

TOWN OF PHILLIPSBURG
Council Meeting Minutes
July 05, 2016

The Phillipsburg Town Council conducted its regular meeting on Tuesday, July 05, 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 Davis.

INVOCATION by Councilman Davis

PLEDGE by the Assembly

ROLL CALL

PRESENT: Council President: Tersigni
Council Members: Davis, Lutz, Piazza
Absent: Fey

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

APPROVAL OF MINUTES Approval of meeting minutes
Were submitted for approval:
Council Meeting 06-21-2016

Motion

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

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

APPROVAL OF MINUTES Approval of meeting minutes
Were submitted for approval:
Work Session Meeting 06-14-2016

Motion

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

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

APPROVAL OF MINUTES

Approval of meeting minutes
Were submitted for approval:

Special Meeting 06-27-2016

Motion

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

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

APPROVAL OF MINUTES

Approval of meeting minutes
Were submitted for approval:

Executive Meeting 06-27-2016

Motion

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

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

APPROVAL OF BILLS:

SUMMARY

CURRENT FUND	\$	249,462.03
STATE & FEDERAL GRANTS		1,984.60
CAPITAL FUND		692.00
SEWAGE UTILITY FUND		562,144.26
SEWER CAPITAL FUND		204,909.57
OPUS INVESTMENTS		9,022.50
SECTION 8		1,339.26
GENERAL TRUST FUND		1,590.00
AGENCY FUND		216.96
Total regular bills list July 05, 2016	\$	1,031,361.18
Section 8 Rent Payments	\$	0
PRE- PAID BILL LIST AS OF July 05, 2016		
STATE AND FEDERAL GRANTS	\$	45,700.00
Pre -Paid Bills List of July 05, 2016	\$	45,700.00
GRAND TOTAL OF ALL FUNDS	\$	1,077,061.18

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

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

CERTIFICATE OF ACHIEVEMENT – BRITTANY DANIELS

Council President and Mayor Ellis give Brittany Daniels a Certificate of Achievement. This certificate was given to Brittany for organizing a clean-up with 103 people in the Town of Phillipsburg, using social media, and word of mouth people signed up to help make their Town a better place to live. Mayor Ellis stated Brittany inspired us, and he was with several High School students and people had already cleaned up their alleys, so the Mayor had the street sweeper go down and clean the alleys, it should inspire people to keep their places cleaner. Thank you Brittany for a job well-done looking forward to the next clean-up. Brittany Daniels stated that will be in September or October depending on the football schedules.

MAYORS REPORT

Mayor Ellis stated that he will be taking classes to speak Spanish, and welcomes anyone who wants to join him. He also had a meeting with the Domestic Abuse and Sexual Assault and Crisis Center.

Mayor Ellis had a meeting with the National Parks Service regarding Norfolk Southern Bridge to connect the trails.

McWane Ductile funding and NJDEP of \$73,000 should come through soon, then we can take the tarps off the hidden displays. Gnarly Brews was in Shappell Park, no one was belly up to the bar, and they were bit expensive.

Historic signs were ordered for Pursel Hill area and will be up soon.

We plan on having our first Town Hall meeting at Flynn's.

Mayor Ellis also stated that he went to the Freeholders meeting regarding the Library and those we are going to fight to keep the library; Mark Lutz went with me they want to take away \$600,000 a year plus books.

Councilman Lutz stated that we don't know how much, and we don't know what books

Mayor Ellis stated he spoke to Deb Messling she said she will give them old magazines. Mayor Ellis stated that they are moving the library to 519 behind SMP Trucking. Council President Tersigni stated that's the old Superior Quartz building.

Mayor Ellis stated you know that is where Dan Gural took Cherry Brook to look at that building.

Promoting Home Ownership, Paul Smith from inspections department inspected over 50 abandoned homes and issued citations. Mayor Ellis stated that he ordered a sign to designate the Towns most valuable Employee – and Paul Smith to be the first recipient.

Mayor Ellis stated he met with a solar energy company, the Town uses over 200 million kilowatts, they use a reflective coating, and Steve Serafoss came up with that idea.

