**TOWN OF PHILLIPSBURG**

TOWN COUNCIL MEETING MINUTES

Tuesday, June 18, 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 JUNE 18, 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**

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

4.  **ROLL CALL**

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

Attorney Wenner, Clerk Kleiner - Present

5. **PROCLAMATIONS:**

* Christina Crandall – Rising Star Award – NJ Library Assoc.
* Ray Patt & Meghan Mann – Special Olympics winners
* Hunterdon Heat

6**. DISCUSSION:**  Ed Bullock, president Library Board of Trustees – Library Roof

He acknowledged Christina Crandall, winner of Rising Star Award, only (2) people in entire State to receive this award. Recognized her for her professionalism, creativity and positive work ethic.

Went on to discuss the massive leaks, property destroyed due to leaking roof. Came before Council to try and clarify situation. Asked if roof was to be 50% replace and 50% repair or entire replacement, not patchwork.

JD- Full replacement, but part A and part B, just because of how funds are allocated

RF – my understanding – that type of flat roof – should be done all at once

EB- We were talking about this, needing new roof, before you were voted in to office. Continued, for it to take this long is disappointing, to see where we are now, with massive leaks. Asked who is responsible for moving this Project along. How is it to be managed?

RF – The only thing Council can do is contact the Mayor to receive updates. He calls on cellphone and leaves a voicemail

EB – We had bids for the Library Roof before in office, questioned how much the Insurance Company will tolerate before they claim, “failure to maintain”.

DD – Asked, wasn’t Mayor at Library’s last Board Meeting, is he NOT updated on Project.

EB – Noted Mayor was at last meeting, talked about damage, had conversations with Roofer knowing more rain coming. Roofer made adjustments, discussion not properly done, water went under the seam of the new portion and we were flooded.

JD – Stated if issue with Roofer, asked if Library considered having Roofer cover with their insurance policy.

EB – Noted Library’s insurance company would have to subrogate against them, adding there was discussion to let the roofer do the dry-out. He added we need to make an insurance claim and let them subrogate against the roofer because if it is poor workmanship – because there was a drain that wasn’t properly handled/plugged up – made the water back-up and then we were inundated with water. We had Inspections Dept head, Kevin Duddy there and your plumbing inspector, they told us about the drain. There is growth on the roof-moss! This is not being paid attention to – focus should be on completion of Project – this is major. Too much time gone by/mismanaged for something that should be maintenance.

RF – Noted it is within the Council’s power to withhold check on tonight’s bills list for Roofer in the amount of $219,735.00.

EB – Asked if that was the issue, the roofer – getting it done. Noted if rains they cannot continue work. Adding preferred CP Fulper contact Library Director, Deb Messling.

RF – Stated Council is the Legislative Body and can only allocate funds and budget them appropriately. Adding it is up to the Administration to provide oversight and he does not know who is in charge of Project.

FM – Noted he is meeting representative of Homeland Security at the Phillipsburg Free Public Library in less than 48 hours, on Thursday 06.20.19 at 9:30 am. He offered himself as liason between Administration and Library, adding he will call, email and text Administration from now till then in hopes of getting information. Stated he will meet with Deb Messling in the Library after his meeting at which time she can give him tour of roof/damage.

EB – Stated not even thinking of it till now, but mold is issue, can start with unseen water behind walls. Adding did they want the same problem as the former Municipal Building on Corliss Avenue.

DD – Noted, she did try to contact Administration twice, (2) weeks ago with no response, having the same concern about the mold. Added she had copied CP Fulper on email, and she would forward that information to Councilman McVey.

7. **APPROVAL OF MINUTES**

Executive Minutes – March 26, 2019

**ROLL CALL**

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

Executive Minutes of February 25, 2019 – Held till July 02, 2019

**ROLL CALL**

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

8. **PAYMENT OF BILLS**

CHS Professional Practice -$60.00

**ROLL CALL**

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

Bills List A

**ROLL CALL**

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

Bills List B

**ROLL CALL**

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

9. **PUBLIC COMMENT ON AGENDA ITEMS**

Joe Meyner – 392 South Main Street

Suggestions – O:2019-15- Don’t put out Recycling – stricken from the record. R2019-95 Director of the Division is that the Mayor? 2019-96 – No Contract attached.

