**TOWN OF PHILLIPSBURG**

Council Meeting Minutes

Wednesday, June 05, 2019

The Phillipsburg Town Council conducted its regular meeting on Wednesday, June 5, 2019 at 7:00 PM at 535 Fisher Avenue in the Community Room.

The required Open Public Meeting Act Statement was read by Council Vice President McVey.

**INVOCATION** By Council Vice President McVey

**PLEDGE** By the Assembly

**ROLL CALL**

PRESENT: Council President Fulper

Council Members DeGerolamo, Lutz, McVey

ABSENT: Davis

TOWN OFFICIALS PRESENT: Attorney Brandon Granda, Deputy Clerk Loudenberry

Motion

Council President moved to adjourn to Executive Session at 7:05 PM. The motion was

seconded by Councilman Lutz.

**EXECUTIVE SESSION:**

R: 2019 – 85 A

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

Motion

Councilman Lutz moved to reconvene at 7:45 PM. The motion was seconded by Councilman Davis. Councilman Davis joined Council during the Executive Meeting.

VOTE: YEAS: Fulper, Davis, DeGerolamo, Lutz, McVey

NAYS: None

* **PROCLAMATIONS:**
* Battle Borne
* Christina Crandall- Rising Star Award-NJ Library Assoc
* Mr. Bundro

Proclamation was given to Battle Borne by Council President Fulper and the Governing Body for their support of Veterans in the area.

**APPROVAL OF MINUTES Tabled – due to being unread**

Executive Minutes – March 26, 2019

**PAYMENT OF BILLS**

CHS Professional Practice -$60.00 – Remains Tabled-requires explanation

**PUBLIC COMMENT ON AGENDA ITEMS**

Joe Meyner 392 South Main Street

Mentioned Sewer Meeting from May 21, 2019, 140 miles of pipe to remove/replace. Cost, 70 million to remove/20 million to replace. Does not occur in present budget.

Dan Boyce 244 Irwin Street

Garbage – please address – lids required, but cans are being drug and thrown. Understand need for cans/no bags, not fair to have to replace, there is a cost.

Emil Brisson 94 Bullman

Resolution 2019-87 In Personam Foreclosure Proceedings, please explain.

Attorney Masquiguiri explains, In Rem or Persona pertains to Property/Tax Sale Certificate, foreclosure on property itself. Town of Phillipsburg has Tax Sale Certificate – upon further discovery another lien, could be Federal/State, Town must go after person themselves for specific property.

Council President Fulper closed Public Comments.

**ADMINISTRATIVE REPORTS**

* **Sub – Committee Sewer - No**
* **Sub – Committee Redevelopment-No**
* **Sub – Committee Landlord Tenant-No**
* **Mayors Report- Not Present**

**ORDINANCES — SECOND READING** **Failed** **– needs to be rewritten**

**O: 2019 – 15 ( First Reading 05-21-19 – rewritten) Second Reading 06-05-2019**

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTYOF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 530 “SOLID WASTE; RECYCLING,” SECTION 3 “SOLID WASTE; RECYCLING,” OF THE CODE OF THE TOWN OF PHILLIPSBURG TO ADDRESS THE MAINTENANCE OF WASTE RECEPTACLES

**O 2019-16 Sewer Capital Bond (First Reading 05-21-2019)– Second Reading 06-05-19**

SEWER UTILITY CAPITAL ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND ACQUISITIONS AT THE WASTEWATER TREATMENT PLANT, BY, IN AND FOR THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; AND APPROPRIATING $500,000 FROM THE SEWER UTILITY CAPITAL IMPROVEMENT FUND TO PAY FOR THE COST THEREOF was introduced for a second reading by Councilman Lutz and there being no errors, corrections or objections, Councilman Lutz moved that the ordinance be adopted according to law. The motion was seconded by Councilman Davis.

VOTE: YEAS: Fulper, Davis, DeGerolamo, Lutz, McVey

NAYS: None

**ORDINANCES – FIRST READING** - None

Council President Fulper asked to remove the following from the consent agenda for discussion: R:2019-086 as Council did not have copy of Agreement.

**R: 2019-86**

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH NO NONSENSE NEUTERING FOR THE PROVISION OF TRAP, NEUTER AND RELEASE SERVICES FOR THE TOWN OF PHILLIPSBURG

**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: 2019-87**

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING IN PERSONAM FORECLOSURE PROCEEDINGS

**R-2019-88**

RESOLUTION AUTHORIZING THE TOWN OF PHILLIPSBURG TO EXECUTE AN EXTENSION OF A SHARED SERVICE AGREEMENT BETWEEN THE PHILLIPSBURG SCHOOL DISTRICT AND THE TOWN OF PHILLIPSBURG FOR THE PROVISION OF SCHOOL RESOURCE OFFICERS

**R: 2019-89**

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, providing advice and consent TO the Appointment of Steve Davis as Department of Public Works Supervisor

**R: 2019-90**

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)

**R: 2019-91**

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)

**R: 2019-92**

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)

Council President Fulper asked to remove the following from the Consent Agenda for Discussion:

R:2019-086. Also, needed to add R:2019-93 – to separate out the Salary from the Appointment for Steve Davis. Councilman Davis asked, with Council President Fulper’s support, to add R:2019-94 to recognize theLGVTQ community.

