

REORGANIZATION MEETING MINUTES

January 1, 2018

The Phillipsburg Town Council conducted its Reorganization Meeting on Monday, January 1, 2018 at 12:00 P.M. at the Phillipsburg Senior Center located at 310 Firth Street.

The required Open Public Meeting Act Statement was read by Attorney Wenner.

PLEDGE OF ALLEGIANCE By the Assembly

PRESENTATION OF CERTIFICATES OF ELECTION

Clerk Kleiner presented 'Certificates of Election' to:--

Danielle L. DeGerolamo, Councilmember

Robert W. Fulper, Councilmember

Frank McVey, Councilmember

OATH OF OFFICE

Emeritus Mayor Gloria Decker administered the 'Oath of Office' to:

Danielle L. DeGerolamo

Emeritus Mayor Harry L. Wyant, Jr. administered the 'Oath of Office' to:

Robert W. Fulper

Clerk Kleiner administered the 'Oath of Office' to:

Frank McVey

ROLL CALL

PRESENT: Councilmembers: Davis, DeGerolamo, Fulper, Lutz, McVey

ABSENT: None

TOWN OFFICIALS PRESENT

Clerk Kleiner and Attorney Wenner

SELECTION OF CHAIRPERSON-PRO-TEMPORE

Motion

Councilman Lutz nominated Attorney Wenner to serve as Chairperson-Pro-Tempore. The motion was seconded by Councilman Davis, which carried by a 5-0 vote.

SELECTION OF COUNCIL PRESIDENT

Chairperson-Pro-Tempore called for nominations for the position of Council President.

Councilman McVey nominated Robert W. Fulper. The nomination was seconded by Councilman DeGerolamo.

There being no further nominations. The vote for the selection of Robert W. Fulper as Council President carried by a 5-0 vote.

OATH OF OFFICE

Attorney Wenner administered 'Oath of Office' to Robert W. Fulper, Council President.

Council President Fulper extended his gratitude to the residents regarding the election. Council President Fulper also acknowledged the following people here today showing support:

NJ State GOP Chairman – Douglas J. Steinhardt
Former NJ State GOP Chairman – Michael B. Lavery
NJ Congressman – Leonard Lance
NJ State Assemblyman (Appropriations Officer) - John DiMaio
NJ State Assemblymen (Assistant Republican Whip) Erik Peterson
Warren County Freeholder Deputy Director – Edward J. Smith
Former Phillipsburg Mayor- Harry L. Wyant Jr.
Former Phillipsburg Mayor- Gloria A. Decker

Former Phillipsburg Mayor – Paul Rummerfield
 Pohatcong Township Mayor – James R. Kern, III
 Lopatcong Township Mayor-Elect – James E. Mengucci
 Lopatcong Township Council President – Joseph Pryor
 Lopatcong Township Councilman – William Wright
 Former Phillipsburg Town Council President – Todd M. Tersigni
 Former Phillipsburg Town Councilman – Randy Piazza
 Former Phillipsburg Town Councilman – John A. Lynn
 Phillipsburg School Board President – Matthew J. Scerbo
 Phillipsburg School Board Member – Bernard Brotzman
 Phillipsburg School Board Member – William J. Spencer
 Phillipsburg School Board Member – Sandra Morrisette
 Former Phillipsburg School Board Member – Kevin DeGerolamo
 Former Phillipsburg School Board Member Richard E. Turdo, Sr.
 Lopatcong School Board Member – Bob McFarlane
 Former Phillipsburg Planning Board Member Daniel DeGerolamo
 Former Phillipsburg Police Officer – Joe Collura
 Former Phillipsburg Police Officer – Ken Decker
 Former Phillipsburg Police Officer – Frank Stettner
 Newly Retired Crossing Guard – Ann Marie Fleming

SELECTION OF VICE PRESIDENT

President Fulper nominated Danielle DeGerolamo for the position of Vice President. The nomination was seconded by Councilman McVey, which carried by a 5-0 vote.

The vote for the selection of Danielle DeGerolamo as Vice President carried by a 5-0 vote.

MAYORS TIME – Mayor was not at meeting – no report at this time

CONFIRMATION OF MAYOR APPOINTMENTS

Mayor submitted the following appointments to Council for their confirmation:

Wilentz – Bond Council
 Suppley, Clooney – Auditors
 Kevin Duddy – Sub Code Fire Official

Councilman Davis moved for confirmation of appointments to be tabled. The motion was seconded by Council Vice President DeGerolamo.

Motion carried by a 5-0 vote.

BILLS LIST SUMMARY

Current Fund	\$ 73,634.61
Capital Fund	32,987.00
Sewage Utility Fund	750.00
Sewage Capital Fund	940.00
Section 8	3,304.20
Regular Bills List of January 01, 2018	\$111,615.81
Section 8 Rent Payments January 01, 2018	\$138,912.00
<i>Tabled Bill prior meeting Brocious, Fisher & Zaiter \$9,275.00 Remains tabled.</i>	
Grand Total of all Funds	\$250,527.81
Removal of CK# 71540	<u>- 11,156.00</u>
Grand Total of All Funds	239,371.81

ANNOUNCEMENT

HOLIDAY: Monday, January 15,
2018 in observance of MARTIN
LUTHER KING'S BIRTHDAY

All offices with the exception of the
Police Department will be closed

There will be **NO** garbage or
recycling on that day. Collection will
be on **WEDNESDAY, JANUARY
17, 2018**

OLD BUSINESS – NONE

PUBLIC DISCUSSION ON AGENDA ITEMS - NONE

NEW BUSINESS

Councilman Davis made a motion to expedite the agenda and do a consent agenda.

Attorney Wenner explained how the consent agenda works to the new Councilmembers.

Council President Fulper seconded the motion to do a consent agenda. The motion carried a 5-0 vote.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			X			
Davis	X		X			
Lutz			X			
McVey			X			
Fulper		X	X			

RESOLUTIONS – done as consent agenda

R: 2018-01

A RESOLUTION TO PROVIDE FOR THE ADOPTION OF THE TEMPORARY BUDGET FOR 2018 IN ACCORDANCE WITH THE LOCAL BUDGET ACT

R: 2018-02

A RESOLUTION TO PROVIDE FOR AN ADOPTION OF A TEMPORARY BUDGET FOR DEBT SERVICE FOR THE YEAR 2018 IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL BUDGET ACT

R: 2018-03

A RESOLUTION TO PROVIDE FOR THE ADOPTION OF A TEMPORARY BUDGET FOR THE SEWER UTILITY FUND FOR 2018 IN ACCORDANCE WITH THE LOCAL BUDGET ACT

R: 2018-04

A RESOLUTION TO PROVIDE FOR AN ADOPTION OF A TEMPORARY BUDGET FOR DEBT SERVICE FOR THE YEAR 2018 IN ACCORDANCE WITH THE PROVISIONS OF THE LOCAL BUDGET ACT

R: 2018-05

A RESOLUTION ESTABLISHING MEETING DATES FOR YEAR 2018

R: 2018-06

A RESOLUTION TO PROVIDE FOR THE DESIGNATION OF DEPOSITORIES FOR VARIOUS ACCOUNTS OF THE TOWN OF PHILLIPSBURG FOR YEAR 2018

R: 2018-07

A RESOLUTION DESIGNATING NEWSPAPERS TO RECEIVE NOTICE OF MEETINGS

R: 2018-08

A RESOLUTION AUTHORIZING TOWN ATTORNEY AND/OR SPECIAL TAX COUNSEL TO EXECUTE STIPULATIONS, CORRECT ASSESSMENTS IN TAX COURT, FILE ADDED, OMITTED, OMITTED/ADDED ASSESSMENTS, ROLL-BACK TAX COMPLAINTS AND TAX APPEALS

R: 2018-09

A RESOLUTION APPROVING LIST FOR TOWING SERVICES WITHIN THE TOWN OF PHILLIPSBURG FOR YEAR 2018

R: 2018-10

A RESOLUTION ESTABLISHING SEWER MEETING DATES FOR YEAR 2018

R: 2018-11

A RESOLUTION APPOINTING TAX SEARCH AND ASSESSMENT SEARCH OFFICER

R: 2018-12

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING A

“CHANGE FUND” FOR USE BY THE TAX COLLECTOR’S OFFICE, THE CLERK/VITAL STATISTICS OFFICE, SEWER UTILITY OFFICE, CONSTRUCTION OFFICIAL OFFICE, MUNICIPAL COURT OFFICE MUNICIPAL POOL AND POLICE DEPARTMENT.

