**TOWN OF PHILLIPSBURG**

Town Council Meeting Minutes

February 19, 2019

1. **CALL TO ORDER**

2. **OPEN PUBLIC MEETING ACT STATEMENT**

**THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS LAW. THIS MEETING OF February 19, 2019 WAS INCLUDED IN A NOTICE SENT TO NEWSPAPERS OF RECORD AND POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND HAS REMAINED CONTINUOUSLY POSTED AS THE REQUIRED NOTICES UNDER THE STATUTE. IN ADDITION, A COPY OF THIS NOTICE HAS BEEN AVAILABLE TO THE PUBLIC AND IS ON FILE IN THE OFFICE OF THE MUNICIPAL CLERK.**

**Read by Council Vice President McVey**

3**. INVOCATION AND FLAG SALUTE** Council Vice President McVey – Invocation

Mr. Robert Reed – leads the Pledge of Allegiance – with the assembly

4.  **ROLL CALL**

Council President Fulper, Council Vice President McVey, Councilman Davis- absent, Councilwoman DeGerolamo, Councilman Lutz,

5. **PROCLAMATION** Mr. Robert Reed –Retired Merchant Marine & Army Vet – Celebrating his 99th Birthday today – honoring his service – Council President Fulper reads a proclamation – along with Council.

6. **PROCLAMATION** – Black History Month– Council President Fulper reads the Proclamation

7. **PAYMENT OF BILLS** – These bills remain tabled

One Bill remained tabled – William Benz $487.50

UEZ – kiosk $10, 871.00.

FYC – 482.00

Faith Roncaroni – consultant - $385.00

Council President Fulper questioned check#75180 for Faith Roncoroni, purpose?

Clerk Kleiner responded a consultant fee from Municipal Alliance.

RF – Noted spoke with Gina Fey/Section 8 regarding ck75257 in the amount of $6,048.00 to COD, Assoc. Told there were issues with tenant, under normal circumstances would hold check. Ms. Fey stated inspection yesterday. Stated if issues have been rectified willing to release check.

Payment of Bills Amended

**ROLL CALL**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Council Members | First | Second | Yea | Nay | Abstain | Absent |
| Councilman Davis |  |  |  |  |  | X |
| Councilwoman DeGerolamo |  | X | X |  |  |  |
| Councilman Lutz | X |  | X |  |  |  |
| Council Vice President McVey |  |  | X |  |  |  |
| Council President Fulper |  |  | X |  |  |  |

8. **PUBLIC COMMENT ON AGENDA ITEMS**

Mike Hinkle – 673 South Main St., Stewartsville

Asked if Seasonal Parking Permits currently covering April 1 – Nov 1 could be extended from March through November, or better yet all year long? Also, if fee waived during Shad Tournament?

RF – Noted, unfortunately cannot be put on tonight’s Agenda, but next meeting. Adding parking fee is waived the day of the Shad Tournament.

Emil Brisson – 94 Bullman Street

Stated has questions regarding Bond. Is the 6.5 million to repair the former Municipal Bldg. at 675 Corliss?

Engineer Shrek – 6.5 million is to gut as is, Environmental Clean-up and use all of the 39,000 Square Feet most efficiently to house all Depts.

EB – Noted Police will need to move out while work is done, how much to relocate and is it budgeted.

RF – Waiting on report from Mayor Ellis, hopeful to have next meeting.

EB – What was estimate to move into Armory?

RF – Estimate or bid? Bid received was 4.2.

EB – The cost for relocation is beyond the 6.5 correct, is this money we have already allocated.

RF-Noted amending Temporary Budget, must still relocate PD

EB – Asked if anyone thought about renovating Freeman School for Town Offices?

RF – Responded, great question for Mayor

EB – Asked has the Bond issue been discussed with the Mayor and is he in agreement with the 6.5 million.

RF – Noted he could not tell Mr. Brisson if he is or not

EB – Asked, has no one talked with him about it?

RF – Stated, we have tried

Dustin Pierce – 111 Sitgreaves St.

Asked does Bond O2019-07 include the Municipal Court?

