

TOWN OF PHILLIPSBURG
Council Meeting Minutes
May 17, 2016

The Phillipsburg Town Council conducted its regular meeting on Tuesday, May 17, 2016 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: Council President Tersigni
Council Members: Davis, Fey, Lutz, Piazza

TOWN OFFICIALS PRESENT: Mayor Ellis, Clerk Kleiner,
Attorney Wenner, Attorney Troxell

APPROVAL OF MINUTES Approval of meeting minutes
Were submitted for approval:
Council Meeting 05-17-16

Motion

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

VOTE: YEAS: Davis, Fey, Lutz, Tersigni, Piazza

NAYS: None

APPROVAL OF BILLS:

SUMMARY

CURRENT FUND	\$	1,190,947.20
STATE & FEDERAL GRANTS		6,550.81
CAPITAL FUND		21,177.61
SEWAGE UTILITY FUND		211,120.93
SEWER CAPITAL FUND		140,939.82
PLANNING BOARD TRUST FUND		0
OPUS INVESTMENTS		4,172.50
SECTION 8		8,838.75
AGENCY FUND		0
Total regular bills list May 17, 2016		\$1,583,747.62
Section 8 Rent Payments	\$	138,943.00

PRE- PAID BILL LIST AS OF May 17, 2016

AGENCY FUND	166,328.85
Pre-Paid Bills List of May 17, 2016	\$166,329.85
GRAND TOTAL OF ALL FUNDS	\$ 1,889,020.47

Motion

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

VOTE: YEAS: Davis, Fey, Piazza, Tersigni

NAYS: Lutz

PROCLAMATIONS:

The Proclamations were read by Mayor Ellis and Council President Tersigni
Pastor Thompson stated he noticed a decline in summertime with the youth during supper time they would hang out on the streets, last two years he noticed a difference. He had the opportunity to go to parochial school and they played stick ball and hand ball, we played outside.

Mayor Ellis handed the proclamation to Pastor Thompson to share with his parish, and stated if he needed help he could ask the DPW and Council President Tersigni to help.

MAYORS REPORT

CELEBRATE DIVERSITY

Meet with Father John at Sts. Philip & James Mercy Hall to discuss a possible satellite office.

PRESERVE CULTURAL, NATURAL AND HISTORIC RESOURCES

I met with Representative from Ameritech Energy to obtain proposal for solar application on town buildings with a potential of cost savings. We have plenty of flat roofs, we have 39 buildings and only one has an "A" line roof. They would paint a wait paint which would give twice the amount of solar energy.

I was told the CFO could eliminate the cost of all electric utility bills here at Town hall, but we can't put any panels down at the Sewer Plant. But there are seven acres, which would create five megawatts, it could create enough for the utility to pay the Town back and eliminate electric bills for the Town of Phillipsburg.

ENHANCE ARTS, PARKS, AND RECREATIONAL SERVICES

The pool operation is on schedule, we are in need of lifeguards.

STRENGTHEN NEIGHBORHOODS

Met with the "Rusty Spikes" group on 5/14/16 to discuss the future of the Town and upcoming programs, I found out this is Rich Hay's hangout. I did a slide show and kept their attention.

ESTABLISH A TRANSPARENT, EFFECTIVE AND EFFICIENT GOVERNMENT

I met with entire DPW staff on May 13, 2016 to give the "State of the Town" address. I also found out that DPW guys are more interested in the Town, than one would think.

We have filled the position of Business Administrator: Melissa Elias

PROMOTE HOME OWNERSHIP

Sandy Callery has provided suggestions for potential property availabilities for the Habitat for Humanity Program.

CREATE SELF-SUSTAINING PROGRAMS

ATTRACT / PROMOTE NEW BUSINESS AND INVESTMENTS

We continue to be in discussions with owner of Aheart's Market, it is in disarray, they are 98 million dollars in the hole. Spoke with a potential interested party who may want to open a similar market in Town on the Norton's Campus.