Councilman Davis – Officer in Trenton

Aliaja Davis

Need permit for soliciting, will be at Olde Towne Festival this weekend

10**. ADMINISTRATIVE REPORTS**

* **Sub – Committee Sewer** - none
* **Sub – Committee Redevelopment** - ML and FM- had second mtg in July, first in August with an interested developer, that portion of the development on or near the La Bella Via. That’s been in the plans since 2004, it was the redevelopment, Social Media Post – New Business. Called Malinowski’s Office and try to assist and help the process. As Co-Chair of Sub-Committee Redevelopment. Someone to come and show interest and look forward to painting murals and be on the same page, we should be, Stan Schrek on vacation and sit down and meet Phase 2, identified a property
* **Sub – Committee Landlord Tenant** – to meet with us and Councilman Davis – enact Rent Control, join us to discuss the rent control ordinance that we will be placing before Council

One Section to add – Update on Police Station Move. After speaking with Council, cant’ be wreckless and not do any work, we will continue the meeting and will update everyone with the process. Many under the impression that Council is delaying the move, the request was sent to the Mayor, placed in Armory, 4 months to a year… engineer stated, so that is not now. Council majority wants them out.

RF – The numbers I have seen are (4) million one department into the Armory or 6.5 and put everyone back in one building – same price, since we must rehab Corliss Ave anyway. No one has asked where the employees are going, I am hopeful that sometime in near future stop the finger pointing and I did invite the Mayor and have not heard back. I want to move forward and the Police need to be out and make sense for the taxpayer, also look for the best interest.

* **Mayors Report** - None

11. **ORDINANCES — SECOND READING** - None

12. **ORDINANCES – FIRST READING** -

**O: 2019-17 (First Reading 06-18-2019)**

BOND ORDINANCE PROVIDING FOR VARIOUS 2019 CAPITAL IMPROVEMENTS, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING $1,131,432 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,074,860 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

**ROLL CALL**

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

Discussion Councilman Lutz – noted correspondence from Mayor indicated there was no asbestos in Armory. Adding Town paid RT Environmental $3,700 to assess and they reported 93k in Asbestos removal needed. Noted when he and CP Fulper were in building with camera people, they saw problems and took pictures of same. He viewed asbestos covering on pipes, ceiling tiles, etc.

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: 2019-95**

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: 2019-96**

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A CONTRACT TO JEWELL COMPUTING SOLUTIONS

**R-2019 - 98**

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH REMINGTON & VERNICK ENGINEERS (RVE) FOR SERVICES RELATED TO THE PHILLIPSBURG WASTEWATER TREATMENT PLANT FOR BID DOCUMENT PREPARATION AND SOLICITATION OF SPARE PARTS

**R: 2019-100**

A RESOLUTION SUPPORTING DISCHARGE OF FIREWORKS AT OLE TOWN FESTIVAL

**R: 2019-101**

A RESOLUTION PROVIDING FOR RENEWAL OF ENTERTAINMENT LICENSE

**ROLL CALL**

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

**R: 2019 - 97**

A RESOLUTION APPROVING 2019-2020 LIQUOR LICENSES WITHIN TOWN OF PHILLIPSBURG

**ROLL CALL**

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

# **Discussion**

Need Entertainment Application from Marianna’s – Clerk Kleiner will send letter

# **R: 2019 - 99**

A RESOLUTION IMPOSING LIEN FOR MUNICIPAL SERVICES

**ROLL CALL**

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

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

**R: 2019-86 – tabled 06-05-19 for contract review**

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

**ROLL CALL UN- TABLE**

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

**ROLL CALL**

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

15. **NEW BUSINESS**

Councilman Lutz – noted correspondence from Mayor indicated there was no asbestos in Armory. Adding Town paid RT Environmental $3,700 to assess and they reported 93k in Asbestos removal needed. Noted when he and CP Fulper were in building with camera people, they saw problems and took pictures of same. He viewed asbestos covering on pipes, ceiling tiles, etc.

