

SUMMARY OF ACTION TAKEN ON THE AGENDA

**TOWN OF PHILLIPSBURG
REGULAR TOWN COUNCIL MEETING**

**Tuesday, September 04, 2018
Phillipsburg Housing Authority
535 Fisher Avenue**

7:00 P.M. — REGULAR SESSION AGENDA

1. **CALL TO ORDER**

2. **OPEN PUBLIC MEETING ACT STATEMENT:**

This Regular Meeting of the Governing Body was called pursuant to applicable portions of the Open Public Meetings Act. Adequate Notice of this meeting was posted in the Municipal Building, and communicated to *The Express Times* on January 02, 2018.

3. **INVOCATION AND FLAG SALUTE**

Council Vice President DeGerolamo

4. **ROLL CALL**

Council President Fulper, Council Vice President DeGerolamo, Councilman Davis, Councilman Lutz, Councilman McVey, *ATTNY - Wenner* - Absent - Mayor

5. **PAYMENT OF BILLS**

6. **DISCUSSION:**

7. **PUBLIC COMMENT ON AGENDA ITEMS**

8. **ORDINANCES — SECOND READING**

O: 2018 – 21 (First Reading 08-21-2018 – Second and Final Reading 09-04-2018)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING SECTION 67-23, SCHEDULE VII, STOP INTERSECTIONS, OF THE CODE OF THE TOWN OF PHILLIPSBURG TO ADD STOP SIGNS AT THE INTERSECTION ALONG ROSEBERRY STREET, CENTER STREET AND CAMERON DRIVE WITHIN THE TOWN OF PHILLIPSBURG

ROLL CALL *approved 5-0*

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Lutz	✓		✓			
Councilmen Davis		✓	✓			
Council Vice Pres. DeGerolamo			✓			
Councilmen McVey			✓			
Council Pres. Fulper			✓			

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9. ORDINANCES – FIRST READING

O: 2018 – 22 (First Reading 09-04-2018)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 464 OF THE CODE OF THE TOWN OF PHILLIPSBURG, *RENTAL PROPERTY*, IN ORDER TO ADD A NEW ARTICLE II, *MULTIFAMILY HOUSING PRESERVATION AND RECEIVERSHIP*

ROLL CALL *vote to postpone till work session 5-0*

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Lutz	✓		✓			
Councilmen Davis		✓	✓			
Council Vice Pres. DeGerolamo			✓			
Councilmen McVey			✓			
Council Pres. Fulper			✓			

11. VETOED ORDINANCES

O: 2018-18 (First Reading 08-07-2018; Second and Final Reading 08-21-2018)

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY CHAPTER V, *ADMINISTRATION OF GOVERNMENT*, ARTICLE IV, *THE COUNCIL*, SECTION 30, *POWERS AND DUTIES OF THE MUNICIPAL CLERK*, SUBSECTION (J) OF THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO ADD A NEW PROVISION REGARDING SUBORDINATE PERSONNEL

ROLL CALL *vote to override veto 4-0-1 (Abst)*

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Lutz	✓		✓			
Councilmen Davis		✓			✓	
Council Vice Pres. DeGerolamo			✓			
Councilmen McVey			✓			
Council Pres. Fulper			✓			

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12. RESOLUTIONS

CONSENT AGENDA *

**Matters listed on the Consent Agenda Resolution are considered routine and will be enacted by one motion of the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item to be removed for consideration*

R: 2018-162

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN,
STATE OF NEW JERSEY, AUTHORIZING REFUND OF TAX OVER PAYMENT

R: 2018-163 *NOT approved*

A RESOLUTION APPROVING THE ISSUANCE OF A SPECIAL PERMIT FOR A SOCIAL AFFAIR
TO SPLINTERS FROM THE PINE, T/A SOMA DOWNTOWN GRILL *NOT - 3 NO - 1 Abs -
Pass 1 yes*