R: 2018-13

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY REAUTHORIZING PETTY CASH FUNDS FOR CALENDAR YEAR 2018

R: 2018-14

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, REGARDING VACATION AND SICK PAY FOR ANN MARIE FLEMING

Councilman Davis made a motion to adopt the resolutions R2018-01 through 2018-14. The motion was seconded by Councilman Lutz.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			X			
Davis	X		X			
Lutz		X	X			
McVey			X			
Fulper			X			

OPEN TIME

Councilman McVey thanked everyone, the great crowd and support he has a very good feeling. Thank you for coming, we will be fiscally sound as per Assemblyman Peterson.

Councilman Lutz – nothing to say

Council Vice President DeGerolamo reiterated what Councilman McVey stated, thanked everyone for coming, and hope that the audience continues to come. Mr. Meyner – we are going to discuss some changes at the work session, we have lots of goals, thank you.

Councilman Davis – nothing to say

Council President Fulper we made a lot of promises that we intend to start a Landlord Tenant Task Force. It will be comprised of State, Local officials and residents.

We have some traffic issues, needing signs – for Autistic child, and speed bumps that may slow down common speeding areas.

I am going to appoint Blaine Fehley to the PEG channel; he will record each meeting and remain professional.

We would like to rename the lower portion of Anderson Street to Fleming Drive.

We have every intention on working together.

Congressman Lance congratulated the Council members that it has been an honor to serve in the House of Representatives. I was against the local taxation law that just passed but I will do anything I can to help your Town with that.

My wish for 2018 is a year of prosperity, Peace across the globe. Phillipsburg is a great Municipality. The Mayor whom I have cut a ribbon a few weeks ago, I hope to continue to work together and progress in 2018.

ADJOURNMENT

Councilman Lutz moved for adjournment, Councilman Davis seconded the motion at 12:43 p.m.

SUBMITTED BY:

VICTORIA L. KLEINER
Registered Municipal Clerk

APPROVED:

ROBERT W. FULPER
Council President

TOWN OF PHILLIPSBURG
Council Meeting Minutes
January 16, 2018

January 16, 2018 at 7:00 PM at the Phillipsburg Senior Center, located at 310 Firth Street, Phillipsburg.

The required Open Public Meeting Act Statement was read by Councilwoman DeGerolamo.

INVOCATION

By Council Vice President DeGerolamo

PLEDGE OF ALLEGIANCE

By the Assembly

ROLL CALL

PRESENT:	Councilmen:	DeGerolamo, Lutz, McVey
	President:	Fulper
	Absent:	Davis

TOWN OFFICIALS PRESENT

Mayor Ellis, Attorney Wenner,
Clerk Kleiner

APPROVAL OF MINUTES

The following meeting minutes were introduced for approval:

January 01, 2018 – Re-Org

Motion

Councilwoman DeGerolamo made a motion to approve the minutes.
The motion was seconded by Councilman Lutz.

VOTE: YEAS: DeGerolamo, Fulper, Lutz, McVey

NAYS: None

ABSENT: Davis

APPROVAL OF BILLS

The following bills were submitted for payment approval:

SUMMARY

CURRENT FUND	162,450.44
STATE & FEDERAL GRANTS	4,043.90
CAPITAL FUND	7,950.00
SEWAGE UTILITY FUND	4,232.25
SEWAGE CAPITAL FUND	1,827.87
SECTION 8	13.58
Regular Bills List 01-16-2018	Total \$180,518.04
Section 8 Rent Payments	
SECTION 8 PROGRAM	136,576.00
Pre-Paid Bill List as of January 16, 2018	
STATE & FEDERAL GRANTS	39,200.00
AGENCY FUND	142,312.17
<u>Total Pre-paid bill list</u>	<u>\$ 181,512.17</u>

GRAND TOTAL ALL FUNDS

\$519,512.21

Two bills that were tabled

Ck 71493 \$9,275.00

Ck 71540 \$11,156.00

Total - \$20,431.00

A motion to approve the bills was made by Councilman Lutz to un-table bills; the motion was seconded by Council President Fulper.

Roll call vote was taken

YEAS: McVey, Lutz, DeGerolamo, Fulper

NAYS: None

ABSENT: Davis

Discussion: Attorney Wenner questioned Clerk Kleiner if that included the tabled bills. Clerk Kleiner responded yes.

A motion was made to approve the bills by Councilman Lutz; the motion was seconded by Council President Fulper.

Roll Call

YEAS: McVey, Lutz, DeGerolamo, Fulper

NAYS: None

ABSENT: Davis

PUBLIC DISCUSSION ON AGENDA ITEMS

Council President Fulper speaks prior to the public – he made a motion to remove the Superintendent of Recreation to be tabled discussion at the next regular meeting. The motion was seconded by Councilwoman DeGerolamo. The motion carried a 4-0-1 vote.

Council President Fulper also made a motion to amend the time limit on speaking to a three (3) minute time due to the amount of people at the meeting. The motion was seconded by Councilman McVey. The motion carried a 4-0-1 vote.

Joe Meyner, 392 South Main Street, 2018 – 22 is this to retrofit the old building – CP Fulper stated yes. J. Meyner stated HURRAY!

Bill Timmann (BT), 230 South Main Street, 2018-14 A, 15, 16, 17, I believe the refunds are written backwards. R2018-22 professional services, license contractors, state NJ allows me to do a job. So I am considered same. Attorney Wenner (ARW) Professional Services provider – State of NJ, Court recognizes professions, ie, grad school, doctorate, etc., BT stated every year he has schooling.

Mike Facinelli, WCBT, Electric Union, Iron, Carpenters, that all live here and not one is working on or stepped on the Town of Phillipsburg IR – Commerce park project. There should be a project labor contract on that site, not one has worked there. We are here to help the citizens of Phillipsburg to work with you and work with us, to rebuild Phillipsburg once again.

John Rocco, Operating engineers, I was at the ground breaking there are 1200 tradesmen that work at Phillipsburg's IR for 40 years, and listened to the whistle that was taken down. We will do whatever it takes to work with you and make it happen.

ORDINANCE

O: 2018 - 01

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY RENAMING ANDERSON STREET FROM THE INTERSECTION OF RAILROAD AVENUE TO THE INTERSECTION OF LINCOLN STREET, PURSUANT TO N.J.S.A. 40:67-1(k) PARK was introduced for a first reading by Councilman Lutz who moved that the ordinance be properly advertised. The motion was seconded by Councilwoman DeGerolamo.

Roll Call

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo		X	X			
Davis						X
Lutz	X		X			
McVey			X			
Fulper			X			

RESOLUTIONS CONSENT

- R: 2018 -14AA** RESOLUTION PROVIDING FOR A REFUND OF CONSTRUCTION PERMIT FEES
- R: 2018 -15** A RESOLUTION PROVIDING FOR A REFUND OF CONSTRUCTION PERMIT FEES
- R: 2018 -16** A RESOLUTION PROVIDING FOR A REFUND OF PUBLIC WORKS FEES
- R: 2018 -17** A RESOLUTION PROVIDING FOR A REFUND OF PUBLIC WORKS FEES
- R: 2018 - 18A** RESOLUTION DESIGNATING HANDICAP PARKING SPACES WITHIN THE TOWN OF PHILLIPSBURG
- R: 2018-19** A RESOLUTION APPROVING THE PAYMENT OF FIRST QUARTER 2018 COUNTY TAX AND OPEN SPACE TAX, DUE FEBRUARY 15, 2018
- R: 2018-20** RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING REFUND OF TAX OVER PAYMENT
- R: 2018-24** A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, APPROVING A CHANGE ORDER FOR THE EMERGENCY REPAIR OF THE MECHANICAL BAR SCREEN / BUTTERFLY VALVES

Council Vice President DeGerolamo asked to remove the following from the consent agenda for discussion: R2018- 21; R: 2018-22; R: 2018-23; R: 2018-25.

Councilman Lutz made a motion to amend the consent agenda. Councilwoman DeGerolamo seconded the motion.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo		X	X			
Davis						X
Lutz	X		X			
Mc Vey			X			
Fulper			X			

Councilwoman DeGerolamo stated R2018-21-that she noted that the towing services is in Washington NJ, and last meeting we approved Towing services. Why are they on now? We want to keep services in Phillipsburg.