RF – Yes

9**. MAYORS AND ADMINISTRATIVE REPORTS -**  Mayor Ellis left building

approximately 7:15 PM – no report was given

A. Mayor’s selection for Bond Counsel is Wilentz, Goldman, Spitzer, PA Attorneys at Law

**RF -No motion was made – they are currently our Bond Counsel – they will holdover**

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B. Mayor’s selection for Town Engineer and Planner – VanCleef Engineering – Stan Schrek

**ROLL CALL**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Council Members | First | Second | Yea | Nay | Abstain | Absent |
| Councilman Davis |  |  |  |  |  | X |
| Councilwoman DeGerolamo | X |  | X |  |  |  |
| Councilman Lutz |  | X | X |  |  |  |
| Council Vice President McVey |  |  | X |  |  |  |
| Council President Fulper |  |  | X |  |  |  |

C. Mayor’ selection for Sewer & Wastewater Engineer - Remington & Vernick Engineering

**ROLL CALL**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Council Members | First | Second | Yea | Nay | Abstain | Absent |
| Councilman Davis |  |  |  |  |  | X |
| Councilwoman DeGerolamo |  | X | X |  |  |  |
| Councilman Lutz | X |  | X |  |  |  |
| Council Vice President McVey |  |  | X |  |  |  |
| Council President Fulper |  |  | X |  |  |  |

D. Mayor’s selection for Auditing firm, CPA is Supplee & Clooney

**ROLL CALL**  No Second on the motion – currently our Auditors – will hold over

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Council Members | First | Second | Yea | Nay | Abstain | Absent |
| Councilman Davis |  |  |  |  |  |  |
| Councilwoman DeGerolamo | X |  |  |  |  |  |
| Councilman Lutz |  |  |  |  |  |  |
| Council Vice President McVey |  |  |  |  |  |  |
| Council President Fulper |  |  |  |  |  |  |

E. Mayor’s selection for Emergency Management Coordinator – Rich Hay

**ROLL CALL**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Council Members | First | Second | Yea | Nay | Abstain | Absent |
| Councilman Davis |  |  |  |  |  | X |
| Councilwoman DeGerolamo |  |  | X |  |  |  |
| Councilman Lutz | X |  | X |  |  |  |
| Council Vice President McVey |  | X | X |  |  |  |
| Council President Fulper |  |  | X |  |  |  |

F. Mayor’s selection for Deputy Emergency Management Coordinator – Mabel Cook

**ROLL CALL**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Council Members | First | Second | Yea | Nay | Abstain | Absent |
| Councilman Davis |  |  |  |  |  | X |
| Councilwoman DeGerolamo |  | X | X |  |  |  |
| Councilman Lutz | X |  | X |  |  |  |
| Council Vice President McVey |  |  | X |  |  |  |
| Council President Fulper |  |  | X |  |  |  |

10. **ORDINANCES — SECOND READING** none

10 A. **RESOLUTION TO APPROVE PRIOR TO BOND ORDINANCE 2019-07**

**Resolution 2019-38 A and Ordinance 2019-07 were both Tabled, will wait for PBA representation to be at the meeting. A motion was made by Councilman Lutz to Table them. The motion was seconded by Council Vice President McVey**

**R: 2019 -38A**

**A RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATION**

11. **ORDINANCES – FIRST READING**

**O: 2019 -07**

BOND ORDINANCE REPEALING AND REPLACING BOND ORDINANCE NUMBER 2017-03 FINALLY ADOPTED APRIL 18, 2017 AND PROVIDING FOR THE RENOVATION AND CONVERSION OF 675 CORLISS AVENUE INTO AN ADMINISTRATIVE AND PUBLIC SAFETY BUILDING TO HOUSE THE ADMINISTRATIVE, POLICE, FIRE AND EMERGENCY MANAGEMENT DEPARTMENTS, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING $6,500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $6,190,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

**ROLL CALL TO TABLE RESOLUTION & ORDINANCE**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Council Members | First | Second | Yea | Nay | Abstain | Absent |
| Councilman Davis |  |  |  |  |  | X |
| Councilwoman DeGerolamo |  |  | X |  |  |  |
| Councilman Lutz | X |  | X |  |  |  |
| Council Vice President McVey |  | X | X |  |  |  |
| Council President Fulper |  |  | X |  |  |  |

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**O: 2019-08** AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 105, POLICE DEPARTMENT, ARTICLE IV, OFF-DUTY POLICE OFFICERS IN ORDER TO SET A RANGE FOR THE RATE OF PAY

**ROLL CALL**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Council Members | First | Second | Yea | Nay | Abstain | Absent |
| Councilman Davis |  |  |  |  |  | X |
| Councilwoman DeGerolamo |  |  | X |  |  |  |
| Councilman Lutz | X |  | X |  |  |  |
| Council Vice President McVey |  | X | X |  |  |  |
| Council President Fulper |  |  | X |  |  |  |

13. **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: 2019-39**

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

**R: 2019-40**

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A REFUND FOR A PET LICENSE

**R: 2019-41**

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, APPOINTING CLASS A AND CLASS B MEMBER TO THE RECREATION ADVISORY COMMITTEE