Spoke about Primary election – machines, polling booth – had everybody’s name not just Party. As Democrat should not have been able to vote Republican. Happened to Mother-in-law and others. Inquired with Clerk Kleiner – she noted around 26 people called her about it. Asking people in audience if happened to them or anyone they know – to call Election Board. Criticized for name tainted by Mayor, said I wasn’t the sharpest tool in the shed and he didn’t have enough motion to drop salary down to 45k.

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

Connie Fuocco

That was an issue bringing up again, don’t know how Town can operate when the Mayor doesn’t communicate with the Council. Think you should lower salary more than that.

Ray Patt

Thanks for coming out for the bowling for Amy Myers. Made 4,000, that is amazing. Will let you know when having again.

Joe Meyner 392 South Main St.

Last week’s meeting turned in some investigation, Filmore Street Facility, the Police Department are currently using space there. Still comes down to expensive items, you don’t have to follow the rules sometimes in an emergency

Belvidere Transport, moving the Police Department evidence room not so easy and needs a man on constant attention. but reduces the number of PD that get exposed.

Kelly Lefler Congress Street

Need stop sign at corner of Congress and Hillside heading west. Gave to Mayor’s Office, traffic study, engineer and the Police Department does a traffic study.

RF – I’ll call Stan, can’t overstep my bounds, confirm with Chief Stettner regarding the stop sign. DG – had complaint on Elder, not speeding but cars during a time frame, four years later. Will reach out to Chief, but Engineer on vacation.

Dan Boyce 244 Irwin

Has nothing been done to move Police?

RF – Can neither confirm nor deny

DB – Greek Meat Guy’s business is struggling on South Main Street. Mice, rats in garbage from the apartment upstairs. Plants destroyed, need cameras there that work, surveillance cameras are in need of repair. Need more cameras in Town. Know we have funds allocated for certain electronics?

RF – Can only say contact the Mayor’s Office.

Meliss Paulus 26A Glenn Avenue

Some things already discussed, money allocated and not spent. Town only responds to emergencies not to maintenance, lack of performance, one of the concerns, RT Environmental Report 2019-16. The extent of the damage?

JD – the estimate

MP - Only asbestos and mold. today’s estimate. Change the form of Government. Speeding a huge issue, it is on all t he streets…it’s disgusting we are only responding to emergencies. including the place, the patrols should be stationed out for speeding., how may speeding tickets, why Chief not here but in Alpha?

RF – the answer – ask the Mayor. Take this in to consideration when discussing his report… that when these things should be brought up. We need to see – inspections should be issuing summonses, change of form of government. Ellis adopt my redevelopment, what has been done, what has he brought to the table.

16. **COUNCIL OPEN TIME**

ML – Library roof – why didn’t they put an A- FRAME on that roof. As Ed Bullock spoke about it, big issue, 600,000 for everything, brand new roof… can you answer that... engineer can tell us. Unions donate time and they didn’t ask them.

Correspondence and RT Environmental 93k worth of asbestos that needs to be taken care of. went through with RT and there nothing. Something isn’t right. Asbestos on tile, pipes, mold on ceiling

JD – Ole Towne Fest – this weekend, everyone come out, join in the 5k

DG – Seminar on June 11, potential of opportunity, it was an amazing conference, NJ BIDS, excited to have Phillipsburg. (2) Investors looking at Pburg, quite excited and will benefit Lopatcong too. Opened in Flemington and brought 100,000 into the Town but needs the highway, one investor brings another. Webinar $25, conference

Invitation to go to Flemington with the Business Owners, to promote business, how to promote a smaller community working on this with the State.

Asbestos any building in 1970 has asbestos in the case of Corliss, 2006 first quarter 40 (before air…before that happened, not much done, been neglected, if you had been in that building in 2018 you would have been horrified. Why not more money to get everyone moved out of that building.