Clerk Kleiner responded they are a second heavy duty towing service, as a backup.

CP Fulper R2018-22 is professional services for Van Cleef engineering. Glad you are here tonight Stan.

Councilwoman DeGerolamo (CWD) – are you going to reuse, retro fit – what are totals? Engineer Stan Schrek (ESS) Total of Corliss, and new on Heckman Street – complex CWD move in ready? ESS required to have move in conditions. CWD be right in? ESS remediation and retro fit to more modern needs, designs for Heckman Street. CWD part of the capital expenses? Mayor Ellis (ME) the \$100,000. CWD not 2018 above? Councilman Lutz (CL) when will it be done Stan?

ESS stated about two (2) months

CWD questioned R 2018-23 PHOENIX –ADVISORS? ARW stated it is a new service the Town is in compliance with the bonds

CP Fulper questioned R2018-25 shared service with Alpha asked Mayor Ellis to explain what she does.

ME elaborated that D. Messina works for the Town of Phillipsburg, as a fill in clerk, Alpha needed D. Messina more days that we needed her but kept her one day to help \$ 15,00/ hour she is a benefit in my opinion. CP Fulper well I am open to terminate this agreement, I want to be fair to work together. ME consequences – passing, understanding, now change if thinking, the last council had agreed. CP Fulper stated we can vote it down. ME stated shared services are best example, benefits to both communities. It is a bad gesture of Council; we can save money for the Town of Phillipsburg. CP Fulper, in the spirit of working together I will table it for now.

Council Presidents Fulper asked if there was a motion to approve R2018-21,22, and 23.

R: 2018-21 A RESOLUTION APPROVING LIST FOR TOWING SERVICES WITHIN THE TOWN OF PHILLIPSBURG FOR YEAR 2018

R: 2018-22 RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH VAN CLEEF ENGINEERING ASSOCIATES FOR PRELIMINARY DESIGN OF MUNICIPAL BUILDING ALTERNATIVES

R: 2018-23 A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR CONTINUING DISCLOSURE AGENT SERVICES WITH PHOENIX ADVISORS, LLC AND APPOINTING PHOENIX ADVISORS, LLC AS THE TOWN'S INDEPENDENT REGISTERED MUNICIPAL ADVISOR

Councilman Lutz made a motion to amend the consent agenda. Councilwoman DeGerolamo seconded the motion.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo		X	X			
Davis						X
Lutz	X		X			
McVey			X			
Fulper			X			

R: 2018-25 RESOLUTION AUTHORIZING THE TOWN OF PHILLIPSBURG TO EXECUTE A SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF ALPHA AND THE TOWN OF PHILLIPSBURG FOR CLERICAL ASSISTANCE

Councilwoman DeGerolamo made a motion to table R2018-25. The motion was seconded by Councilman Lutz.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo	X		X			
Davis						X
Lutz		X	X			
McVey			X			
Fulper			X			

NEW BUSINESS

Councilman Lutz – I was blasted on face book and I don't have it but I heard, about the money I make driving the trolley, every year I donate the money back. This year I am giving \$1200 to the fire department, \$500 to Linda Nixon she spays and neuters stray cats. \$500 to the St. Jude's hospital, and I am giving the Mayor his \$20.00 tip back.

Council President Fulper we need to get Eric Einholtz, 34 Heckman St nothing has changed. Arsh family the Moore Family. ME this has come up before, the construction code official is responsible to initiate the habitability hearing, I will talk to Kevin and ask him to put it on the list. Kevin can rank it; allow me to speak to Kevin Duddy.

Councilman McVey (CFMV) habitability crossed my mind on Irwin Street and the Star Dollar building. There has been police activity now; my thought is that a community garden there. The employees can go down and enjoy it and the neighborhood can pull together.

Attorney Wenner spoke about the Stockton Street building that recently had the fire, had an old gas line that is active. The Elizabethtown gas will waive the surcharge and disconnect and won't charge the Town it is a health hazard and we must have this done immediately.

I will need a motion to waive the road opening fees. Councilman Lutz questioned the owner's responsibility. ARW stated it is an emergency right now; we can go after the owner with a lien for their responsibility. CP Fulper Emergency lien on property it is a danger to the residents.

Councilman Lutz made a motion to waive the road opening fees. The motion was seconded by Council President Fulper. The motion carried a 4-0-1 vote

OLD BUSINESS – tabled items from last meeting

Mayor Attorney Bill
Property Lien – Irwin Street
KIOSK

Councilwoman DeGerolamo made a motion to un-table the KIOSK. The motion was seconded by Council Lutz. The motion carried a 4-0-1 vote.

Council President Fulper expressed that he wants to appeal and rewrite the parking ordinance to be more business friendly- I am not saying no I just want to discuss it first.

Mayor Ellis the transit lot yes, we make money in 20 years or more we have not made one red cent on the Delaware River Rail Road Excursions (DRRRE) has come to the Town. It is a tremendous impact to our Town the chaos what I saw with the Polar Express 30,000 people. I took the busses away; they make 1.2 million dollars from the Polar Express. The KIOSK parking we make money during bacon fest, garlic fest. Heritage day, two large lots and all parking in Phillipsburg. We have an app now where you call ahead, there was a spike in cars and they done come in advance and it got backed up. They are solar. We made \$30,000 in Riverside. We can change out the machines, we have growing pains, the body shop has 10-12 cars, and we paved it, and get \$300 / quarter. Who spoke with We can change out the

machines, we have growing pains, the body shop has 10-12 cars, and we paved it, and get \$300 / quarter.

Council President Fulper questioned who the Mayor spoke to regarding the transit lot lease? It states car shows, and gated access of railroad.

ME stated for profit needs to be stated on the lease, crowded trolley. Thanks Mark for my \$20.

ML stated your welcome. ME stated that Councilman Lutz got roughed up by school board and they called he was out of sick time but driving the trolley.

CP Fulper stated it is not a venue for that now. ME came here, no one is to be disrespectful

Council can move along, yes we will disagree but that's ok, let's move forward.

CFMV moving forward repealing for all the business down town would like to know total of what the business have lost. JD collision how we can work with them. All business, busses, took away local workers; let them walk by – the business no people are on the streets of Phillipsburg.

CWD the Kiosk at the transit lot put at Riverview and be put to use

CP Fulper Mayor Ellis we are going to discuss this at the next work session, we would like to have some of the fishermen and some of the local businesses there.

ME stated that Thomas the Tank fills the transit lot they are from CT, NYC they don't complain of the fees. They are used to paying \$40-50 in NY lots of money changing hands. I am not opposed of moving it there on a temporary basis. CWD stated not able to charge? ME stated it makes \$4000 a day. It will cover the cost of the maintenance and construction of the lot. Any revenue will be split. CP Fulper stated that T. Wynkoop worked it out with Mayor Wyant in a gentlemen's agreement. Mayor Ellis stated that T. Wynkoop has no agreement and that it should be in writing. Mayor Ellis stated you can remove the KIOSK, but it brings in \$4000 between Friday and Sunday, if you go down you will see the chaos down

there I am worried that a child can get hit. They are making a general store it will be a point of destination. 30,000 people in Town when Thomas the Tank is here and the Polar Express. We have Police, maintenance. CP Fulper stated we need to discuss this at a work session. So the next work session we can discuss the KIOSK changes. CFMV there is no traffic action plan in place, for the safety of our children. Mayor Ellis stated that in the special use permit, traffic control, and stops at the crosswalks, some documents in order but not refined.

CML the nine (9) spots for the three (3) business can we make a motion that they pay \$1.00 a year. Attny RW stated that must be done by ordinance. Mayor Ellis stated I gave them a paper with my signature on it. I've paid those fines, it is a band aid approach, and the body shop needs 4-5 spaces, at \$90 a spot. It has been tabled a few times.

CFMV I have stated before measure twice cut once.

MAYOR AND ADMINISTRATIVE REPORTS

Mayor Ellis stated that the police reports, I have two months of them, and the regular reporting system, will change as Chief Stettner works with Councilman McVey.

Rice notices went to three of my employees. CP Fulper stated that in our campaign we stated that we need to be fiscally responsible. Attny RW two employees chose closed session discussing. CP Fulper thought to discuss it. Lots of rumors, no termination in the future – we are going to discuss. You put out a notice emergency layoff meeting; we just want to be fiscally responsible. I am going to ask you to hold off on the layoff meeting, I am going to give you the

professional courtesy – I am asking you to hold off on that meeting. The Rice notice still speak with the employees.

