

TOWN OF PHILLIPSBURG  
Council Meeting Minutes  
August 02, 2016

The Phillipsburg Town Council conducted its regular meeting on Tuesday, August 02, 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 and Prayer for previous Mayor Harry L. Wyant for a fast recovery; 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,

ABSENT: Attorney Troxell

APPROVAL OF MINUTES No minutes

## APPROVAL OF BILLS:

## SUMMARY

CURRENT FUND	\$	81,420.91
STATE & FEDERAL GRANTS		129.59
SEWAGE UTILITY FUND		155,278.19
SEWER CAPITAL FUND		29,126.84
SECTION 8		119.03
AGENCY FUND		216.89
<b>Total regular bills list August 02, 2016</b>		<b>\$266,291.45</b>
Section 8 Rent Payments		<b>\$ 0</b>
PRE- PAID BILL LIST AS OF August 02, 2016		
CURRENT FUND		\$1,073,762.25
STATE AND FEDERAL GRANTS		\$923.00
<b>Pre -Paid Bills List of August 02, 2016</b>		<b>\$1,074,685.25</b>
<b>GRAND TOTAL OF ALL FUNDS</b>		<b>\$ 1,340,976.70</b>

Clerk Kleiner asked the Council to add a bill from Coopersmith, with the Engineers statement that he miss calculated their amount. Previously approved was \$14,000.00 there was an additional \$44,029.62. The work has been completed and we hold a 5% retainage.

**THIS BILL FOR COOPERSMITH WAS NOT APPROVED AT THIS TIME**

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

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

NAYS: None

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## MAYORS REPORT

Mayor Ellis stated that the Morris Canal Greenway is almost complete That we changed the Riverside concert to 7:30 pm so that the sun isn't in everyone's face, we moved some guardrails around to make it more eye pleasing.

Mayor Ellis stated that we are having the first TOWN HALL meeting at Flynn's a neighborhood meeting; it will be more listening than speaking. It will be hearing from the people no Council Form meeting we will have coffee and donuts, there will be a Pursel Hill Historian speaking.

I had some signage when you enter the building – for Joe Meyner when he comes in. There are signs in the neighborhoods now.

We are having a problem with mattresses, we have collected \$ 50,000 from the abandoned homes, Paul Smith has done 95 homes so far.

Mayor Ellis stated that the Chief retired and we have an Officer in Charge.

Promoting home ownership – we have a Bank that will offer low interests rates to first time home buyers. The CFO says different.

Self-Sustaining-rail, looking at solar and LED lighting for the municipal building

Promoting business, the trail & Trail head and the highland working with the Morris Canal Greenway on an event. The Chamber wants to put off until spring.

Councilman Davis stated chamber support

Councilman Fey have more progress

Mayor Ellis stated excellence

Mayor Ellis stated Opus KTV soil import program – the way the Ordinance was written no need to suspend the Ordinance

Attorney Wenner stated yes you are correct

Mayor Ellis stated promote safe neighborhoods

Council President Tersigni asked Joe Meyner to delay his speaking a bit, he has some business to take care of first.

OLD BUSINESS - NONE

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## PUBLIC DISCUSSION ON AGENDA ITEMS

Mike Pulsanary of 15 Brass Castle Road, Warren County Business Trade, Electrical Local # 102. Spoke about Commerce Park, and important that the building trades and unemployment of the Phillipsburg people take a look. We are OSHA 30 and OSHA 10 compliant; we have a five (5) year apprentice program. We take pride, in the best responsible contracting language, protect integrity of the community and protect the money that's spent on the OPUS project. That is why we are here three quarter of a million dollars out of each trade, to help our own.

Mayor Ellis stated he contacted the DEP/OPUS KTV

Attorney Wenner stated Stan Schrek and Mayor Ellis have a meeting on the 11<sup>th</sup> Councilman Piazza stated with us, not much activity

Attorney Wenner stated they are taking down buildings

Mayor Ellis stated that Dan Gural agreed to take on Union Employees

Attorney Wenner stated he wrote a letter about the contract with Local employment as stated

Mike Pulsanary stated John Rocco everyone has reached out and put bids in

Mayor Ellis stated if you're here from a Union please stand – approx. 50 people stood up in the audience.