Chris Troxell, Rich Wenner and I with Mr. Cotty, operator of the train regarding potential income from his operation. He sells 30,000 tickers in five minutes and the Town receives nothing from it.

I have attended the McWane Ductile Community Advisement Panel and discussed their potential participation in an "adopt a house" program, I met Mayor Wyant there.

SECURE NEIGHBORHOODS THROUGH COMMUNITY POLICING

I have met with Chief Faulborn and council members multiple times in the last week to discuss town police business. Steven Fielding is here to discuss the Job Fair sponsored by the police.

Officer S. Fielding discussed the Job Fair on June 9, 2016 from 9-3 pm. We have 40 vendors and the Department of Labor also. If it rains it will be held at the Firth Youth Center.

Council President Tersigni stated it is a great idea

Councilman Lutz stated it is on a Thursday?

Mayor Ellis stated I'd like to commend Stephen for doing this.

Stephen Fielding stated that there are items that we can get from the Federal Government free of charge; we need to adopt a resolution for Intergovernmental transaction. The items are mostly out of Mechanicsburg.

Mayor Ellis questioned if we could see a lists.

Officer Fielding stated they are right on line anytime. But, first need a resolution to the State Police.

Council President Tersigni asked Officer Fielding to get the Resolution to the Clerk

Councilman Lutz stated I can get the trolley to run the same time

Mayor Ellis questioned if open to anyone

Officer Fielding stated thank you and invite anyone

Mayor Ellis stated that we are saving, by cancelling an ordinance – and CFO Merlo will reduce the debt by just about 69%.

OLD BUSINESS

Council President Tersigni stated that the Town clean-up with Miss. Daniels will be 8-12 on June 11, 2016; we can always use more volunteers.

PUBLIC DISCUSSION ON AGENDA ITEMS

Joe Meyner, 392 South Main Street, I want to express the need or a reasonably priced market in Town, it is an important item if we can't get a store in here it will be very bad.

Joe Meyner questioned an OPUS bill from the Bills list.
Attorney Wenner stated that it is coming out of the escrow account. The Town is using the escrow account to pay the professional fees, for Stan and Myself.
Joe Meyner stated not our money?
Bob Merlo CFO stated own line
Joe Meyner questioned escrow account too, do I not understand
Attorney Wenner stated maybe – OPUS posts money into an account to pay for costs – the Town is not paying
Joe Meyner stated third party handles it

Bill Timmann, 433 South Main Street, and the garbage truck, the school gets eight million and taxes pay.
Council President Tersigni stated \$148,000 expense; the cost to Phillipsburg is \$50,000
Bill Timmann, stated but they got eight million
Bill Timmann questioned the liquor transfer – Clerk Kleiner stated it was Xander Holding.
Bill Timmann questioned who it was prior to that? Clerk Kleiner would have to look into it couldn't recall of the top of her head
They should give the garbage truck to Phillipsburg, they got the eight million.

ORDINANCES

O: 2016 -03 (TABLED)

(First Reading). A motion was made by Councilman Piazza to table this Ordinance. Councilman Davis seconded the motion.

AN ORDINANCE ESTABLISHING SALARIES FOR SOA'S POLICE DEPARTMENT introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Piazza

VOTE: YEAS: Davis, Fey, Lutz, Tersigni
 NAYS: None

 ABSENT: Piazza

BOND O- 2016-13 (Second and Final Reading)

BOND ORDINANCE PROVIDING FOR VARIOUS 2016 CAPITAL IMPROVEMENTS, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$1,346,700 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,130,936 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF was introduced for a second reading by Councilman Fey and there being no errors corrections or objections, Councilman Fey moved that the ordinance be adopted according to law. The motion was seconded by Councilman Lutz

ROLL CALL

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Davis			X			
Fey	X		X			
Lutz		X	X			
Piazza			X			
Tersigni			X			