CP Fulper questions Mayor Ellis budget hearings now, possibly fiscally reverse the trend. We have AAA Bond Rating, and you speak of layoff – Mayor Ellis asked if he can share now. The Roof at the library is 10 years old, Stan estimated \$400,000 bill to replace the roof and there is also asbestos. We are \$600,000 in debt the County is not giving us. That's one million dollars out of our bank account. CP Fulper the last thing I want to see is our people out of work, there are options.

Mayor Ellis stated the membrane is deteriorated the entire roof was done about 2003, trees are growing in the drain, no maintenance, and the membrane is asbestos.

CP Fulper we can go to bid. Mayor Ellis stated we can fix the roof or cut back on services. CP Fulper stated he can speak to the County.

Stan Schrek Engineer, projects grants DOW, phase 1 on Heckman Street, \$274,000 from Chambers to Wilson. Grant phase 2 \$261,000 Wilson to Lincoln, we will go out to bid in early spring, received \$300,000 for phase 3, Lincoln – DPW garage. We also have the \$290,000 for small cities (HUD) CDBG for 30 handicap ramps, Roseberry - to high school, Warren Street, Walters Park. The slopes 25 inches per foot, states Federal Standard during the Obama administration. There is more federal guidance; DOT ramps have a Federal requirement, \$290,000 – 30 ramps in high traffic of school children. Councilman Lutz I know is in favor of this project as the crosswalks which we will detail, flexible pavements – was a maintenance nightmare, the first phase remove and replace the asphalt with a mill overlay with new material. Set to go as soon as the weather breaks the Municipal building preliminary plans. The armory repurposes police sign off this week.

CP Fulper the traffic common procedures, two years ago they were all analyzed, the utilities projections – coordinate all of the work. Engineer SS the stop signs and parameters will be reviewed, the common traffic issues can be looked at with speed bumps, if 3000 cars a day and less than 30 mph. CP Fulper start with Lewis Street.

Mayor Ellis stated the first time we had a 10 year road improvement plan that took a lot of work. In December the Council transfer of redevelopment everything went dark, the planning board requirement retention basins, road designed – it's waiting to be signed. In comparison Bridge Development Corp is well funded.

PUBLIC PETITIONS – this is the time the public can speak to Council

(Public Comments -Please state your name and address prior to speaking)

CP Fulper the public can speak now.

Tameka Cheng, 117 Filmore Street, I lost power the radiators burst, I would like to convert to gas – and need permission to open the street to put the gas line.

Mayor Ellis stated there is a moratorium on the road – we can waive the moratorium and the contractor can do the work.

Council Lutz made a motion to allow for the road to be opened. The motion was seconded by Council Fulper. The motion carried a 4-0-1 vote, allowed to open the road.

Heather Kline, 34 Valley View Circle, speaks of Kelly and how she called staff, she fed all the kids, her child called her on the snow day, and she has made an incredible difference. She has information about addiction to help our Town and new programs to bring us together I see her as a positive influence.

I am here as a mother – it keeps kids off the street. CP Fulper asked do you think that we are terminating Kelly. Ms. Kline, we need to build together. CP Fulper thanked Ms. Kline.

Yvette Day, 32 Meadowview Drive, Lopatcong Twp., We are a partner in services for addiction, since last year with volunteers, we have had 68 people into detox, 47 still sober, and no longer at risk, 14 not sober, but still engaged in our services, 6 we don't know and 1 who passed away. Phillipsburg had 38 Narcan reversals; we have a half a duplex and many different partnerships that have to help. February 01, 2018 is the first opening day we are hoping but it will be on a much smaller scale. The grants \$625,000 more outreach, more grants and finding initiatives, with NORWESCAP, and Catholic Charities, keeping the kids off the streets and stay safe. CWDD said we will bring your hoopla

Rebecca, 189 Morris Street, I am part of the wrestling program at the FYC, I have three kids with the FYC., done more than any other program director, rock climbing, Its been 4 years and I want everyone to understand why we are still here. CP Fulper about terminating Kelly, its tabled, I applaud your team pride.

Sandra Morrisette 5 Fairview Heights, the mic system and acoustics are bad in this room, are you going to move?

CP Fulper, we are looking into another place.

Joe Meyner, 392 South Main Street, I want to invite you to the Phillipsburg Absentee Landlord Vacancy meeting, on January 28, 2018 at 1:45 at 392 South Main Street it will be an open meeting with demographics. If less than seven people we can brain storm for solutions of more than seven each person time will be a 25 max. Read suggestions and give to Bobby Fulper.

Amanda Shepherd, I am the assistant director of the Rupell Funeral Home, Kelly's is full of energy. The Youth Center is a capacity. My mom told me when she was a kid and when there they had live bands, dances, it is the kids that matter over anything else. The last thing to cut is anything that affects the kids.

Ed Hull, 820 Wilbur Avenue, I went in to the FYE for a middle school wrestling match, the place is beautiful.

There are no P'burg people going on the train, the machine didn't work, take the busses away they can just go across the road, the busses are a must, if the KIOSK can be accessed the shuttles are very important.

CP Fulper Ed I love you to death, the transit lot under lease now, not opposed to gate, we are not allowed to charge. Mayor Ellis stated he has a verbal agreement.

Jeff Russo, President of the FYC working together vibe. Rupells started adopt a member raised \$8300 any kid can't afford will never have to pay again. A 64 year partnership with the Town. We had a board meeting and Councilwoman Danielle DeGerolamo was there, Mayor served on the board. I see kid's lots of kids; I see not finding a parking spot when I show up to a meeting. they have tricycle, ballet lessons, I see a community engaged, channel 69 news came to the FYC, my kids favorite thing to do, it is the future of the kids, the partnership that has a sense of community, to serve the kids and to serve it with Miss. Kelly. The youth Center got no notice, I have a problem with that for the kids we need better communication the board was upset. She is our executive director in the future come to me and or the board. CP Fulper you called me immediately I was just elected and I promise better communication in the future. Jeff Russo stated Thank you.

Vicki Mendez- Branch, Phillipsburg, My child can't attend the youth center, I was told to contact warren county special services. I believed it was open to all, we need to reach those kids, I offered to train, and I am sure other parents here too. Mayor Ellis stated he will speak with Kelly.

Ms. Mendez- Branch, special children need to use the pool facilities, I was told no.

Tim Weaver, (turned to the audience to speak) we have two children....

Matt Scerbo, 1073 Pearl Street, I have a question I saw a text message from Mayor Ellis urging parents to come, that shouldn't come from an elected official.

There are signs all over Town; the welcome to Firth Town should be in a better location, not behind a phone pole.

Mayor Ellis stated that I called Wenner, it's my staff and I will support them if I believe in them. The sign should be moved, it is good to remember our heritage. Mayor Ellis asked Mr. Scerbo to pick a spot. Mr. Scerbo stated yes.

Mr. Scerbo I stated my opinion.

Tim Burger 295 Filmore Street, In October the old council mentioned inspecting the vacant units every 72 hours, Heckman Street, the Moore's, we spoke about months ago, it is not remediated yet. Question we have three inspectors and they are to be everywhere. A resident Moore's take pride in their home why did they slip through the cracks.

The Kiosk I go to NY, Allentown, Easton you got to pay to park, either it is free or pay, out of Town won't mind, 10 buck WOW, you really need to look into it before you remove it.

CP Fulper I appreciate your comment. I've in August or September claim the caretaker is over investors. I want him here and cleared, he couldn't buy it for \$1000 degrading our Town, blood suckers.

Mr. Burger, no legal ramifications.

Mayor Ellis 32 Filmore St., leave in squalor the bank won't close on the house, vacant foreclose, the banks selling properties, he thinks he can get it for less.

CML same person trying to get house 204 Mercer next to my house and he is a scumbag. The cops this break into the house called the Attorney the problem with the banks not moving back up 2-3 years. My in laws have sewer rants that come in the back yard is full of garbage bags, there are 18 houses that that lady owned – divorced, called the mortgage company and said how he can be in the house.

Ashley Post, 671 Barrymore Street, the pool is beautiful, you don't get a rice notice for no reason, unless your cutting the pay. CP Fulper stated we can't discuss it we tabled it, there is no immediate danger.