We decided to build a better block to be pushed into the spring of 2017, this year it runs into music fest. The Morning Call is now reporting.

CHIEFS REPORT

Officer Fielding is here to talk about how the Job Fair went – Officer Fielding stated that I had positive feedback, successful and it went so well we are going to make it an annual event

Mayor Ellis stated he did go up there

Officer Fielding stated there were 50 vendors, Postal Service, Military, Sands Casino, it was outside and that was a change and it was FREE, Easton Coach, also was there to name a few. There were interview set up for the next day. It was mentioned that they never saw a Police Department put so much effort into an event like this. So we will make it a yearly endeavor. Thank you for your support.

OLD BUSINESS None

PUBLIC DISCUSSION ON AGENDA ITEMS

Joe Meyner, 232 South Main Street, When is the next Freeholder meeting?
Council President Tersigni stated July 13, 7:00 at the Dumont building.

ORDINANCES

O: 2016 -03 (TABLED) (First Reading).

Councilman Piazza made a motion to take it off the table and Councilman Davis seconded the motion.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

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AN ORDINANCE ESTABLISHING SALARIES FOR SOA’S POLICE DEPARTMENT was introduced for a first reading by Councilman Davis who moved that the ordinance be properly advertised. The motion was seconded by Councilman Piazza.

Discussion: Councilman Davis stated to Joe Meyner that two (2) Counties East of us had higher sala

ROLL CALL

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

O: 2016 -18 (Second and Final Reading)

TOWN OF PHILLIPSBURG ORDINANCE OF THE TOWN OF PHILLIPSBURG AMENDING AND SUPPLEMENTING CODE SECTION 100-16 was introduced for a second reading by Councilman

Davis and there being no errors corrections or objections, Councilman Davis 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		X			
Fey						X
Lutz		X	X			
Piazza			X			
Tersigni			X			

O: 2016-19 (First Reading)

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 520 ENTITLED “SOIL IMPORTATION AND PLACEMENT”

Attorney Wenner stated this needs further discussion – next meeting

ROLL CALL

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

RESOLUTIONS

R: 2016 – 90 (Tabled) Motion was made by Councilman Davis to take of the table. The motion was seconded by Councilman Lutz.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

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

VOTE: YEAS: Davis, Piazza, Tersigni

NAYS: Lutz

ABSENT: Fey

R: 2016-104 A (Tabled)

Motion was made by Councilman Davis to take of the table. The motion was seconded by Councilman Lutz.

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

R: 2016-104 A

A RESOLUTION OPPOSITION TO THE MOTOR FUEL TAX INCREASE was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Lutz.

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

R: 2016-108 (Tabled) Skipped – special meeting

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

R: 2016-129

A RESOLUTION APPROVING THE PAYMENT OF THIRD QUARTER 2016 COUNTY TAX AND OPEN SPACE TAX, DUE AUGUST 15, 2016 was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Davis.

Discussion: Councilman Lutz stated Open space tax we need to request what has been done with that money the last five (5) years. Council President Tersigni stated he can tell you what has been done. The Blairstown Park, St. James Church, (repointing brick), Preserve in Blairstown like a camp. The Roseberry house, Open space in Alpha behind the Alpha family restaurant, 25 % of the funds the Municipality comes up with. With JCPL and Stan Prater it won't bankrupt the Historic Society; if we get that money for the Roseberry Homestead we can repair the heating unit. Mayor Ellis stated \$39,000 JCPL match. Council President Tersigni stated Rutherford hall in Allamuchy, where the first astronomers in 1800, was there and Franklin D. Roosevelt spent time there. Councilman Piazza stated the purpose was to preserve land; Phillipsburg is a large contributor, Hoffneta Homestead in Harmony, the more improvement's we can make optimal use of the grants, it is a nice program to have.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

R: 2016-130

A RESOLUTION PROVIDING FOR REFUND (Squad Member) was introduced by Councilman Davis who moved for its adoption. The motion was seconded by Councilman Lutz.

