

TOWN OF PHILLIPSBURG  
Council Meeting Minutes  
December 01, 2015

The Phillipsburg Town Council conducted its regular meeting on Tuesday, December 01, 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

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 11-16-2015  
Executive Session 11-16-2015

Motion

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

VOTE: YEAS: Fey, Tersigni, Lynn, Piazza

NAYS: None

ABSTAIN: Stettner

**APPROVAL OF BILLS**

SUMMARY

CURRENT FUND	\$ 72,392.68
SEWAGE UTILITY FUND	2,638.00
SEWAGE CAPITAL FUND	123,228.62
CAPITAL FUND	11,654.00
PLANNING BOARD TRUST	2,565.00
SECTION 8	244.00
GENERAL TRUST FUND	105.90
REVOLVING LOAN FUND	2,535.00
<b>Total regular bills list December 1, 2015</b>	<b>\$ 215,363.20</b>
SECTION 8 RENT PAYMENTS December 01, 2015	- 0-
PRE- PAID BILL LIST AS OF December 01, 2015	
State & Federal Grants	\$ 20,000.00
AGENCY FUND	\$ 2,776.68
<b>TOTAL PRE PAID BILL LIST</b>	<b>\$ 22,776.68</b>
<b>GRAND TOTAL OF ALL FUNDS</b>	<b>\$ 238,139.88</b>

Motion

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

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

NAYS: None

## MAYORS REPORT

There is a resolution in front of you tonight 2015-186, we received \$50,000.00 grant from St. Lukes Warren Hospital for the Walters Park pool Splash pad. Stan is working on the design and specs. We need this \$50,000 for implements on the splash pad it will go out to bid early next year for the 2016 swimming season. We are very grateful for the donation from St. Lukes.

Secondly, O 2015-25 the bed bug ordinance raises questions it doesn't really address what we want done. We don't want to pick up anything with bed bugs that should be by private hauler. The summons in 10 days that is too long, it is a health hazard possibly should be 24 hours' notice. Any person who violates \$100 is not enough you should start at \$250. This is a huge problem in Town and this ordinance doesn't address what we want to accomplish.

Council Vice President Tersigni stated fines send a message 24 hours' notice \$500 minimum first 24 hours, \$1000 fine it is a quality of life it needs more teeth.

Mayor Wyant stated that this ordinance as Mayor doesn't address my concerns

Council President Lynn stated that disposal in section B – sealed items

Mayor Wyant stated that is a State law, but the seal goes away when the hopper of the truck crushes it, our DPW already has had bed bugs go home with them

Councilman Piazza can't we table it and look at the changes and bring it up at a work session.

Mayor Wyant stated we can make the changes tonight and still have a second reading and go into effect.

Councilman Fey stated that the time frames and fines need to be addressed

Attorney Wenner stated that the Board of Health territory.

530-4 B, (1) private hauling (A bulk), (2) 24 hours replaces 10 days, (4) D increase from 100 -...

Councilman Fey stated it needs to be stiffer so they understand they need to get rid of it.

Council President Lynn I think we need to look at the working in (B) scheduled

Councilman Piazza I am in favor of stricter ordinance and it is ok to make changes

I am good with the fine as well

Attorney Wenner stated fines \$500

Councilman Stettner and a certified hauler

Mayor Wyant we go out and spray paint the contaminated items

Attorney Wenner stated \$500 and 100 / day after that and a private hauler

## OPUS

Mayor Wyant introduced Joe Baumann to revisit the next steps with Commerce Park.

Joe Baumann stated that the Planning Board memorialized a resolution last meeting. That in the packet the Council received several ordinances, the sale of land, Lopatcong will address tomorrow night at their meeting. The PILOT is 30 plus years, 58 million dollars and grows with each phase. Once the project is up and running and good chunk of taxes for budget. As the Mayor pointed out a very conservative tax bill up out of the box, understood why \$4.50/sq. ft. rents for space and competition rents in other jurisdictions. The RAB (redevelopment area bond) we are asking the Town to authorize – it won't show on the debt or financial statement. This is a non-recourse the only recourse to the property owner is the PILOT, they are not after Phillipsburg, only the property owner. 2.5 million dollars with the sale/proceeds and 58 million of ratable(s). 2,800 jobs, the project

is 10 years in the making and you'll see it favorably, I will be here if you have any questions.

