

TOWN OF PHILLIPSBURG
TOWN COUNCIL MEETING MINUTES
Tuesday, October 19, 2021
SENIOR CENTER
7:00 PM

1. **CALL TO ORDER** - VP Fulper – 7:10 PM

2. **OPEN PUBLIC MEETING ACT STATEMENT:** by Cnclman R.Piazza, Jr.

THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS LAW. THIS MEETING OF October 19, 2021 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** Led by Cnclman R. Piazza, Jr.

4. **MOMENT OF SILENCE** - Audience honored passing of James Cook

James Cook passed away October 13, 2021. His spouse is Mabel Cook our longtime friend and Deputy Emergency Mgmt. Coordinator. We offer our Condolences to Mabel and her family

5. **ROLL CALL**
Council VP Fulper, Councilwoman DeGerolamo, Councilman Lutz, Councilman Piazza, Councilman Wyant

6. **OATH OF OFFICE** – ACTING MUNICIPAL CLERK Loudenberry
Motion

R2021-256
RESOLUTION TO PROVIDE FOR THE APPOINTMENT OF LORRAINE LOUDENBERRY AS ACTING MUNICIPAL CLERK AND REGISTRAR FOR THE TOWN OF PHILLIPSBURG

ROLL CALL

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant		X	X			
Councilman Piazza			X			
Councilwoman DeGerolamo			X			
Councilman Lutz	X		X			
Council Vice President Fulper			X			

VP Fulper stated he was saddened to receive the news from Clerk Victoria Kleiner she would be retiring as of November 1. He remarked her hard work and dedication over the years is appreciated. He continued that Deputy Clerk Loudenberry has been filling that role in Vicki’s absence and tonight she would be taking the Oath of Office as Acting Municipal Clerk.

7. **APPROVAL OF MINUTES -** October 05, 2021

ROLL CALL

Passed 5-0

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant			X			
Councilman Piazza			X			
Councilwoman DeGerolamo	X		X			
Councilman Lutz		X	X			
Council Vice President Fulper			X			

Discussion - None

8. **BILLS LIST -**

ROLL CALL

Passed 5-0

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant	X		X			
Councilman Piazza			X			
Councilwoman DeGerolamo		X	X			
Councilman Lutz			X			
Council Vice President Fulper			X			

Councilman Harry Wyant abstains from #7104.

9. **PRESENTATION** – Ms. Tia-Lyn Ghione – special guest speaker on Domestic Violence

10. **ANNOUNCEMENTS**

Halloween Parade – October 24, 2021 – 3:00PM (No Rain date)

11. **OLD BUSINESS**

Habitability Hearing – 277 Warren Street – having been moved from 08.17.2021

MOTION to Open Habitability Hearing
ROLL CALL

Passed 5-0

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant			X			
Councilman Piazza			X			
Councilwoman DeGerolamo	X		X			
Councilman Lutz			X			
Council Vice President Fulper		X	X			

Attorney Wenner stated B1:1209 Lot:2 otherwise known as 277 Warren Street had been scheduled to be heard at the TC Meeting of October 5, 2021. Since there was no representation for the Property nor our Code Official continuation till tonight. Present is our head of Inspections Department/Code Official, Jack Daniels.

Jack Daniels swears to the Oath. He continued the inspection he conducted was only the outside of the Property. He noted the initial complaint was May 26 and he has made several visits since. Servicer of Note – Cyprexx.

Property in disrepair – complaint includes

- Tree in yard took down electric box off of building
- Basement well open – hazard
- Posted as unsafe – received cease and desist from family member on deed
- Unable to access – but view from window, filled with personal items, water damage ceiling
- Food debris – mold-dampness
- Yard – water reservoir – mosquito breeding place
- Deck – falling apart

Attorney asked if could be rehabbed.

JD – cannot be determined without access. Structure needs a lot of work, roof, plumbing. Don’t know if water has been turned off. Noted received email from Jane Dugan, who represents the bank as the Service Company. Someone is taking care of yard, but kitchen window open today, leaving property unsecured.

Attorney Wenner asked, is property a detriment to the health, safety and welfare of the residents of Town of Phillipsburg? Continued, at a minimum with porch missing, trespassers could be injured?

JD- Stated first responders and the general public are at risk. Debris in the basement well, unsafe if responders had to respond to fire. Appears to have removed oil tank, smell of oil, don’t know if some leaked, don’t know if cleaned up. Mold on stove and cabinets.