Ashley Post – reducing pay, she deserves a raise, she is still learning not discrediting her work, Kelly is on board to work together, positive direction just keep that in mind.

OPEN TIME

Councilman Lutz – nothing

Council Vice President DeGerolamo – announcements for the public –

- Open house January 25, 2018 – 4:30 – 7 PM
- Library everyday art 7-8:30 Thursday – must register 454-3712
- Health – night – 6-830 careers in health care and funding RSVP 689-7613 @ 445 Marshall Street.
- Saturday Is Charlie Bowlby's Birthday
- Friday - youth center meeting – Rope to Hope event. Thank you to the Police Department
- Joe Meyner event on the 28th

Councilman McVey, thank you to all who came, 2 hour meeting is not bad. Bridge development are originally Jersey guys, who are now Chicago based company, you guys and gals are going to work.

Risk Management services – I urged the Mayor to look into local people who can do a good job. – Clarification we want someone who is local. January 31 it is time sensitive.

CP Fulper thank you for coming out you are doing an excellent job, I apologize for the Rice notice – I was following legal precedent and reach out to discussions, Heather Kline, you struck a core – it is really about the kids – political personal, moving Phillipsburg forward.

Mr. Russo my wife wants to divorce me. Mayor Thanks again for tonight, I have one more request, don't go to face book – please call me. We do disagree at times, we do have one focus and we have all these people. Thanks for coming out.

MOTIONS

- Active Duty – for Francis W. Gaydosh, III at Alert Hook and Ladder Co. No. 1

A motion was made by Council Vice President DeGerolamo to put forth Francis Gaydosh for active duty. The motion was seconded by Council Lutz. The Motion carried a 4-0-1 vote

- Application for Raffle License #1265 for Greenwich Township Recreation Booster Club, Inc. on February 09, 2018.

Councilman Lutz made a motion to approve the raffle license. The motion was seconded by Council Vice President DeGerolamo. The motion carried a 4-0-1 vote.

EXECUTIVE MEETING

R: 2018 -26

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING Personnel matters, action may be taken.

Councilman Lutz made a motion to enter into executive session. The motion was seconded by Councilman Lutz.

Council President Fulper stated executive session should be about 20 mins.

Councilman Lutz made a motion to reconvene. The motion was seconded by Councilwoman DeGerolamo.

Council President Fulper stated that there was bill 71945 & 71540 that were to remain tabled. Councilman Lutz made a motion to keep it tabled. Councilwoman DeGerolamo seconded the motion.

ADJOURNMENT

Councilman Lutz moved for adjournment Councilwoman DeGerolamo second the motion.

VOTE: YEAS: DeGerolamo, McVey, Lutz, Fulper

NAYS: None

ABSENT: Davis

TOWN OF PHILLIPSBURG
Council Meeting Minutes
February 06, 2018

February 06, 2018 at 7:00 PM at the Phillipsburg Housing Authority, located at 535 Fisher Avenue, Phillipsburg.

The required Open Public Meeting Act Statement was read by Councilwoman DeGerolamo.

INVOCATION by Council Vice President DeGerolamo

PLEDGE OF ALLEGIANCE by the Assembly

ROLL CALL

PRESENT: Councilmen: DeGerolamo, Davis, Lutz, McVey
President: Fulper

TOWN OFFICIALS PRESENT

Mayor Ellis, Attorney Wenner,
Clerk Kleiner

APPROVAL OF MINUTES

The following meeting minutes were introduced for approval:

January 09, 2018

The following meeting minutes were introduced for approval: January 16, 2018

Discussion: Councilwoman DeGerolamo questioned some of the previous Council names were in the minutes; please amend to have corrected Councilmembers names.

Motion

Councilman Lutz made a motion to approve the minutes, as amended.
The motion was seconded by Councilman McVey.

VOTE: YEAS: DeGerolamo, Fulper, Lutz, McVey

NAYS: None

ABSTAIN: Davis – was absent on the 16th meeting

APPROVAL OF BILLS

The following bills were submitted for payment approval:

SUMMARY

CURRENT FUND	146,472.81
STATE & FEDERAL GRANTS	14,460.15
CAPITAL FUND	93,958.39
SEWAGE UTILITY FUND	515,749.91
SEWAGE CAPITAL FUND	40,145.00
PLANNING BOARD TRUST FUND	56,629.00
SECTION 8	186.99

Regular Bills List 02-06-2018 **Total \$867,629**

Section 8 Rent Payments - NONE -

Pre-Paid Bill List as of FEBRUARY 06, 2018

STATE & FEDERAL GRANTS	97,052.49
AGENCY FUND	68,878.54
<u>Total Pre-paid bill list</u>	\$ 165,931.03

GRAND TOTAL ALL FUNDS
\$1,053,991.74

<i>Two bills that were tabled</i>	Ck. 71493	\$9,275.00
	Ck. 71540	\$11,156.00
	Total -	\$20,431.00

Councilman Lutz made a motion to approve the bills list. Councilwoman DeGerolamo seconded the motion.

Councilman Lutz questioned the worth bill, Bill Mandry's bill with Verizon – wants clarification that it is from an escrow. Whirl construction – Skate Park. Councilman Lutz made a motion to table the Whirl construction bill 71884. Councilman McVey seconded the motion. The motion carried a 5-0 vote.

Councilman Lutz made a motion to add the garbage truck to the bills list. Councilwoman DeGerolamo seconded the motion.

Remain tabled 1,053,991.74 less 20,431.00 is
\$1,033,560.74 plus we need to add garbage truck which was repaired at the cost of
\$ 10,606.85 which brings the grand total too: \$1,044,167.59

Council President Fulper made a motion to approve the bills list as amended. The motion was seconded by Councilwoman DeGerolamo.

Roll call

YEAS: McVey, Lutz, DeGerolamo, Davis, Fulper

NAYS: None

Discussion: Attorney Wenner questioned Clerk Kleiner if that included the tabled bills. Clerk Kleiner responded yes.

A motion was made to approve the bills by Councilman Lutz; the motion was seconded by Council President Fulper.

Roll Call

YEAS: McVey, Lutz, DeGerolamo, Davis, Fulper

NAYS: None

PUBLIC DISCUSSION ON AGENDA ITEMS

Bill Timmann, 230 South Main Street, The gas proposal in my opinion seems a little long. Attorney Wenner we have an open hearing for that.

Bill Timmann eliminated or modified.

CP Fulper misinformation on face book here at the first meeting, it was a repeal and replace – we are going to replace it. Temporary repeal and rewrite it at the next work session. BT - thank you.

D. Morrisette, 5 Fairview Heights, Blaine Fehley posted video didn't say the Mayor was agreeing to repeal and replace it was to make amendments.

G. McGaro, the Delaware Riverside, the second meeting we met with the Mayor, it was free to the seniors, and you are going to rewrite it again. CP Fulper stated it will be ready by March.

G. McGaro for the fisherman and seniors

CP Fulper scrap and redo it we will get it done quick and come to agreement.

J. Meyner 392 South Main Street, 2018-02 public hearing, discuss in a public hearing?

Attorney RW yes

ORDINANCE Second Reading

O: 2018 - 01

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY RENAMING ANDERSON STREET FROM THE INTERSECTION OF RAILROAD AVENUE TO THE INTERSECTION OF LINCOLN STREET, PURSUANT TO N.J.S.A. 40:67-1(k)

PARK 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.

Roll Call

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			X			
Davis		X	X			
Lutz	X		X			
McVey			X			
Fulper			X			

OPEN PUBLIC HEARING – Attorney Ricard Valenti- of Newton on the Elizabeth Town Gas. Seven thousand (7000) customers the State Public Utilities Service, to receive consent, 1946 Phillipsburg gave the gas company consent – City gas it expired in 1996. We found 96 Municipalities and six (6) had expired; the State law is to be in Municipality, to comply with the State law. We mirrored the other 96 municipalities, with the Ordinance, notify prior to a road opening, and restore damage to the street, performance bond / indemnify liability to the Town. The ordinance is to serve and get consent- it is an old utility statute. Notice in paper for public hearing today, on the petition, we have the first reading and come back to be open to the public again. Mr. Marmo is here on behalf of Elizabethtown.

CP Fulper asked if any questions from the Council.

BT why a 50 year not a lesser time, Attorney Valenti we mirrored the stature, regulations by the board of Public Utilities, monitor the safety it is appropriate for Municipality built out.