Council Vice President Tersigni thanks for explaining the Bond Ordinance so were not on the hook for that or our debt.

**R: 2015-185 A**

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING contractual matters Commerce Park Redevelopment

Councilman Tersigni made a motion to go into Executive Session. The motion was seconded by Councilman Piazza.

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

NAYS: None

Councilman Stettner made a motion to reconvene. The motion was seconded by Councilman Fey

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

NAYS: None

Attorney Wenner stated that while in executive session an additional issue came up with youth sports attorney client privilege.

OLD BUSINESS NONE

PUBLIC DISCUSSION ON AGENDA ITEMS

Bill Timmann 230 South Main Street question about the 2015-21 what is the \$400,000 for

Attorney Wenner stated general fund

Mr. Timmann questioned 2015-23 how much from tear down

Attorney Wenner stated it is three phases; Town never gets less than the land value, subject to the land 2016 added land plus what is there. Their conservative numbers, and buildings 1.2 million plus the 2.5 million

Mr. Timmann base rate – land value – now

Joe Baumann stated \$500,000 taxes now

Mr. Timmann 2015-24 where and what road infrastructure

Attorney Wenner stated Commerce park the bridge and infrastructure, roads, sewer, etc.

**ORDINANCES**

O: 2015-20 (Second and Final Reading)

AN ORDINANCE ESTABLISHING 2016 SALARIES FOR UNCLASSIFIED EMPLOYEES 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.

**ROLL CALL**

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Fey		x	x			
Piazza			x			
Stettner			x			
Tersigni	x		x			
Lynn			x			

O: 2015 – 21 (Second and Final Reading)

A CAPITAL ORDINANCE PROVIDING FOR A FULLY FUNDED GENERAL IMPROVEMENT PROJECTS FOR THE WASTE WATER TREATMENT PLANT, BY, IN AND FOR THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; AND APPROPRIATING \$400,000.00 FROM THE SEWER CAPITAL IMPROVEMENT FUND TO PAY FOR THE COST THEREOF 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.

**ROLL CALL**

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Fey		x	x			
Piazza			x			
Stettner			x			
Tersigni	x		x			
Lynn			x			

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O: 2015-22 (First Reading)

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, NEW JERSEY APPROVING THE SALE OF THE PROPERTY COMMONLY KNOWN AS BLOCK 3201, LOTS 7.02, 7.03, 7.04, 7.05, 7.06, 7.07, 7.08, 7.09, 7.10, 7.11, 7.12 AND 7.13, AND BLOCK 3301, LOTS 1, 2, 4, 4.01, 5 AND 6 ON THE TAX MAP OF THE TOWN TO OPUS INVESTMENTS LIMITED LIABILITY COMPANY was introduced for a first reading by Councilman Tersigni who moved that the ordinance be properly advertised. The motion was seconded by Councilman Fey for discussion.

**ROLL CALL**

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Fey		x	x			
Piazza			x			
Stettner			x			
Tersigni	x		x			
Lynn			x			

O: 2015-23 (First Reading)

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, NEW JERSEY APPROVING AN APPLICATION FOR A LONG TERM TAX EXEMPTION AND AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT FOR A TAX EXEMPTION FOR AN URBAN RENEWAL PROJECT WITH RESPECT TO THE FORMER INGERSOLL RAND PROPERTY COMMONLY KNOWN AS BLOCK 3201, LOTS 7.01, 7.02, 7.03, 7.04, 7.05, 7.06, 7.07, 7.08, 7.09, 7.10, 7.11, 7.12 AND 7.13, BLOCK 3301, LOTS 1, 2, 4, 4.01, 5 AND 6 ON THE TAX MAP OF THE TOWN was introduced for a first reading by Councilman Tersigni who moved that the ordinance be properly advertised. The motion was seconded by Councilman Fey for discussion.