Discussion: Councilman Davis questioned if the amount was correct. Council President Tersigni replied yes it is.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

R: 2016-131

A RESOLUTION APPROVING THE ISSUANCE OF A SPECIAL ERMIT FOR A SOCIAL AFFAIR TO DRAFT PRODUCTIONS, LLC. T/A GNARLY BREWS TAP ROOM & BOTTLE SHOP was introduced by Councilman Davis who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

R: 2016-132

A RESOLUTION AUTHORIZING PURCHASE OF TWO 2017 FORD INTERCEPTOR VEHICLES was introduced by Councilman Lutz who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

R: 2016-133

A RESOLUTION APPROVING 2016-2017 LIQUOR LICENSES WITHIN TOWN OF PHILLIPSBURG was introduced by Councilman Davis who moved for its adoption. The motion was seconded by Councilman Lutz.

Discussion: Mayor Ellis questioned Guerra license and the plans with the deck? Clerk Kleiner, will get a copy to them regarding the plans.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

R: 2016-134 (TABLED)

A RESOLUTION AUTHORIZING DISCHARGE OF A MORTGAGE

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

DISCUSSION: Attorney Wenner stated we have an affidavit of Oath. Council President Tersigni vowed contingency of new meeting-would like him present. Mayor Ellis not supporting or against, puts the Attorney at risk bring him in. Councilman Davis asked about completing all the items, listed rents, etc. 10 year section 8 rents.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

R: 2016-135

A RESOLUTION APPROVING THE ISSUANCE OF A SPECIAL PERMIT FOR A SOCIAL AFFAIR TO SPLINTERS FROM THE PINE, T/A SOMA DOWNTOWN GRILL was introduced by Councilman Lutz who moved for its adoption. The motion was seconded by Councilman Davis.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

R: 2016-136

A RESOLUTION EXTENDING PAYMENT OF THE THIRD QUARTER TAXES was introduced by Councilman Davis who moved for its adoption. The motion was seconded by Councilman Piazza.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

R: 2016-137

A RESOLUTION APPROVING THE ISSUANCE OF A SPECIAL PERMIT FOR A SOCIAL AFFAIR TO DRAFT PRODUCTIONS, LLC. T/A GNARLY BREWS TAP ROOM & BOTTLE SHOP was introduced by Councilman Lutz who moved for its adoption. The motion was seconded by Councilman Davis.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

R: 2016 - 138

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY REJECTING ALL BIDS FOR ASPHALT PAVING AT VARIOUS LOCATIONS WITHIN THE TOWN OF PHILLIPSBURG was introduced by Councilman Davis who moved for its adoption. The motion was seconded by Councilman Lutz.

Discussion: Attorney Wenner stated this was NORWESCAP / TOWN who the contracting party is NORWESCAP.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

NEW BUSINESS

Councilman Davis asked to make an appointment to get a meeting with Service Electric. Councilman Lutz made a motion for Councilman Davis to meet with Service Electric. The Motion was seconded by Councilman Piazza.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

Councilman Davis expressed his disappointment with Service Electric and thinks that there should be a second option, to pursue another franchise. Council President Tersigni stated that he agrees with Councilman Davis and that competition is good. Councilman Lutz questioned the contract. Attorney Wenner stated maybe Lopatcong and So. Warren County can be unified and make a bigger push.

Councilman Davis made a motion to pursue another franchise for cable option. The motion was seconded by Councilman Lutz.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

PUBLIC PETITIONS

Tameka, 117 Filmore Street, is concerned because the school isn't bussing the children and that they pay taxes. It is a new fiscal year; can't the Town get a grant to transport the children? There are a lot of parents not comfortable it is a long walk and a hardship for a lot of parents, k – 8 is 2 miles, 9-12 is 2.5 miles are walkers. Councilman Lutz stated that is a good subject, all the bus drivers are gone, I drove for 16 years for Phillipsburg. Congress Street to the High School is some walk. Delaware Heights are bussed. It is a strong argument and the signatures are going to go a long way.

Attorney Wenner stated the School boards; the Town only had a one cent increase the school board.