O: 2016-14 (Second and Final Reading)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING ORDINANCE 2015-20 REGARDING 2016 SALARIES FOR UNCLASSIFIED EMPLOYEES was introduced for a second reading by Councilman Fey and there being no errors corrections or objections, Councilman Fey moved that the ordinance be adopted according to law. The motion was seconded by Councilman Davis

ROLL CALL

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Davis		X	X			
Fey	X		X			
Lutz			X			
Piazza			X			
Tersigni			X			

O: 2016 -15 (First Reading)

ORDINANCE RESCINDING AND CANCELING BOND
ORDINANCE NUMBER 2006-32 HERETOFORE FINALLY
ADOPTED BY THE TOWN OF PHILLIPSBURG, IN THE COUNTY
OF WARREN, STATE OF NEW JERSEY ON SEPTEMBER 19, 2006
was introduced for a first reading by Councilman Fey who moved that
the ordinance be properly advertised. The motion was seconded by
Councilman Piazza.

Discussion: Councilman Davis Thanked Mayor and CFO and asked if
there are any others that need review?
CFO Merlo stated nothing like this.

ROLL CALL

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Davis			X			
Fey	X		X			
Lutz			X			
Piazza		X	X			
Tersigni			X			

13. **RESOLUTIONS**

R: 2016-84

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) (Click it or Ticket 2016 Seat Belt Mobilization) was introduced
by Councilman Fey who moved for its adoption. The motion was seconded
by Councilman Lutz.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni

NAYS: None

R: 2016-85

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1948)(Improvements to Heckman St. Phase-1) was introduced by Councilman Lutz who moved for its adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni

NAYS: None

R: 2016-85A

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1948) (Urban Aid - Improvements to Heckman St. Phase-1) was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Davis.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni

NAYS: None

R: 2016-86

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1748)(Clean Communities Program) was introduced by Councilman Lutz who moved for its adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni

NAYS: None

R: 2016-87

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1748) (MUNICIPAL ALLIANCE BOARD OF EDUCATION MATCH) was introduced by Councilman Lutz who moved for its adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni

NAYS: None

R: 2016 - 88

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT WITH THE AMERICAN NATIONAL RED CROSS was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Davis.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni

NAYS: None

R: 2016-89

A RESOLUTION AWARDED PURCHASES UNDER NEW JERSEY STATE CONTRACT (Personal Protective Equipment for Fire Dept.) was introduced by Councilman Lutz who moved for its adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni

NAYS: None

R: 2016 - 90

A RESOLUTION APPROVING JUNK DEALER'S LICENSE FOR YEAR 2016 was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Davis.

Discussion: Councilman Lutz stated always growing and the canal trail. Councilman Piazza stated property owner is in California, and there have been complaints. Councilman Lutz stated they moved everything to Bethlehem. Council President Tersigni stated time to say no. Councilman Davis stated we should deny today.

ROLL CALL

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Davis		X		X		
Fey	X			X		
Lutz				X		
Piazza				X		
Tersigni				X		

Councilman Piazza made a motion to table this resolution. The motion was seconded by Councilman Lutz.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni

NAYS: None

R: 2016-91

A RESOLUTION AUTHORIZING THE CLOSING OF STREETS was introduced by Councilman Lutz who moved for its adoption. The motion was seconded by Councilman Fey.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni

NAYS: None

R: 2016-92

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

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni

NAYS: None

R: 2016-93

AMENDING RESOLUTION 2016-74 OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING REFUND OF TAX OVERPAYMENT was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Davis.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni

NAYS: None

R: 2016 – 94

RESOLUTION TO PROVIDE FOR THE APPOINTMENT OF MELISSA ELIAS AS BUSINESS ADMINISTRATOR FOR THE TOWN OF PHILLIPSBURG was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Davis.

Discussion: Council President Tersigni stated Mayor Ellis Thank you for your recommendation as you know Council was not given the opportunity to formally interview Ms. Elias. Although you did introduce her to us earlier this evening

without standing in the way of your appointment, I would just like to reassurance from you that Ms. Elias was thoroughly vetted by you and that you are satisfied that she is a competent candidate of good moral character? Mayor Ellis stated she was interviewed by my team and had the majority of the vote. Meliss would like to continue further in executive session.

