed him that they are having a session at Raritan Valley Community College looking for lineman; they take 500 applications and weed out very quickly. They give a course where they teach the climbing, it is a good paying career, it's all weather but it pays well if you're not afraid of heights or electric. Thank you

#### HABITABILTY HEARING

Attorney Wenner stated that 286 Hudson Street is working something out. The estate had an administrator appointed and they asked for 30 day extension to tonight's hearing. The State NJNFA held a lien that's been paid, since they satisfied the lien it seems they will take the necessary steps to address this, so I recommend the 30 day extension until November 26, 2015.

Council Vice President Tersigni made a motion to allow for the extension until November 16, 2015. The motion was seconded by Councilman Stettner.

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

NAYS: None

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**OLD BUSINESS** NONE

## **PUBLIC DISCUSSION ON AGENDA ITEMS**

Joe Meyner of 392 South Main Street Apt. 2, Phillipsburg, questioned that property 286 Hudson Street.

Mayor Wyant stated R: 2015-170

Attorney Wenner stated that piece of property is for sale

Joe Meyner questioned what property

Attorney Wenner stated 142 Broad Street

## **ORDINANCES   None**

## **RESOLUTIONS**

R: 2015-164

A RESOLUTION IMPOSING LIEN FOR MUNICIPAL SERVICES was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Fey.

Discussion: Councilman Fey questioned discussion at a work session regarding repeat offenders, and an added surcharge for repeated offenders – and give some that money to the youth groups doing the work.

Mayor Wyant stated this is two different issues placing liens for work and summons issued also you don't see that because the Court handles the repeat offenders.

Attorney Wenner stated the ordinance can be amended to increase the fines and you can allocate the money.

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

NAYS:      None

R: 2015-165

A RESOLUTION APPROVING THE PAYMENT OF THIRD QUARTER 2015 COUNTY TAX AND OPEN SPACE TAX, DUE NOVEMBER 15, 2015 was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Piazza.

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

NAYS: None

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R: 2015-166

A RESOLUTION APPROVING THE ISSUANCE OF A SPECIAL PERMIT FOR A SOCIAL AFFAIR TO SAINTS PHILIP & JAMES SCHOOL was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

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R: 2015- 167

A RESOLUTION APPROVING 2015-2016 LIQUOR LICENSES WITHIN TOWN OF PHILLIPSBURG was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None



R: 2015 - 168

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AWARDED CONTRACT TO SAMUEL STOTHOFF CO., INC. IN THE AMOUNT OF \$35,450.00 FOR THE INSTALLATION OF THE PUBLIC NON-COMMUNITY WELL PROJECT was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Piazza.

Discussion: Councilman Piazza asked if this was the signal tower.  
Mayor Wyant stated yes

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

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R: 2015-169

A RESOLUTION AWARDED PURCHASES UNDER NEW JERSEY STATE CONTRACT was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Tersigni.

Discussion: Council President this is for Walters Park Pool, for a portion of the splash pad. Council Vice President Tersigni wants to Thank St. Lukes 2012 they partnered and donated over \$80,000. I want to commend Mayor Wyant for reaching out to them and thank you from the bottom of my heart.

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

## **NEW BUSINESS**

Council Vice President Tersigni would like to propose an ordinance on Bed Bugs, we had a situation on Dugan Alley with the DPW and they can't take the mattresses away. The property owner and the tenants need to be responsible \$500.00 fine hope the judge to enforce it in 10 days after that the summons should be \$1,000 fine. In 2012 I started this "War on Garbage" It has made a better quality life to the Town of Phillipsburg. This Ordinance should be drawn up immediately and we can nip this in the bud, every complaint I have filed I have won. This bed bug thing will send a message that the property owner needs to be accountable. Attorney Wenner stated he will do a draft.

Council President Lynn stated after the inspection of the HS they didn't find anything (bed bug wise) but this issue needs to be addressed, Councilman Tersigni was right there and we commend you.

## **PUBLIC PETITIONS**

Joe Meyner 392 South Main Street, bed bugs???

Council Vice President Tersigni stated that the mattresses were not property wrapped they were out in the open

Joe Meyner questioned someone put out infected mattresses

Council Vice President Tersigni yes and we summons the owner

Joe Meyner the owner heard you and won't pick up the owner does nothing

Council Vice President Tersigni stated yes, eventually it worked

Attorney Wenner stated that when people empty apartments they put out for the Town, if it is known of presumed the property owner is noticed. They must get a private hauler. Under the State Law the infected items must be wrapped in plastic and sealed.

Mayor Wyant stated the ordinance will put people on notice, one of our DPW took home bed bugs and it was devastating to the family, it is not something were going to subject our employees too.

## **OPEN TIME**

Councilman Fey stated he is looking forward to the weekend

Councilman Piazza stated there is a trail meeting Thursday prior to the OPUS meeting.

Councilman Stettner stated sleep tight don't let the bed bugs bite

Council Vice President Tersigni stated the Fall Festival is 2-6 Saturday, and Mayor Wyant is the driver of the tractor, we get 500 plus people and the parade is on Sunday at 3 pm

## MOTIONS

Approval for Raffle License No. RL: 1226 issued to St. Philip and St. James Church on premise tricky tray to be conducted on November 13, 2015  
Councilman Tersigni moved to adopt the motion. The motion was seconded by Councilman Fey.

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

Approval for Raffle License No. RL: 1227 issued to the St. Philip and St. James Church for an on premise 50/50 on November 13, 2015 from 6:00 PM – 10:00 PM Councilman Fey moved to adopt the motion. The motion was seconded by Councilman Stettner.

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

Approval for Raffle License No. RL: 1228 issued to St. Philip and St. James Church on premise tricky tray to be conducted on December 12, 2015  
Councilman Tersigni moved to adopt the motion. The motion was seconded by Councilman Fey.

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

**EXECUTIVE MEETING**

NONE

**ADJOURNMENT**

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

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

NAYS:      None