**R2019-42**RESOLUTION AUTHORIZING EXECUTION OF CERTAIN DOCUMENTS RELATING TO MAJOR GREEN ACRES DIVERSION AT DELAWARE HEIGHTS PARK

**ROLL CALL**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Council Members | First | Second | Yea | Nay | Abstain | Absent |
| Councilman Davis |  |  |  |  |  | X |
| Councilwoman DeGerolamo |  |  | X |  |  |  |
| Councilman Lutz | X |  | X |  |  |  |
| Council Vice President McVey |  | X | X |  |  |  |
| Council President Fulper |  |  | X |  |  |  |

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

**O2019-02 (First Reading 01-08-2019) Tabled 01-08-2019- Discussed at work session 01-15-2019 REMAINED TABLED – QUESTIONS FOR MAYOR REMAINS TABLED – 02-19-19**

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING CHAPTER 67, *VEHICLES AND TRAFFIC,* SECTION 28, *PARKING LOTS,* OF THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO DESIGNATE CERTAIN SPACES AS VETERANS PARKING ONLY

**UNTABLE**

**ROLL CALL**

**O: 2019-03 First Reading 01-22-2019 Tabled 01-22-2019 REMAINED TABLED 02-19-19**

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE STORM SEWER COLLECTION SYSTEM, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY, APPROPRIATING $1,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,300,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

**O: 2019-04 First Reading 01-22-2019 Tabled 01-22-2019 REMAINED TABLED 02-19-19**

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE SANITARY SEWER COLLECTION SYSTEM, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY, APPROPRIATING $1,300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,300,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

***Second Reading will be March 05, 2019***

***O: 2019-05 First Reading 02-05-2019 SECOND READ 03-05-2019***

***AN ORDINANCE OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING THE TOWN CODE IN ORDER TO CREATE A NEW CHPATER 56, FIREARMS AND WEAPONS, OF THE CODE OF THE TOWN OF PHILLIPSBURG***

***O: 2019-06 First Reading 02-05-2019 SECOND READ 03-05-2019***

***AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN AND STATE OF NEW JERSEY AMENDING CHPATER 414, PARKING, HANDICAPPED, OF THE CODE OF THE TOWN OF PHILLIPSBURG***

15. **VETO** – NONE

16. **NEW BUSINESS**

Councilman Lutz – None

Councilwoman – DeGerolamo – None

Councilman McVey – Introducing (2) subjects, one noting as we approach Elections, overly large signage/signs be placed on Work Session. Also, tasking Council President Fulper and Mayor Ellis to look into Funds – owed from the County funds associated with the Library. Feels this should be looked into thoroughly prior to any future financial situations for the Municipal Bldg.

RF – Must get information to Attorney. Noted he would like to see more than one cable franchise in Town of Phillipsburg (Service Electric) adding one provider does not allow for competitive rates to constituents plus they only have cable-not fiber optics.

Stated Mayor Ellis put out something on Facebook regarding the Police move adding it could not have been further from the Truth. Noted all lies, but rather the Mayor be here to discuss. Asking Council to release Exectuive Session minutes to clear Council’s names as to what truly occurred. Asked for motion to release.

Attorney Wenner stated Executive Minutes could be approved at next meeting and then released.

Councilwoman DeGerolamo added it would be inappropriate to discuss what goes on in Executive Session without first accepting minutes/due process.

RF – Concurred, adding inappropriate to leave an Executive Session and put on Social Media Account, adding wait for Mayor to be present.

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

Bill Timman – 230 South Main Street

Referred to Mr. Cotty’s revolving loan, what is it’s purpose and how many other of these Programs have been done where there is no payback of loan. Feels Mr. Cotty has acquired loans without giving back to Town. Added are we giving another 50k to 100k?

RF – By law cannot freeze current funds already allocated, but did not grant an extension or additional funds.

BT – Must I OPRA to find out about other Revolving loans/Programs?

RF – You could OPRA or you could ask Mayor, this Program precedes this Council.

Councilman Lutz added 1990

Dustin Pierce – 111 Sitgreaves Street

No street sign and Stockton/Sitgreaves to determine street name. Also, noted Park dept type sign hanging from the New Business – Realty/Insurance on South Main about Railroad Excursions, asked who paid for them and why attached to building Town does not own.

RF – Question for Mayor.

EB – 94 Bullman Street

Clarification – not sure heard or understood what Councilman McVey said about Library funds.

FM – Cannot clarify at this time, has asked Council to look into

RF – Noted there would be a more appropriate time in the future, need to research, could be privileged information.