BT amount of liability three million dollars could exceed that, I only handle doors.

CWD Bond enlarged from time to time, can we increase it? Attorney RW the liability insurance in your experience what is the coverage limits. Attorney Valenti all the same limits to be clear if you require more five to twenty millions no required on any municipality. Attorney RW we can request more limit and adopt it now, umbrella policy. Attorney Valenti, four million,

CML yes please five million, CJD inflation ratio of CPI, Attorney Valenti makes sense given the duration, and it can be reviewed every five (5) years.

BT items 3 Major Street opening for gas, do you come in and review, supplement/recheck connection so that there are no admissions or errors. Mr. Marmo, send records in aggressive, we replace pipes, it is an ongoing policy, and

maintain a good safety record; we also measure the thickness of the pipes at no charge.

BT how do you measure the pipe? Mr. Marmo stated that they have a machine that checks the thickness. BT stated in Allentown the pipe was worn out and old infrastructure causes the potential problem. Mr. Marmo stated if the Town requires it with the street opening ordinance we will do it.

BT common sense is to check it at that time. Mr. Marmo we will do sooner if need be. Replace if needs to be replaced.

Mr. Morrissett, omission, process of reviewing does the ordinance carry over?

Attorney Valenti, NJ BPU reviews the buyer, ordinance in all municipalities are honored by the buyer, the BPU notices are satisfied, rates the same, transfer NJBPU – passes judgement. Gary – notify the Town if you put propane in the gas lines? Mr. Marmo stated that was years ago propane air no longer.

Mr. E. Brisson, sect 1 of the Ordinance no exclusive consent – no other gas?

Atty. RW that is correct. Joe Meyner, the Ordinance is public? Attny. Valenti stated that no it was the notice of the hearing that was public.

Gail Rogers, gat time expired why didn't anyone recognize that? Attny. Valenti gas no issue, rates are regulated, its bee 20 years or so since expired. Ms. Rogers stated 32 years why? Attny. Valenti stated 96 municipalities have it goes to the BPU to review and will consider one step in the process in the Municipality.

Council President Fulper stated if no more public comments we will close the hearing. Council Woman DeGerolamo made a motion to close the hearing. The motion was seconded by Councilman Lutz.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo	x		x			
Davis			x			
Lutz		x	x			
McVey			x			
Fulper			x			

Motion carries to close the hearing.

ORDINANCES – FIRST READING

O: 2018-02

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG GRANTING
MUNICIPAL CONSENT TO PIVOTAL UTILITY HOLDINGS, INC. d/b/a

ELIZABETHTOWN GAS TO CONSTRUCT, MAINTAIN AND OPERATE GAS LINES FOR THE DISTRIBUTION OF NATURAL AND MIXED GAS was introduced for a first reading as amended by Councilman Davis who moved that the ordinance be properly advertised. The motion was seconded by Councilman Lutz.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			x			
Davis	x		x			
Lutz		x	x			
McVey			x			
Fulper			x			

O: 2018-03

AN 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 DELETE SUBSECTION I ENTITLED *MUNICIPAL LOTS, PAYMENT REQUIRED* was introduced for a first reading by Councilman Davis who moved that the ordinance be properly advertised. The motion was seconded by Councilman Lutz.

Discussion: CWD will we have this done before March 24th, the bunny train? CJD Lot of work with the business, times line 13th introduce the 20th? March 6 timeline? Attny. RW 20day estopple period. CJD postponed and rescind, CJD made a motion to postpone. There was no second on the motion. Council President Fulper this was on Councilman Lutz you have a question?

CML personally I think we are jumping the gun, I have nothing about the parking, or parking authority. How many parking lots? How much do we charge? Who is the officer in charge? Are their paid stickers, Cedar Alley is a Town lot and used by one person?

CP Fulper stated Dale Dunfee, is the officer, I have all the expenditures. CFMV it is a disaster, so many things are important, we need to see a proper ledger, and you just can't throw spaghetti on the wall to see if it sticks. I am passionate about this. I'll take all the work. CWD July when it was passed, the week that Thomas was starting the Mayor override last July. CP Fulper stated that the last three amendments didn't take place they were intended, and promised.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo	x		x			
Davis				x		
Lutz			x			

McVey		x	x			
Fulper			x			

NEW BUSINESS RESOLUTIONS

R: 2018-31A

A RESOLUTION TO PROVIDE FOR INTERFUND TRANSFERS
Councilman Davis made a motion to accept the interfund transfers. The motion was seconded by Councilman Lutz.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			x			
Davis	x		x			
Lutz		x	x			
McVey			x			
Fulper			x			

RESOLUTIONS CONSENT AGENDA

R: 2018-32

A RESOLUTIN AWARDING PURCHASE UNDER NEW JERSEY STATE CONTRACT (PATCHES)

R: 2018-33

A RESOLUTIN AWARDING PURCHASE UNDER NEW JERSEY STATE CONTRACT (HELMET)

R: 2018-34

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL.

R: 2018-35

A RESOLUTUION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN STATE OF NEW JERSEY AUTHORIZING THE CONTRIBUTINO IN THE AMOUNT OF \$5,000.00 TO THE PHILLIPSBURG EMERGENCY SQUAD.

CP Fulper asked if there were any questions or removals from Council. None.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo		x	x			
Davis	x		x			
Lutz			x			
McVey			x			
Fulper			x			

NEW BUSINESS

CP Fulper stated that 10 days ago he received a resignation from Bianca Scerbo, they had a new baby boy and I wish them congratulations and that they are both healthy. I want to thank her personally for the service she has done. She is strong democrat and rise above and work together, I have known Bianca a few years and I know she will return to work in the community again. I am conflicted and have a heavy heart to accept this resignation.

Council President Fulper made a motion to accept the resignation of Bianca Scerbo. The motion was seconded by Councilwoman DeGerolamo.

Discussion – CML sadly yes.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo		x	x			
Davis			x			
Lutz			x			
McVey			x			
Fulper	x		x			

CP Fulper- Thank you.

Council President Fulper also received a request from Ann Baptista. CW DeGerolamo stated Ann Baptista once again can devote time, safe affordable housing, and is glad to serve again. Ann Baptista's appointment as of February 04, 2018.

Council President Fulper made a motion to accept her request to serve. CW DeGerolamo seconded the motion.

Attny R Wenner point of clarification housing for the unexpired term of Bianca Scerbo. CP Fulper made a motion. The motion was seconded by Councilman McVey.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			x			
Davis				x		
Lutz			x			
McVey		x	x			
Fulper	x		x			

Councilman Lutz – Ordinance – no parking of any size trailers that carry scrap?
Attorney Wenner trailers, size description I can draft an ordinance – recommendation max time limit, like 24 hours no a week and a half.

CML also the nine spots in the Riverside lot. Attorney Wenner we are going to revisit that at the work session.

CML I would like to make a motion about the senior center and the third heater, Todd motioned the heat \$25,000 if we can add money for the third heater, I want to make a motion to add money to get the heat, authorizing it.

Councilman Davis stated other than under an emergency we need to go to bid.

CP Fulper seniors are important the center should approve. Attny Wenner emergency procurement that emergency existed. Council lack of heat is rise to a situation and await cert of funds. We can request quotes up to the Mayors contractor on site, subject to availability of funds.

CML can? Attny Wenner hold off, advertise action taken.

CML Cherry Alley – Norfolk Southern Property, junk yard, can't park in front of the house. We need a clean resolution, contract police patrol, Norfolk Southern, Cherry Lane was cleared out but no one can park. CFMV I will take care of that with Chief Stettner.

OLD BUSINESS – tabled items from last meeting

Mayor Attorney Bill
Property Lien – Irwin Street

CP Fulper - we will discuss the property lien first.

There were five homes with a sink hole – deemed an emergency. Sandy Callery is here to speak about it.

Sandy Callery, stated when the Town performs a service, we put a lien on the property. In 30 days I wrote a letter, I was asked for a payment plan, I gave them till December 19th then they knew it was going to go to lien. They had six (6) months to pay, and two did not. The lien got tabled, three people paid two did not my letter was clear that a lien would be placed on the property and it would go to tax sale in 2019, we don't do repairs to property.