ROLL CALL

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Davis		X	X			
Fey	X		X			
Lutz			X			
Piazza			X			
Tersigni			X			

 R: 2016-95

A RESOLUTION PROVIDING FOR PERSON TO PERSON TRANSFERS OF A PLENARY RETAIL CONSUMPTION LICENSE NO. 2119-33-006-004 was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Davis.

Discussion: Councilman Davis questioned who is this license going to? Clerk Kleiner stated Rocco’s Pizza. Councilman Davis asked in the future if that could be put into the resolution. Clerk Kleiner stated yes of course.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni
 NAYS: None

 R: 2016 – 96

RESOLUTION IN SUPPORT OF NEW JERSEY DEPARTMENT OF TRANSPORATION PROJECT ON RT. 22 IN PHILLIPSBURG was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Davis.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni
 NAYS: None

R: 2016-97

A RESOLUTION APPROVING SUBMISSION OF APPLICATION TO STATE OF NEW JERSEY, DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT (NJYC) was introduced by Councilman Davis who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni

NAYS: None

R: 2016 -98

SUPPORTING THE CLICK IT OR TICKET MOBILIZATION OF MAY 23 – JUNE 05, 2016 was introduced by Councilman Fey who moved for its adoption. The motion was seconded by Councilman Lutz.

VOTE: YEAS: Davis, Fey, Lutz, Piazza, Tersigni

NAYS: None

NEW BUSINESS None

PUBLIC PETITIONS

Alan Amy, 71 Lewis Street, I spoke to Trout Unlimited and they are excited to work with Phillipsburg and help the Trout Stream. They are sending information tomorrow – in exchange for cold water fishery.

Mike Muckle, NJYC Phillipsburg, I want4ed to take a moment and publically Thank you this governing body has supported us and we have served over 800 youth and have done over 4,000 hours of service. Mayor, Thank you for your letter of support.

Mayor Ellis stated I wrote to my former boss.

Joe Meyner, 392 South Main Street, I think that the Town should give free garbage cans, to everyone, with the address and names noted on every can. We should not use bags should be all cans, we can have cans of different sizes, per residents, single, family, different colors for recycle etc...

What is the Business Administrator going to do?

Mayor Ellis stated overall budge, leases business, finger on the pulse.

Redevelopment is Council and Stan Schrek is our expert with that.

Councilman Piazza questioned Joe Meyner if he had a preference of color

Joe Meyner stated I don't think punishment to get it done, details to make it easy and force corporation, no separating apple peels with cardboard to identify it.

Doris Stinson, 112 Bennet Street, I watched the recycling go into the garbage truck Councilman Lutz stated goes into the garbage truck and goes to Northampton and it gets separated there a machine does it.

Doris Stinson stated on separated then I am happy.

OPENTIME

Councilman Lutz stated that he thinks that the certificate of Habitability is \$50.00 and I think that it has been that for a very long time maybe it is time to raise it, can we think about that.

Council President Tersigni stated like to \$75.00 – 100.00

Councilman Lutz stated yes it has been years.

Today I met Father John and Monsignor Corona to talk about the City hall and the old school house. We looked at the first floor; Howard Scott gave a price for an elevator as we walked through the second floor and third floor it could be worked out.

Father John would have to verify with the Board of Directors in Metuchen, It is up to them but he would be happy to join forces to bring people together.

Mayor Ellis stated especially in the 400 block

Councilman Lutz stated the worst block is Mercer Street is known as the worst block in Phillipsburg. The doorbell rings at midnight. If directors says yes, we should as Stan Schrek to study the building, the classrooms are huge, the boy scouts use it the building is immaculate nothing is in the back of the building.

Council President Tersigni stated that in 1990 /2014 I suggested the same block that's where it has to be right there, I agree the quicker it gets done.