Attorney Wenner asked if danger structurally?

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JD replied, don't know, but likely if roof has water infiltration. Continued ceiling falling, could have rott in floor joists, but need to expose to be sure, but witnessed the ceiling is coming down.

RW – asked if signs of vermin, feral cats.

JD – No

RW – asked minimum to bring it to no longer be a danger?

JD – New Roof, porch system, deck attached on side. Clean yard, but interior, no idea

RW – you observed water damage?

JD – Need to have all personal effects removed – gut to framing to determine if feasible to repair.

Attorney Wenner noted the Property is in foreclosure and lender is required to register property as Vacant/Abandoned and pay necessary fees. Acting Clerk Loudenberry was asked to check on registration.

Councilwoman DeGerolamo – Asked if basement slab – woodframe, clapboard – just in need of paint?

JD noted presume it is a full basement, uncertain.

Councilman Piazza – asked if it was a faint smell of oil?

JD – Responded no strong smell. Continued there was a Permit for tank removal; which is closed – assume tank gone, but didn't clean up, hard to tell.

RP – Asked where saw collapsed ceiling?

JD – kitchen.

Attorney Wenner had Mr. Daniels review and explain all photos he had taken of property; which were in Council's packet; which Mr. Daniels went into detail in doing so. He continued by stating:

- Danger to health safety welfare
- Unabated will worsen
- New roof needed
- Missing porch
- Structure fixed or moved
- Clean out Property
- Expose joists for rot/vermin
- Water in pond removed

JD responded yes to all listed

JD continued proper notices given UCC – unsafe 05.26.2021, issued to Mary Mardzi – received a cease and desist from agent Donna Mardzi. Sent by certified mail – indicates received on 06.01.2021, but no signature due to Covid.

RW – Stated notices given – non-compliant.

Councilman Wyant asked if DPW could be authorized to drain the pond-appropriate action.

JD – responded would try to get Cypress Service to do.

Attorney Wenner addressed Council citing best approach would be serve ten day notice – served to owner of record, service agent and any lien holders. Continued, Council has option to:

1. Do nothing
2. Order repair
3. If repair not done – demo and place lien against property for cost

MOTION

Council Vice President moved to have notices sent to al parties. Councilman Wyant seconded. Motion passed 5-0.

PRESENTATION – Ms. Tia-Lyn Ghione – special guest speaker on Domestic Violence

Ms. Ghione shared her personal experience as a survivor of Domestic Violence. It was evident the audience listened intently and was empathetic. She shared that October is the 30th anniversary of Domestic Violence Awareness Month. Tia-Lyn asked for the audience to ask themselves if they know of someone or experienced Domestic Violence themselves. She encouraged all to reach out to our State representatives to change/create policies to address Domestic Violence. Asked everyone to take opportunity to educate themselves and our youth to have respect in our relationships.

Council thanked Ms. Ghione for her moving presentation and wished her all the best.

Old Business - Remains Tabled

R2021-239

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING MEMBERSHIP IN SOURCEWELL FKA NATIONAL JOINT POWERS ALLIANCE

R2021-240

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY APPROVING THE PURCHASE OF VEHICLE TRACKING SYSTEMS FROM VERIZON CONNECT THROUGH SOURCEWELL COOP CONTRACT NUMBER 020221-NWF FOR THE TOWN OF PHILLIPSBURG

Motion to Table R2021-239 & 240 Until next Mtg. 10.19.2021 (Remains Tabled)

ROLL CALL - Remains Tabled

Council Members	First	Second	Yea	Nay	Abstain	Absent
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Councilman Wyant		X	X			
Councilman Piazza			X			
Councilwoman DeGerolamo	X		X			
Councilman Lutz			X			
Council Vice President Fulper			X			

4. **MAYOR’S AND ADMINISTRATIVE OFFICERS**

None from Mayor.

5. **PUBLIC DISCUSSION ON AGENDA ITEMS**

Ms. Alexander – Phillipsburg

Noted has seen changes. Stated those just out of Prison, men have half-way houses, but what is being done for the women. Continued if people have job opportunities, they won’t sell drugs. Added her daughter has four children, doesn’t want to go back to jail. She is trying to build life, went to college. Once background check notes in jail, where will they go. No family or friends. Men and women need a second chance, not stigma. Added daughter now counselor at Freedom House.

VP Fulper asked if she was Lakeesha’s Mom, to which she responded yes. He noted Lakeesha was on Citizen’s Action Panel and they partnered with NAACP with Lakeesha being integral. He added Ms. Alexander is doing a great job raising her children and God Bless.