Tameka can't the Town get a grant from the State

Attorney Wenner stated it is the Board of Education's responsibility, Council can do a resolution of support, the kids have to trek up that hill?

Tameka parents of children with disabilities.

Council President Tersigni stated that he will look into that, Attorney Wenner and Attorney Troxell will draft something for support.

Councilman Davis stated he will attend the School Board meeting with Tameka Bill Timmann stated eight (8) million tax increase- revitalize school we pay increase and they keep cutting services. Congratulations Councilman Davis for going after Verizon

Tameka, I also want to ask about housing rehabilitation

Mayor Ellis stated the money is put back, next council meeting, RCA, Habitat for Humanity, grants for lumber; I can give you the number.

Joe Meyner, 392 South Main Street, I missed two meetings, I think that you received criticism because you feel forced to do things in a hurry, surfaces on gravel, go back to the State, with gravel, there are no storm sewer problems. In the future don't push into being fast, with the NORWESCAP money. Storm drains water run off.

Mayor Ellis stated money to NORWESCAP we are obligated to pay prevailing wage, can't work on Municipal land the Town responsible to bid

Attorney Wenner stated on Public land, so she couldn't use the money unless we bid

Mayor Ellis stated co-op pre bid, Noto can't put down, need to cover and seal it. The parking area at Reese Ct. written and approved at that time, make sure the money comes through to the Town.

Attorney Wenner stated the issue with Wynkoop the millings, done first the millings not appropriate base – gravel is great what was put down is not.

Joe Meyner stated I feel you got pushed, although not bad idea grantor put money to use somewhere else.

Councilman Lutz requested we rejected the bids

Mayor Ellis stated his assistant got pictures of all the clothing bins, not all are charitable.

Councilman Piazza stated I saw some sheds, www.turnkey.com

Bill Timmann they are in Alpha

Councilman Piazza stated they look like Amish Sheds, and look more appropriate.

I will send to Sherry and you tomorrow.

Council President Tersigni stated that he agrees with Councilman Lutz, to get rid of them

Councilman Piazza stated for no profit more presentable

Councilman Lutz they should take care

Mayor Ellis stated we would require them

OPENTIME

Councilman Lutz I had an enjoyable luncheon with the Mayor at a birthday party at the Senior Center.

Councilman Piazza stated I have been in communication with the Lehigh Valley Chamber \$1,000 grant for trail system

Council President Tersigni stated that Ole Town Festival week from this Friday, the Trolley is out of service.

Councilman Lutz stated that there are so many things wrong with it. The floor is rotten the ceiling leaks, the post isn't in solid, we took it to Cool Customs, Dave from H & K owner its specialty his is fixing it up, the seats are out and he is working on the floor.

Mayor Ellis stated the grab pole to step up came out when it was grabbed,

Councilman Piazza stated it is feasible to fix or to get a new one, what is the cost

Councilman Lutz stated you can get a good one for \$60,000

Mayor Ellis stated that we could get a good trade in

MOTIONS

Approval for Raffle License No. RL: 1238 issued to The Garnet Boosterettes for a 50/50 on premise raffle to be conducted on:

09-23-2016;10-07-2016;10-21-2016;11-04-2016;11-11-2016,11-18-16

between the hours of 5:30-7:30 PM. was introduced by Councilman Lutz who moved for its adoption. The motion was seconded by Councilman Fey

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

Approval for Raffle License No. RL: 1239 issued to the Garnet Boosterettes for a Tricky Tray October 29, 2016 from 6:00-9:00 PM was introduced by Councilman Davis who moved for its adoption. The motion was seconded by Councilman Lutz.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

Approval for Raffle License No. RL: 1240 issued to the Grace Evangelical Lutheran Church for a Basket Raffle September 10, 2016 from 9:00 AM-3:00 PM was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Lutz.

VOTE: YEAS: Davis, Lutz, Piazza, Tersigni

NAYS: None

ABSENT: Fey

ADJOURNMENT

Councilman Piazza moved to adjourn the meeting. The motion was seconded by Councilman Davis. Motion was carried with 4– 0 vote. Councilman Fey absent.