**ROLL CALL**

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Fey		x	x			
Piazza			x			
Stettner			x			
Tersigni	x		x			
Lynn			x			

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 O: 2015-24 (First Reading)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY, PROVIDING FOR THE SPECIAL ASSESSMENT OF THE COST OF CERTAIN ROADWAY AND OTHER INFRASTRUCTURE IMPROVEMENTS IN THE REDEVELOPMENT AREA

CONSISTING OF BLOCK 3201, LOTS 7.01 – 7.13 AND BLOCK 3301, LOTS 1, 2, 4, 4.01, 5 AND 6 ON THE TAX MAP OF THE TOWN AND APPROVING AGREEMENTS IN CONNECTION THEREWITH was introduced for a first reading by Councilman Tersigni who moved that the ordinance be properly advertised. The motion was seconded by Councilman Piazza for discussion.

**ROLL CALL**

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Fey			x			
Piazza		x	x			
Stettner			x			
Tersigni	x		x			
Lynn			x			

O: 2015-25 (First Reading as amended at 12-01-15 meeting)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 464, *RENTAL PROPERTY*, AND CHAPTER 530, *SOLID WASTE; RECYCLING*, OF THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO ADD CONTROLS REGARDING BED BUGS was introduced for a first reading by Councilman Tersigni who moved that the ordinance be properly advertised. The motion was seconded by Councilman Stettner for discussion.

Discussion: Council Vice President Tersigni stated another arrow in the Towns quiver affects the quality of life and this ordinance is another as my war on garbage, we need to fight improve the quality of life.

**ROLL CALL**

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Fey			x			
Piazza			x			
Stettner		x	x			
Tersigni	x		x			
Lynn			x			

O: 2015-26 (First Reading)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE PRIVATE SALE OF MUNICIPAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE TO THE PHILLIPSBURG HOUSING AND NEIGHBORHOOD DEVELOPMENT CORPORATION IN ACCORDANCE WITH N.J.S.A. 40A:12-3 was introduced for a first reading by Councilman Fey who moved that the ordinance be properly advertised. The motion was seconded by Councilman Stettner for discussion.

**ROLL CALL**

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Fey	x		x			
Piazza			x			
Stettner		x	x			
Tersigni			x			
Lynn			x			

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**RESOLUTIONS**

R: 2015-185

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH REMINGTON & VERNICK ENGINEERS (RVE) FOR SERVICES RELATED TO THE PHILLIPSBURG WASTEWATER TREATMENT PLANT PUMP STATION CONTROL REPLACEMENT was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

R: 2015-186

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

Discussion: Council Vice President Tersigni stated Thank you to St. Lukes, in the past four years they have given us \$80,000, and I reached out to them for our community. I also want to thank Mayor Wyant for getting the \$50,000 the pool will be better for families and children so thank you from the bottom of my heart.

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

NAYS: None

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R: 2015-187

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AWARDED CONTRACT TO AROLD CONSTRUCTION CO. IN THE OF \$316,350.00 was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

R: 2015-188

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING REFUND OF TAX OVER PAYMENT was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Piazza.

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

NAYS: None

R: 2015-189

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

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

NAYS: None

R: 2015-190

A RESOLUTION APPROVING THE PAYMENT OF ADDED ASSESSMENTS 2013 COUNTY TAX, DUE FEBRUARY 15, 2016 was introduced by Councilman Tersigni who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

R: 2015-191

A RESOLUTION PROVIDING FOR PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL DISTRIBUTION LICENSE NO. 2119-33-031-003 was introduced by Councilman Stettner who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

NEW BUSINESS      None

PUBLIC PETITIONS

Bill Timmann, 230 South Main Street, what is the term of the PILOT  
Attorney Wenner stated 30-32 years, by law can't be more than 35 years.

OPEN TIME

Councilman Piazza stated that the tree lighting there was a lot of people and the number of kids was quite heartwarming it was a nice event – Merry Christmas to everyone

Council Vice President Tersigni stated it was a record breaker last night – wishing everyone a Merry Christmas and great holiday season God bless.

Mayor Wyant stated that they missed the elf

Councilman Stettner stated one more meeting this year

MOTIONS

Approval for Raffle License No. RL: 1299 issued to The Sts. Philip & Sts James Church for a 50/50 on premise raffle to be conducted on March 19, 2016, from 6:00 pm – 10:00 pm Councilman Tersigni made a motion to allow the raffle to take place. The motion was seconded by Councilman Fey

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

NAYS:      None

EXECUTIVE MEETING

NONE

ADJOURNMENT

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

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

NAYS:      None