CP Fulper asked Ms. Callery a question – Is this how it should have happened? Was it was handled wrong by the Town of Phillipsburg, a learning experience. The Mayor called a professional and deemed it an emergency. The Town Engineer was not called. Council JD can we get clarification on the process. Ms. Callery stated that the Town fixes the main, the homeowners fix the laterals. The Town of Phillipsburg is out \$6,000.00 the lien needs to go on, those property owners.

CP Fulper I think it should serve as a learning experience. Ms. Callery to uphold what?

Ms. Callery to uphold what? CFMV you are a dedicated worker 31 years no inference of neglect on you or anyone in your office. CWD the Town of Phillipsburg is not a bank. I spoke about the tree before; I would be upset making numbers up, December this year. Ms. Callery, last year, 2017 funds were expended. Thirty days, resolution, lien services, I assess interest tax sale, physical big lien account. I treat everyone the same. CWD there was a letter extension, don't want to put a lien if possible, can they sign and make the required payments. Attny Wenner when the Town can enforce the lien, it is her obligation as a collector, payment plans, correct me Sandy, 2019 Town Council can give. Ms. Callery, June lien it is now February 6, June to make whole stager out pay off in June. Council imposes at that time \$3,000 at 18%, December 19 till today 61 days, last July is \$251.88. You want me to give seven (7) months for free all everyone else adhered. CJD anything from this account. Ms. Callery, nothing CJD remove not fair to those who did pay. CP Fulper homeowner who paid should get a refund – Sorry you disagree. Ms. Callery I am accountable – the Mayor. Council President Fulper made a motion to un-table the property lien. The motion was seconded by Councilman Davis.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo				x		
Davis		x	x			
Lutz			x			
McVey			x			
Fulper	x		x			

CP Fulper stated

R: 2017-256 how much per household, \$3,430 approximately.

CJD Point of Order to impose lien?

Council President Fulper made a motion. The motion was seconded by Councilman Davis. CJD Point of Order to impose lien.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo					x	
Davis		x	x			
Lutz			x			
McVey				x		
Fulper	x			x		

Motion does not carry

ATTORNEY BILL

Councilman McVey made a motion to un-table the Attorney bill. The motion was seconded by Councilwoman DeGerolamo

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo		x	x			
Davis			x			
Lutz			x			
McVey	x		x			
Fulper			x			

Discussion: CJD stated we need to use care not to draw lines / acceptable or dangerous in the future to indemnify the Mayor and set a precedent. CP Fulper disagrees. Councilman Davis made a motion to pay the Mayor's bill. The motion was seconded by Councilman Lutz.

Council President Fulper asked Clerk Kleiner before he voted if the Mayor gave me notice of the claim 10 days from the date he was served, according to the defense section of the code. Clerk Kleiner stated no.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo				x		
Davis	x		x			
Lutz		x	x			
McVey				x		
Fulper				x		

R: 2018 -25

A RESOLUTION AUTHORIZING THE TOWN OF PHILLIPSBURG TO EXECUTE A SHARED SERVICE AGREEMENT BETWEEN THE BOROUGH OF ALPHA AND THE TOWN OF PHILLIPSBURG FOR CLERICAL ASSISTANCE.

Councilman Lutz made a motion to un-table the resolution. The motion was seconded by Councilman Davis.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			x			
Davis		x	x			
Lutz	x		x			
McVey			x			
Fulper			x			

Councilman Lutz made a motion to approve the shared service. The motion was seconded by Councilman Davis.

Discussion: Councilman Davis didn't we discuss this with Mayor Dunwell in executive session these changes. Council President Fulper stated no.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo				x		
Davis		x	x			
Lutz	x		x			
McVey				x		
Fulper				x		

MAYOR AND ADMINISTRATIVE REPORTS

Mayor not in attendance

Councilwoman DeGerolamo read Chief Hay's report.

PUBLIC PETITIONS – this is the time the public can speak to Council
(Public Comments -*Please state your name and address prior to speaking*)

Mark Peck of Florio, Perrucci, Steinhardt and Fader is here on behalf of 660 South Main Street, the owners of LMR property. We appeared last December in front of the redevelopment committee asking for a referral to the Planning Board. We have been receiving violation notices, but we want to get a change of use zoning permit, I would like to ask if inspections can hold off on enforcement actions until we get to appear to the planning board. Attorney Wenner said you would like refer to planning board, 660 South Main Street, study redevelopment plan.

Councilman Lutz made a motion to allow LMR to appear in front of the planning board and to hold the enforcement action. Council President Fulper seconded the motion.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			x			
Davis			x			
Lutz	x		x			
McVey			x			
Fulper		x	x			

Mark Peck stated that they have been cleaning up the property- thank you. Attorney Wenner asked Clerk Kleiner to get a letter to the Planning board.

Pria Amador – I run a charity – Diversity Sole Kitchen it empowers the children using up-cycling - recycle one world café. It is what you do in your community that matters. We make terracotta heaters for the homeless, we teach young children who run rapid how to make lunches, introduce them to foods, fruits, and having a meal program after school till 6 would be good. I have shown children how to grow foods on their window sills. I spoke to Mayor Ellis and spoke to him about having a community garden. Created by the hands of the kids, have a farmers market, let them work and make a small stipend. My son made t shirts, we have taught them how to set a table, pull out a chair, brush their teeth, and give the children a sense of pride. Mayor Ellis was awesome when I spoke to him and explained how I was looking for a space. He said there was some space behind Mercer Street, but also mentioned the veterans - but said there was a small plot with Norfolk southern that belongs to you. We are trying to do a ribbon cutting by the 24-26th.

CP Fulper that was amazing. Pria Amador said she has no budget; I came here through the witness protection program – for domestic violence. My sob does projects with decomposed materials, plastics; we did a Nia doll that was donated.

CP Fulper Congrats can we provide you with a plot. Pria -when how does it happen to use a plot? CP Fulper the Mayor can't provide you with land that he doesn't own. Pria, he told me has top soil. Councilman Davis, stated plot lease.

CWD Police, CP Fulper take to a work session. CJD rail road lease, Pria sounds good, why it's so important; there are a lot of children to work with. No one is bilingual, Police / Fire Spanish is my second language. I get supplies given to us every other bushel, 47 cases of ensure, every senior in the community, plays, shows farms, I would love to get the kids to these events but I don't have a way to do it. CP Fulper said come out to our second meeting. Pria Amador you can see me on Facebook Diversity Kitchen.

Bill Timmann, 230 South Main Street, I have a question about the brown water that tastes funny, and did you vote to excuse the two properties? Will the other three or four be reimbursed? CP Fulper intent is to reimburse.

Tammy McPhearson, 136 Chambers Street the kids that walk from the middle school have been very confrontational, they walk in the middle of the street. The kids are attacking the cars, I got all your faces and hate mail threatening by the kids, some people sated threats, the police are not around, the kids stand in front of the car saying hit me, I dare you. CFMV what block is that. The 100 block of Chambers Street, I am going to come down. Ms. McPherson, after school kids

come. On Summit also, around 3 – 3:15pm. CFMV stated that he will talk to Chief Stettner.

Dan Boyce, 244 Irwin Street, a child was hit tonight on Mercer Street by a car. Cameras, the propaganda, WFMZ, the false video – no being truthful. It is sad it is being done deliberately there is a time and place for everything. Parking was done to rile up the residents. IR rile up the residents. I wish the Mayor was here I stick up for him. The child that was hit is the important issues and it is not being addressed, it will be another Town lawsuit, and it needs to be addressed.

CP Fulper stated that Engineer Shrek is working on Lewis street area. Dan Boyce, I blame this on the Police, how taxed, you can't control stupidity, 5400 units, 1 million, Blaine Fehley stated NO NO NOT my taxes. Dan Boyce, we need a full time dispatcher, 8 minutes is too long. CP Fulper thank you for your comments.

Joe Meyner, 392 South Main Street, Council President Fulper is not part of the landlord task force, the present committee is, Dan Boyce, Bill Timmann, Mayor Ellis, Councilwoman DeGerolamo. The impact is two conditions, ugly store fronts, written proposals, need for cameras, and the need to entice people to live and buy in Phillipsburg. The next meeting is at 394 South Main Street, from 1:45 – 3:00 PM Sunday, February 11, 2018 – discussion Vacant Properties.

John Guthmiller, 132 South Main Street, If you confront the kids they tell you right where to go, Mayor- said Summit street Lewis and Chambers is going to be paved what happened to the last block. I thought the kids from the sports groups were collecting the money. Councilman Lutz stated that we can't do anymore by State Statute. CWD Mayors idea – all brought in on a volunteer basis. John Guthmiller, Teddy's breakfast has a tacky sign that hangs. CP Fulper we are working on a sign policy in the historical area.