EB – Has this been given to Attorney Wenner

RF - yes

18. **HABITABILITY HEARING** - none

19. **COUNCIL OPEN TIME**

Councilman Lutz – None

Councilwoman DeGerolamo – No thank you

Councilman McVey – Noted being on this working Council, very difficult job. Had to bring up difficult subjects, Ad Hoc Committee and call of no Confidence in Mayor, call for resignation of Mayor. Added, does best to answer all questions, texts, emails posed to him. Council holds purse strings, difficult decisions must be made, must weigh all options. Stated the Town is in trouble-need to fix and get better and move forward.

Council President Fulper – Stated started off meeting well. Noted we all need to focus on the positive. Cherish our loved ones, put into perspective.

20. **MOTIONS**

Approval for **Raffle License** No. RL: 1285 issued to Pohatcong PTA for a 50/50 raffle at the Tricky Tray event to be conducted on April 05, 2019, at Flynn’s on the Hill.

**ROLL CALL**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Council Members | First | Second | Yea | Nay | Abstain | Absent |
| Councilman Davis |  |  |  |  |  | X |
| Councilwoman DeGerolamo |  | X | X |  |  |  |
| Councilman Lutz | X |  | X |  |  |  |
| Council Vice President McVey |  |  | X |  |  |  |
| Council President Fulper |  |  | X |  |  |  |

21. **SPECIAL USE PERMITS** - Shad Festival – request parking fees waived.

**ROLL CALL**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Council Members | First | Second | Yea | Nay | Abstain | Absent |
| Councilman Davis |  |  |  |  |  | X |
| Councilwoman DeGerolamo |  |  | X |  |  |  |
| Councilman Lutz | X |  | X |  |  |  |
| Council Vice President McVey |  | X | X |  |  |  |
| Council President Fulper |  |  | X |  |  |  |

Motion

Discussion

William Scottsman – Trailer $12,096.61 – Just one trailer at this time .

RF – Asked if any questions

ML – Thought Mayor stated use of a room in the current Municipal Bldg./Freeman School, also offered space at the Sewer Plant.

Clerk Kleiner – Officers Maczko, M. Amey stated communication issue with current Municipal Bldg./Freeman School, because of different server.

RF – multiple conversations with Chief Stettner, cannot use space in Freeman School if have a detainee. Original sub-committee was for temporary relocation, contrary to what the Facebook account said. I would still like to go forward to establish a planning sub-committee, to include Councilmen McVey and Lutz, members of the union leadership, Mayor’s office, Clerk Kleiner represent Municipal Facility. As planning goes forward with Stan all offices should be represented.

DD – Would Municipal Court and the rest of municipal staff be represented as well?

RF – Yes, we can certainly reach out to them.

MOTION

Council President Fulper moved to have (1) Trailer for the Police Department. The motion was seconded by Councilwoman DeGerolamo

VOTE: YEAS; Fulper, DeGerolamo, Lutz, McVey

NAYS: None

ABSENT: Davis

MOTION

Councilman Lutz moved to establish Planning sub-committee for permanent move. The motion was seconded by Councilman McVey.

VOTE: YEAS: Fulper, DeGerolamo, Lutz, McVey

NAYS: None

ABSENT: Davis

MOTION

Discussion

RF – Received request to waive the parking fees for the Shad Festival

Councilman Lutz moved to waive parking fees for the Annual Shad Festival. The motion was seconded by Councilman DeGerolamo.

VOTE: YEAS: Fulper, DeGerolamo, Lutz, McVey

NAYS; None

ABSENT: Davis

ML – Questioned if there was a Special Use Permit for the Mardi Gras Parade, noting that the flyer stated sponsored by the Phillipsburg Chamber of Commerce.

RF – Noted that Council originally received a Special Use Permit, but had questions from Fire Chief Hay. When reaching out to the Chamber they said they were no longer in charge of that Event and at this time unfortunately, hedid not know if they would be receiving a Permit request so close to Event. He even noted they would have special meeting if need be, but to no avail.

DD – Noted if truly a Town Event no Special Use Permit required.

Mr. Burger – spoke from audience (could not catch all of conversation) he seemed to support Mardi Gras, noting joint Event starting in Easton and coming in to Union Square.

RF – Repeated his initial concern that Fire Chief Hay had questions, about safety, road closings, etc. which should have been answered ahead of Event. Also, who would be providing clean-up, etc.

22.  **ADJOURNMENT**

Council President motioned to adjourn at 8:07 PM. Motion was seconded by Councilman Lutz.