6. **ORDINANCES – SECOND READING**

O2021 – 20 (1ST RDG. 10.05.2021)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 100-6, COMPENSATION PLAN

ROLL CALL

Died on the Floor – Did not Pass

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant				X		
Councilman Piazza	X		X			
Councilwoman DeGerolamo		X	X			
Councilman Lutz					X	
Council Vice President Fulper				X		

Discussion

Councilman DeGerolamo – No comment

Councilman Wyant – Too Broad – too far a spread
Councilman Piazza – Nothing
Councilman Lutz – Nothing

7.

ORDINANCES — FIRST READING

NONE

8. **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.*

R2021-255

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY IN SUPPORT OF RONALD TITUS AND JEANE TITUS FOR WORK AND TIME PERFORMED AND DEVOTED TO THE PU SWITCH TOWER

R: 2021-257

A RESOLUTION APPROVING THE PAYMENT OF FOURTH QUARTER 2021 COUNTY TAX AND OPEN SPACE TAX, DUE NOVEMBER 15, 2021

R: 2021-258

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

R2021-259

A RESOLUTION IMPOSING LIEN FOR MUNICIPAL SERVICES

R: 2021-260

A RESOLUTION DESIGNATING HANDICAP PARKING

R2021-261

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87/Eliz. Town Gas Rd. Imprv. – 1035 Stanley Street

R2021-262

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87 /American Rescue Plan – Police Radios

R2021-263

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87/ Municipal Alliance on Alcoholism & Drug Abuse

R2021-264

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A REFUND IN THE AMOUNT OF \$55,584.00 TO PR BRIDGE I78 PHASE II OWNER

ROLL CALL

- Consent Agenda

Passed 5-0

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant			X			
Councilman Piazza		X	X			
Councilwoman DeGerolamo			X			
Councilman Lutz	X		X			
Council Vice President Fulper			X			

Discussion - None

9. NEW BUSINESS

VP Fulper – Bus Parking – all over streets too close to corners. Emergency vehicles difficulty navigating around. Wants to take a look – amend code regarding school buses on streets and would like the Police Department to weigh in.

DD – noted there is a time limit.

RF – 6-9 PM – same problem. Noted Mayor Tersigni had them park in South Main Street lot. Need to find parking lots – not on the street. Reached out to bus company, but they say they are following Ordinance, nothing will change. Need to confer with Attorney Wenner and reach out to Chief.

10. PUBLIC PETITIONS

David Morisette 5 Fairview Hghts.

Spoke about Video of June 4, 2019; which Council VP Fulper Opra’d. Noted VP claims he lied and filed false report. Continued he took polygraph and found to be truthful. Provided full statement to Acting Clerk Loudenberg.

11. DISCUSSION

12. COUNCIL OPEN TIME

Councilwoman DeGerolamo – Spoke to Pork Roll Palooza – thanked PBA – nice event until rain. All had fun – pig noses, music, dunk tank. Commended DPW, did bang-up job cleaning up mess afterward, especially considering the rain,wind. Thanked Sponsors.

Reminded audience – Fall Festival – 12-4 at Shappell Park and there will be Scarecrow Contest along with other activities.

Councilman Wyant – Excellent Event – Pork Roll Palooza, fun had by all. No way participate in Dunk Tank.

Councilman Piazza – Pork Roll Palooza – enjoyed the food, local brewery present – Invertase. Also, the Warren Heritage Scenic Byway has been ratified. All connected from here in Phillipsburg to Waterloo Village – all Towns now Ratified. Town of Phillipsburg now has not only Warren Heritage Scenic Byway; which is a scenic byway that promotes and preserves NJ heritage, cultural and nature-based tourism. Also Bicycle Route #1 a corridor crossing NJ that follows the Delaware River and comes through the Town of Phillipsburg. The Morris Canal Greenway with walking, biking paths too.

13. **MOTIONS**

R2021-265

Council VP Fulper moved to extend the hours of Trick or Treat on Halloween October 31, 2021 from 5PM – 8PM.

ROLL CALL

Passed 5-0

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant			X			
Councilman Piazza		X	X			
Councilwoman DeGerolamo			X			
Councilman Lutz	X		X			
Council Vice President Fulper			X			

14. **ADJOURNMENT**

VP Fulper moved to adjourn at 9:20 PM. The motion was seconded by Councilman Wyant.

Apprvd. 11.09.2021