Council President Tersigni stated Mike The resolution was crafted and I am honored to meet with you and I will support your initiative.

John Rocco – Business agent for the Engineers, I reached out to OPUS – talks ended quick Metro was working. I gave them cards, job site agreements they have 4-5 operators from Staten Island – guy named Joe

Mayor Ellis questioned from where?

John Rocco stated from Farmingdale Long Island is where metro is from

Councilman Davis asked did you put a bid in.

John Rocco stated yes under the signatory of MECCO we were second on the list

Mayor Ellis stated low bid – paste over

John Rocco stated put into a fund – come in lower on a bid and we can pay our guys to keep them working.

Mayor Elis stated rather than collect unemployment

Councilman Fey stated Union Contractor for 26 years I am familiar, maybe I can help what is going on this evening, we were never able to use system myself but have been compatible, and you do have a lot of our support

John Rocco quality and support

Ray Woodroffe – of Bloomfield NJ Target fund market, it's a recovery fund, NJ leading in construction people are coming from TN, OK, and going right to work in this State. They are taking job opportunities from our local people. We train, females, minorities, we go to craft fairs, we have a program helmet to hard hat for veterans, keeping local people working, and we need to protect NJ workers.

Kordic – local 78 Asbestos remediation, we have 4500 members. I am from NY but have been in Warren County two years now. We came in for the High School, we don't have target money but we will change the rates. We also do job fairs, we are hoping to do some demo of the different schools, more opportunities for Phillipsburg, we invite people to our apprenticeship program from all over NJ, we give people a chance. We do work all over NJ, we provide medical insurance.

Council President Tersigni so you're flexible in your wages.

Kordic they are knocking down buildings already, the soil, air, we want to keep the local people safe.

Councilman Lutz they are out there today, no sprinkling system to keep the dust down.

Kordic mercury, pcp, asbestos should be watered down and you need a special variance

Mike Delphie local 3 - I dealt with opus / Meeco violations, original demo contractor. How Metro got the job – it is costing us we are losing a chance to prove it

Council President Tersigni by adopting this resolution quality, responsible labor sources, local projects in the Town, I can assure you gentlemen, thank you Saverio Samarelli Lincoln Street, thank you for the opportunity to speak. Keeping the residents working in the community you rebuilds and reinvest to making it better; different awarding agencies see Phillipsburg bloom again.

Joe Meyner 392 South Main Street, weeks ago publically financing not go that way there is no public bond, what legal grounds in backing this union request.

Attorney Wenner stated meet certain requirement, for the purpose of the resolution is to get quality public contractors projects to Town

Joe Meyner stated can't demand who gets contracts no public funding, they can hire who they want

Attorney Wenner stated DEP has nothing to do with it

Mayor Ellis stated it is department of Labor

Attorney Wenner stated public construction project, public financing assistance – the PILOT is an incentive, and the PILOT has always worked for us

Bill Timmann South Main Street O 2016-19 permits for each gathering, 50 people each ride per day is that how you're going to charge?

Councilman Davis stated that the total number of people – but, it is tabled right now it has some more work to be done on it.

Mayor Ellis stated it is used for special event use of public property, Police, Parking; Garbage will be the organizers responsibility

Attorney Wenner stated the Ordinance authorizes

Bill Timmann individual's property

Attorney Wenner stated we can control how many permits and events are being held at one time in Town.

Mayor Ellis we have multiple events going on the car show tubing, Thomas, we can control the events, it makes it better for our emergency services too.

Attorney Wenner also stated that the fees escalate on participants, the more people the higher the fee.

Councilman Lutz questioned 2016-20 soft costs?

Attorney Wenner stated it's the engineering costs

Councilman Davis questioned McWane Ductile, Funding from the DEP

Mayor Ellis stated the SEP – special environmental protection the DEP fines

program – no fines paid to DEP they are to pay is to positively impact the Town.