R: 2018-164

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) NJ YOUTH CORP

ROLL CALL

R-162/164

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Lutz		✓	✓			
Councilmen Davis	✓		✓			
Council Vice Pres. DeGerolamo			✓			
Councilmen McVey			✓			
Council Pres. Fulper			✓			

13. OLD BUSINESS – also including any tabled items from previous meeting

DISCUSSION - CEP SOLAR / POHATCONG SOLAR FARM

Previously Tabled

O: 2018-14 (FIRST READING 07-17-2018 *TABLED – Remains tabled*)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, Entitled "OPEN SPACE"

ROLL CALL

moved to work session 9-11-18

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Lutz						
Councilmen Davis						
Council Vice Pres. DeGerolamo						
Councilmen McVey						
Council Pres. Fulper						

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O:2018-13 *Amended*

(First Reading 06.12.18 tabled, remained tabled 06-19-18, 07-03-2018 First Reading Tabled – FIRST READING 07-17-2018 TABLED – remains tabled - until a work session- September 11, 2018)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY DELETING AND REPLACING CHAPTER V, ADMINISTRATION OF GOVERNMENT, ARTICLE XII, DEPARTMENT OF RECREATION, SECTION 91, RECREATION ADVISORY COMMITTEE OF THE CODE OF THE TOWN OF PHILLIPSBURG, AND DELETING SECTION 92, YOUTH CENTER

ROLL CALL

work session 9-11-18

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Lutz						
Councilmen Davis						
Council Vice Pres. DeGerolamo						
Councilmen McVey						
Council Pres. Fulper						

Resolutions tabled

R. 2018-152 – (remains tabled waiting for new lease agreement – this one 2016 date)
 A RESOLUTION AUTHORIZING MAYOR AND MUNICIPAL CLERK TO EXECUTE
 A LEASE AGREEMENT BETWEEN TOWN OF PHILIPSBURG
 AND NORFOLK SOUTHERN RAILWAY COMPANY

ROLL CALL

Remain tabled until new lease 2018 is given

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Lutz						
Councilmen Davis						
Council Vice Pres. DeGerolamo						
Councilmen McVey						
Council Pres. Fulper						

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R: 2018-157 (tabled wants to see copy of contract)

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH RT ENVIRONMENTAL SERVICES, INC FOR A FOURTH ROUND INDOOR AIR QUALITY MOLD SURVEY FOR THE FIRST FLOOR OF PHILLIPSBURG TOWN HALL

ROLL CALL

untable - vote 5-0
vote to approve 4-0 - 1 (Abst)

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Lutz	X		✓			
Councilmen Davis		X	✓			
Council Vice Pres. DeGerolamo			✓			
Councilmen McVey			✓			
Council Pres. Fulper					✓	

14. **NEW BUSINESS**

15. **MAYOR AND ADMINISTRATIVE REPORT**

16. **PUBLIC PETITIONS** (Time public can speak)

17. **COUNCIL OPEN TIME**

18. **MOTIONS**

Approval for Raffle License No. RL:1276 issued to the Garnet Boasterettes Warren Council 474 for a Tricky Tray OCT 20, 2018 from 6 PM to 10 PM at Flynn's on the hill

ROLL CALL

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Lutz	✓		✓			
Councilmen Davis		✓	✓			
Council Vice Pres. DeGerolamo			✓			
Councilmen McVey			✓			
Council Pres. Fulper			✓			

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Approval for Raffle License No. RL:1276 issued to the Columbiettes Inc., Warren Council 474 for a Tricky Tray *Nov. 03*, 2018 from *5:30-9:30PM* at *200 Stillercrest Blvd.*

ROLL CALL

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Lutz	✓		✓			
Councilmen Davis		✓	✓			
Council Vice Pres. DeGerolamo			✓			
Councilmen McVey			✓			
Council Pres. Fulper			✓			

19. **PERSONNEL DISCUSSION** Municipal Clerk

20. **EXECUTIVE SESSION**

R: 2018 - *165*

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF **litigation**

Action May be taken. JD/ML-all-10-15 min session.

21. **ADJOURNMENT**