MOTION

Consent Agenda with amendments.

Councilman Davis moved to accept the Consent Agenda with amendments. The motion was seconded by Councilwoman DeGerolamo.

VOTE: YEAS: Fulper, Davis, DeGerolamo, Lutz, McVey

NAYS: None

**R: 2019-93**

A RESOLUTION ESTABLISHING ANNUAL SALARY FOR A CERTAIN EMPLOYEE OF THE TOWN OF PHILLIPSBURG

MOTION

Councilman Davis introduced resolution and moved for its adoption. The motion was seconded by Councilman Lutz.

VOTE: YEAS: Fulper, Davis, DeGerolamo, Lutz, McVey

NAYS: None

**R:2019-94**

A RESOLUTION RECOGNIZING THE LGBTQ COMMUNITY AND DECLARING JUNE 2019 TO BE “PRIDE MONTH” IN THE TOWN OF PHILLIPSBURG

MOTION

Councilman Davis introduced resolution and moved for its adoption. The motion was seconded by Council President Fulper.

VOTE: YEAS: Fulper, Davis, DeGerolamo, Lutz, McVey

NAYS: None

**NEW BUSINESS**

Sewer Sub Committee – None

Councilman Frank McVey – We were to convene with intersected parties after June 4. Nothing to report yet, will reach out to other parties.

Councilwoman DeGerolamo – Had hoped Mayor would be present tonight. Serious issue in Town, must address situation with Police still at 675 Corliss Avenue. Asking for discontinuing/stop adoption of any Resolutions until we see Police moved. Must move within 60 days! Yield to Council President Fulper.

Council President – are you asking that no further Town business proceed?

DD – Yes. No motion at this time.

RF – Spoke to Chief Stettner, when video went out of falling ceiling tiles, condition of Police Dept. Received a request for a meeting Sunday. Hoping Saturday to discuss temporary relocation, Requirements needed for Armory- 4 month – year period. Situation requires an immediate relocation, so the Armory won’t work. Hoping Mayor can find a suitable location, we want the Police OUT! This is now in the Mayor’s hands.

DD – Town owns dozens of buildings. I am willing to drive around Town with the Mayor tomorrow. I’ll call him.

O:2019-16

Open to Public Discussion

None

FM – Crossing Guards – Need jackets – inclement weather. Received pants, but need jackets if within Budget. Promised to bring up the subject.

RF – Thank you. New Business – at every future meeting if after invocation/roll call, I will move to adjourn until action has been taken for Police to be moved.

**PUBLIC PETITIONS**

Joe Meyner 392 South Main Street

On May 21, 2019 I accepted an apology from Robert Fulper regarding inappropriate applause – root disagreement – violate Oath of Office – Constitution of US. Don’t use quarrel – get strong. We are good.

**COUNCIL OPEN TIME**

Councilman Lutz – Thanked all those who supported him in his run for Mayor during the recent Primary. He thanked his wife Patty. Added there are 3 candidates, who will work hard for Town.

RF – Thank you

Councilman Davis – Reminded Public that school will be out soon and to be aware that kids are in the parks, be safe/careful. We all want a Community that is safe for our children. Stated Ole Towne Fest – 5k, putting up own $100 as prize money, if anyone can beat him, he will award prize, if not the $100 will be donated by him to NORWESCAP.

DD – Ole Towne Fest – hope for good turn out. Stigma Free – attended second meeting, will have booth at Ole Towne Fest, please stop by booth and learn more.

FM – Congratulations to all who ran in the Primary – win or lose, good luck to all in November. Hoping for temporary Plan from Mayor for Police. Selective language – what he wants to follow from Faulkner Act – 5:16 of Town Code in charge of buildings and what comes from Council. Mayor should have been here, at meeting tonight with a Plan to move Police. Need a legitimate plan – not suggestions to move. Interview with Mayor – wearing on me, professionally/personally, please do your job. Show me the Temporary Move, Thank You.

**MOTIONS**

**EXECUTIVE SESSION**

R: 2019 -

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

**ADJOURNMENT**

Motion to adjourn was made by Councilman Lutz and seconded by Councilman Davis. Meeting adjourned at 8:35 PM.