\$73,000 that will be given to us to positively impact the Town no negative impact,

outdoor recreation reconstruction Lopatcong Stream Bank. Engineering repair the

bank, stream bed river it is a C-1 trout stream- there was some confusion but it is

all moving forward the money from McWane and they will pay the town in full,

when there was a bad store, Irene or Sandy we lost the sewer line there before, it is

the trails.

Councilman Davis – using SEP funds

Mayor Ellis not admin from the Town

Councilman Piazza stated shade tree/gill Branson money

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## ORDINANCES

O: 2016-19 (First Reading) Tabled 07-19-16

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO ADD A NEW CHAPTER 533 ENTITLED **SPECIAL EVENTS**, TO THE CODE OF THE TOWN OF PHILLIPSBURG

**ROLL CALL**

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

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 O: 2016-20 (First Reading)

CAPITAL ORDINANCE PROVIDING FOR THE FUNDING OF ENGINEERING AND RELATED SOFT COSTS FOR THE HERITAGE TRAILS PROJECT, BY, IN AND FOR THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; AND APPROPRIATING \$10,000 FROM THE CAPITAL IMPROVEMENT FUND TO PAY FOR THE COST THEREOF was introduced for a first reading by Councilman Fey who moved that the ordinance be properly advertised. 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			

## RESOLUTIONS

R: 2016-146

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 Davis who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

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R: 2016 - 147

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

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

NAYS: None

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R: 2016-148

A RESOLUTION RESCINDING A PORTION OF RESOLUTION 2016-113; LICENSES NUMBER 2119-44-012-001 was introduced by Councilman Davis who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None



R: 2016-149

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH VAN CLEEF ENGINEERING ASSOCIATES FOR THE EVALUATION OF THE NEWLY INSTALLED HVAC SYSTEM 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

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R: 2016-150

A RESOLUTION OF TOWN OF PHILLIPSBURG AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE 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

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R: 2016-151

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH VAN CLEEF ENGINEERING ASSOCIATES FOR DESIGN, BIDDING, PERMITTING AND CONSTRUCTION ADMINISTRATION SERVICES ASSOCIATED WITH IMPROVEMENTS TO THE PHILLIPSBURG HERITAGE TRAIL, PHASE 1 was introduced by Councilman Piazza who moved for its adoption. The motion was seconded by Councilman Fey.

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

NAYS: None

R: 2016 – 152

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING PAYMENT FOR ACCRUED TIME TO JAMES FAULBORN OF THE PHILLIPSBURG POLICE DEPARTMENT was introduced by Councilman Lutz who moved for its adoption. The motion was seconded by Councilman Fey.

Council President Tersigni stated Thank you Chief

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

NAYS: None

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R: 2016 - 153

RESPONSIBLE BIDDER RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN AND STATE OF NEW JERSEY 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

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## NEW BUSINESS

Councilman Davis I was approached on Warren Street about no parking and no sidewalks, we have to go in the median to get to the bus stops, I would like to ask about speed bumps to be installed. I am a resident on the road also, and I spoke to Captain. Stettner he said they can be installed for \$6,000 for three speed bumps Council President Tersigni I agree in 2010 Lisa DiMarzio asked about that cars go fast there, I pick up one of my coworkers there every day, but it was shot down.

Motion to support the 2010 and Councilman Davis speed bumps on Warren Street. Councilman Davis made a motion. The motion was seconded by Councilman Fey. The motion carried a 5-0 vote

Councilman Piazza questioned Council President Tersigni why it was shot down in 2010

Council President Tersigni stated that anything he suggested was shot down back then.

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## JOE MEYNER ON PHILLIPSBURG REDEVELOPMENT

Mr. Meyner reads his handout (attached) he stated that the seniors should give short lessons and be teaches, manners, spread sheets, life lessons, gentile grammar. The seniors should have a roommate, similar to a nurse's aide, but basic care. This way one looks after the other, they help each other.