Councilman Lutz stated no interference with TU/THUR/SAT. They have a huge parking lot on Mercer and Stockton but it is all up to their Board of Directors.

Maybe we can go meet the community one time a month from 6-8 where they can just talk to us or talk with the police, they don't want to be in the paper.

Mayor Ellis stated they are worried about being targets

Councilman Lutz stated that today there was four people knocking on doors on Mercer Street selling solar panels, I called to see if they had a solicitors permit, called the police you need to keep your eyes open.

Councilman Piazza stated seen them also on Mercer

Councilman Lutz stated all the shootings and weirdness in society when we have a meeting we should use the metal detector, and have a SGT in arms – Society is changing drastically, I feel it is important.

Attorney Wenner stated that currently you can have a SGT in arms

Councilman Lutz stated can we look into that?

Council President Tersigni yes we read some things about meetings

Councilman Piazza stated like Ross Township

Councilman Lutz stated can we ask the attorney to post a sign about inappropriate clothing at the Council meeting? Is that legal? Like removal of a hat, can you look into that? I also received a letter from Sandy Levisay – the Easton Ambassadors.

Mayor Ellis stated CFO Merlo has the clean community money come in?

Councilman Lutz stated that the Lehigh Valley food truck competition at the Steele Stacks, and that someone sponsor and it would be a draw to Walters Park, would it hurt the restaurants down town? Easton has the bacon festival and Phillipsburg can have a pork festival at the river and have judges.

Councilman Piazza I will volunteer to be the first judge

Councilman Lutz they could have BBQ, Pulled pork, Ribs, let's get Allison to start.

My wife and Bernie are almost having the same surgery – God Speed hope all ok

Councilman Piazza stated meet down and tour the walking tour for the heritage trail

Mayor Ellis stated when you hike it you get a different perspective

Councilman Piazza stated at 6pm on the side road old access road – that was the original road to the sewer treatment plant down the creek

Councilman Davis to Councilman Lutz I disagree with meeting participants going through the metal detector, I don't think that

Mayor I would like to see if the CFO has a three year balance sheet with progress of reducing debt

Mayor Ellis stated provide us with that and we can see what we have.

Councilman Davis stated working with Mr. Duddy and working on provisions – financial documents for permits.

Mayor Ellis stated that maybe DPW sees a vacant property there are about 500 not occupied by what the guys tell me. We have to go through and see how many of

them are condemned properties and tract them down. We need to get Vince on it...and exercise that ordinance.

Councilman Davis stated he was working with Service Electric and asked Attorney Wenner to draft a letter.

Mayor Ellis stated that his office has been calling

Council President Tersigni stated they vowed to us and we approved his contract, Thanks Mayor Ellis for keeping on that.

Council President Tersigni stated that City Hall through eminent domain in the 400 blocks or Mercy hall I support this 100% and it is way overdue, revitalizing downtown is the key. The police doing the job and going down Heckman St, we will have less shenanigans going on.

I can't make the Trail meeting because of the Historical Society pump house with Gill Green, 1913 circa.

I want to recognize two young people who did a good deed. There was a person vandalizing a person's vehicle and these two students cleaned the car Brittany Ferris and Jennifer Palmero they cleaned the teachers car left their lunch money for her to get her car cleaned up. They are two 10th graders, making the Town a better place to live in.

Councilman Lutz mentioned that the Community Police will be on May 25th at Mercy Hall with Coffee and Donuts 6-8 pm

Council President Tersigni reminded everyone about the clean-up and the young lady that reached out to him Brittany Daniels, the clean-up will be June 11, 2016 from 8-12 we will meet at Shapell Park, we will have bags, police presence, volunteers, place the garbage on the corners, DPW will pick up make initiative 25 volunteers currently. Mayor and Council help out, we can change and make it better. I support the ambassadors.

Thank you Councilman Davis.

MOTIONS

ADJOURNMENT

Councilman Lutz moved to adjourn the meeting. The motion was seconded by Councilman Davis. Motion was carried with 5-0 vote