Update on Market Street

Done by end of July, Community Watch Program, NORWESCAP, Police Department there discuss a lot of things, Sept. 30, 2019. Stats on Crime in Town. Downtown area efforts will be…

Trash reports all been reported, (3) out of (4), the owner took care of it.. we have been taking active roles and push it to Admin. I am tired of being sued every time we take action. It is difficult, not my job, we have had our hands tied, try to get things done. Trying and working every day, business, community and conferences… make a better place for all of us.

FM – Wants me to go into the hot dog eating contest… JD – run swiftly

Impossible to work without the presence of the Mayor, impossible maybe by design, it is my opinion, 60 miles from here its all on NJ.com. We call it like it is, I am not going to stop, I won’t apologize for being a Republican, for having a voice, listening to people who stop and talk to me, tell you and them will not apologize for being frank.

Feel so bad for the Library, I need to get you an answer…Council President did invite the Mayor here and has often. The Mayor presents the budget and should be here every step of the way during the budget proves, he has not been here… recommendations to sue the Mayor, can’t work cohesively, three Republicans won in 2017, he was dedicated to put a sign in the median – you know the importance of Council, but by design not showing up to make us all, by design, just posted on FB 10 minutes a dog, no reps are here. You can post on FB, what if you don’t have FB and someone needs to know, but you had time to do that, that is not being a leader, someone fishing or a job or grandstanding using the public as a pawn

Think it is shameful, you have to lead, we are a Town of 14k in Phillipsburg, don’t’ be in Washington or whatever, we are in trouble, quality of life, redevelopment and managing the non-responsive. I speak to him every day, elected to do a job, come out and do it

When people come up and we tell you to contact the Mayor’s Office you laugh. daughter says nothing to do in this Town. We shop for groceries, he cooks it and we present it to you.

Apology to Engine one, unveiling of a New Truck Engine 1

RF - Library roof – cherished institution. it was devastating to walk into the library. the extent of damage, they are an amazing resource. Need to make sure the Library is in pristine shape, I’ll be taking (4) children to the beach, wish Councilman Davis luck in the 5k. Hope next meeting a few more positive things, lots of negative, Last Democratic Primary, its amazing, turn myself to a positive in this community, for the rest of the term, recognize the citizens, loyal residents and bought Ray Patt a new bike, Jake Bloodgood, caught him off guard, thanked him and honor him at the next meeting. Hoping positive message will counter the negative.

TJ Fry, Rapper, Key and proclamation needs to be honored, I reached out to local artist. areas to use come color, Norfolk/Southern, do something positive, change form of government

If you are not in favor of it now, go back the last four years and note lack of progress. the people hurt we need a different form of government

Find the answer as well, I echo the sentiment of CFM, just quit, can’t, will fight every day. Mr. Novak positive, unified

Dave DeGerolamo, John Damato, my inspiration to run and lots more done if you don’t’ spread lies. Pay attention to this election and if you can see how hurtful, stay away engaging in the negative comments, people question why my high school picture not in the yearbook, makes no sense – its where we stop to in this Town, more positive stay away from negative, regardless of who wins in November, we still hold the Majority, or nothing will get done.

I appreciate that you all come here, last thing is that the Police are moved immediately has to happen, my neighbor has sons, get them out now, some people tell lies. It is Tiresome, love this Town. Wanted to note the passing of Mary Stone.

16. **MOTIONS**

Approval for Raffle License No. RL: 1288 & RL: 1289 issued to The Garnet Boosterettes for a 50/50 on premise raffle to be conducted on:

**September 20, & 27, 2019; October 11 & 25, 2019**

**November 08 & 15 & 22, 2019** between the hours of 5:30-7:30 PM.

Approval for Raffle License No. RL: 1290 issued to the Garnet Boosterettes for an off -premise raffle October 26, 2019.

**ROLL CALL**

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

17**. EXECUTIVE SESSION**

R: 2019 - 102

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF . . . Attorney/Client privilege – Action may be Taken

**ROLL CALL**

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

18. **ADJOURNMENT – 9:29 PM**

**ROLL CALL**

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