Hopeless single parents should live in a community is a big solution similar to a commune. A social club will act as a business selling items for example knitting projects.

Mayor Ellis stated like when the train is running?

Joe Meyner stated addiction needs to be taken care of; we need pain management, a stone guy goes to pain management go to detox at Warren Hospital or a rehab or to be a half-way house in Phillipsburg.

Councilman Piazza questioned what if they don't make it to rehab

Joe Meyner stated it would be a revolving door in our Town.

We need fair practices, we need a czar (who writes)

Councilman Piazza stated it is everyone's problem

Joe Meyner stated the Czar decides things nothing as efficient as fascism, makes the investment's, and interviews are done. The Landlord/entrepreneur, 90 days over, some consideration and rent charge.

We need to have community rules of order, and comfort of the community

Councilman Fey stated we need to wrap this up

Joe Meyner stated please think about it.

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## PUBLIC PETITIONS

Blaine Fehley, Bowhay Avenue, I am disgusted with everyone the clothing bins, put them in City Halls parking lots.

Councilman Fey stated that he spoke to Council President Tersigni about this today, Ahearts in back no one sees it put it in the front to be more accountable

Mayor Ellis stated we have been working on the ordinance with the bins

Attorney Wenner it's drafted the ordinance we have to amend the zone, accessory use on Rt. 22 Corridor, signage and ordinance. There is a current ordinance but it is not being enforced, citing the property owner for the littering.

Blaine Fehley - when

Mayor Ellis stated we are very aware of the problem and the word disgusted is very strong.

Council President Tersigni stated next open meeting on August 16, 2016

Blaine Fehley and five (5) years on the ice house

Councilman Lutz said what is wrong with it

Blaine Fehley stated looks like hell – paint on the bridge

Councilman Lutz stated no your wrong.

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## OPENTIME

Attorney Wenner I am meeting with Melissa at 11 to discuss J. Guerra – he has a binder full of documentation

Council President Tersigni stated bring him in next open meeting on August 16, 2016, I want him here

Mayor Ellis stated they are moving on it, and Councilman Piazza is moving on it.

Councilman Lutz stated with the bad rains we have been having we need to get a tarp on Pursel Feed mill

Mayor Ellis stated we are going to tarp it.

Councilman Lutz stated the weeds are high and the Town should clean it up

Mayor Ellis stated I contacted the bank in Orlando the representative stated they will cut the grass

Councilman Davis stated \$2500/day

Mayor Ellis stated spring house too I spoke to Rich Hay he said he can have a ladder truck go over and tarp it.

Councilman Piazza spring house

Councilman Lutz stated with dumpsters do away with them, it is getting worse and worse we spending tax payer's money and our workers to go down daily and pick up mattresses, Tv's garbage we should not be cleaning this up.

Councilman Fey stated it is Town Property and accountable for it

Council President Tersigni stated chasing around 6 ½ years the perception of DPW workers. The property manager business – Burwell Alley they were dumping from Washington. What can we do Attorney Wenner?

Attorney Wenner stated go back to enforcement powers dumping on personal property remove bins with current ordinance, statute rescind ordinance prohibit use you can control the situation there is not a lot of enforcement

Councilman Lutz stated take off the Town property, churches and then their responsible and fined for the garbage

Councilman Piazza stated get one of the inspectors to write the violations

Attorney Wenner stated violation 30 days

Councilman Piazza stated amend ordinance to prefer not to have law

Mayor Ellis stated no bins I agree

Councilman Lutz stated go to the planning board and be well maintained

Councilman Piazza get professional built bins

Mayor Elis stated moved tomorrow

Attorney Wenner stated 30 day notice to move

Councilman Lutz stated at IR they are wrecking buildings is DEP watching

Attorney Wenner stated abatement prior to demolition

Councilman Lutz use as fill with asbestos

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MOTIONS None

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EXECUTIVE MEETING

R: 2016-154

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

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ADJOURNMENT

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