OPEN TIME

Stan Shrek will keep the new council informed. Council President Fulper stated Stan will be in once a month.

Councilman Lutz asked to wear red for woman's health month. Councilman Lutz asked if Rich Hay the Fire Chief was here. Clerk Kleiner stated he had an emergency call. Councilman Lutz has a donation for the fire department, and gave the check to Clerk Kleiner to give to Rich Hay.

Councilwoman DeGerolamo on April 07, 2018 is the old timers' banquet at Fire Central come out and show your support to them.

The Police Department is having a four week course – starting on February 21, 2018 and being four consecutive Wednesdays from 6-8 at Pilgrim Presbyterian. The Mayor and the school district – working on program – Not in our Town – to stop the hate. It is an active program and – the change is when everyone works together. We will need to do a resolution to implement it.

Councilman Davis – nothing today

Councilman McVey I want to give my well wishes to Tatum – Happy 16th Birthday. Councilwoman DeGerolamo – also stated Happy Birthday.

Councilman McVey stated he wants to focus on the parking. I want to discuss with the DPW, the parking supervisor – Dale Dunfee, the Chief in regards to a traffic analysis, and with the Mayor the last traffic action plan.

Council President Fulper we have some positive steps in progress, some properties, Irwin Street – Star Dollar, Heckman Street, 204 Mercer Street – Attorney Wenner stated that Kevin Duddy has 11 properties on a list.

Mrs. Moore we have every intention on being strict, from August 09, 2017 till February 2018 it is worse than when I was there. I asked him to clean it up.

Attorney Wenner stated habitability hearing you can order repairs to be done with a time limit. Joan Pierce questioned time frame?

Council President Fulper said a strict forum. Attorney Wenner stated habitability action.

MOTIONS

- Active Duty – for Richard D. Seifert, Jr. at Warren Chemical Co. No. 1
Councilman Davis made a motion to approve Richard D. Seifert for active duty.
The motion was seconded by Councilman Lutz.

Roll Call

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			X			
Davis	X		X			
Lutz		X	X			
McVey			X			
Fulper			X			

- Application for Raffle License #1266 for St. Philip and St. James Church on May 06, 2018
Councilman Davis made a motion to approve the raffle license. The motion was seconded by Councilman Lutz.

Roll Call

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			X			
Davis	X		X			
Lutz		X	X			
McVey			X			
Fulper			X			

PUBLIC DISCUSSION ON EMPLOYEES

Attorney Wenner cautions the public this is not a hearing – action may be taken regarding the jobs. The Employees chose if they wanted open discussion or closed session. These issues are important and the public can't engage the public.

Council President Fulper – discuss the Superintendent of Recreation – Kelly Post-Sheedy. Right now we have no application or resume, no civil service exam, she has not met the requirements. Council President Fulper made a motion to move salary to \$50,000.

Attorney Wenner reiterated. A motion to reduce the salary. Councilman McVey seconded the motion. Attorney Wenner – 03834, Councilman Davis has a test been offered? Council President Fulper responded that I have gotten nothing in return and have been threatened with the DCA. Anything else?

Councilwoman DeGerolamo, no job changes or responsibilities? Council President Fulper same job same responsibilities. Councilwoman DeGerolamo do we know if she is scheduled to take the test? Attorney Wenner stated that there should be an effective date of the motion with the salary reduction – Council President Fulper stated next payroll. Established amended salary reduced by next pay period. Clerk Kleiner questioned since pay period started the prior Sunday, Council President Fulper stated next full pay period, after the one that started.

Roll Call

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			X			
Davis				X		
Lutz					X	
McVey		X	X			
Fulper	x		X			

Motion carries to reduce salary of Superintendent of Recreation.

Council President Fulper – stated Benefits Clerk, Sam Cappello, started 11-13-2016, January 01, 2017, 40255 provisional until 02-27-2018 its bazar to me. On 02-20-2017 - R 2017-44 safety person, 03-21-2017- R2017-72 supervisor of pensions and benefits, in May of 2017 HR Manager, minimum salary 25-42,000. In October 2017 it was denied, the HR title – in those emails sent to other Municipalities. He is getting \$255 over the max range, 2017-190 was voted down, outside the scope of duties employee benefits. Code 2017-72 designation same, 2016-14 no additional salary, 12-31-16 were holdovers, Pension and benefits, hazard, material data sheets. \$40,000 clerk 1.

Council President Fulper stated the pension and benefits title, the personnel files, hazard materials, air quality were taken from the Clerk. 2018-39,40-42, pensions and benefits, and civil service.

Council President Fulper made a motion to move R 2018-39. The motion was seconded by Councilwoman DeGerolamo.

Discussion: Councilman Lutz, a lot of you don't know what happened, he was going through files for \$10.00 an hour, Mayor had a falling out with the business administrator, Mayor brought him in there no one ever knew. Human Resources / BA I feel he is doing a wonderful job; I am going to vote no.

Councilman Davis stated no rice notice give to Vicki. Attorney Wenner stated they were assigned to her and removed. Council President Fulper asked If Clerk Kleiner minded discussing her job at this moment. Clerk Kleiner Responded not at this moment.

Roll Call

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo		X	X			
Davis				X		
Lutz				X		
McVey			X			
Fulper	X		X			

R: 2018-40

Council President Fulper made a motion to move R2018-40. The motion was seconded by Councilman McVey.

Roll Call

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			X			
Davis				X		
Lutz				X		
McVey		X	X			
Fulper	X		X			

R: 2018 – 42

Council President Fulper made a motion to move resolution 2018-42. The motion was seconded by Councilman McVey.

Discussion: Councilwoman DeGerolamo point of information. BA, principal functions – reading this go to this person.

Roll Call

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			X			
Davis				X		
Lutz				X		
McVey		X	X			
Fulper	X		X			

Council President Fulper discussion regarding the Confidential Secretary. The Trail of employment, emails, a different hiring practice I was given emails, that include, C. Troxell, M. Swick, TK. Corcoran, T. Palmeri, from the transition team meeting. Councilman Lutz attended the meetings. 11-19-2015 – admin., on 11-24-2015 3-5 resumes to be reviewed. 11-28-2015 one resume received that of Sherry Corcoran. On 7:30 PM on 12-03-2015 at C. Troxell's office there was an internal announcement and the Mayor wasn't sworn into office yet, and yet it was announced. On 02-15-2016 confidential secretary position had interviews held. On 03-01-2016 \$45,000 Confidential Secretary approved, on 11-01-2016 confidential aid to the Mayor title changed. On 05-16-2017, R 2017-04 and 05-23-

2017 there was a 3-2 voted it down. Sam Cappello, sent emails to do a salary survey, to Bedminster, and Hamilton NJ, salary survey, population, income, property values, all subject to salary rates. August 2017 – more from Hopatcong and also S. River. Mr. Cappello, didn't ask about longevity, on October 03, 2017 the pay raise for 18%, the hiring process, new hire unclassified? \$45,000 remove the salary increase.

Council President Fulper made a motion to reduce the salary to \$45,000. The motion was seconded by Councilwoman DeGerolamo.

Roll Call

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo		X	X			
Davis				X		
Lutz				X		
McVey			X			
Fulper	X		X			

Council President Fulper stated this salary change to take place at the next pay period.

ADJOURNMENT

Councilman Lutz moved for adjournment Councilwoman DeGerolamo second the motion. The motion carried a 5-0 vote.

TOWN OF PHILLIPSBURG
Council Meeting Minutes
February 20, 2018

February 20, 2018 at 7:00 PM at the Phillipsburg Housing Authority, located at 535 Fisher Avenue, Phillipsburg.

The required Open Public Meeting Act Statement was read by Councilwoman DeGerolamo.

INVOCATION by Council Vice President DeGerolamo

PLEDGE OF ALLEGIANCE by the Assembly

ROLL CALL

PRESENT: Councilmen: DeGerolamo, Davis, Lutz, McVey
President: Fulper

TOWN OFFICIALS PRESENT

Mayor Ellis, Attorney Wenner,
Clerk Kleiner

APPROVAL OF BILLS

The following bills were submitted for payment approval:

SUMMARY

CURRENT FUND	137,036.97
STATE & FEDERAL GRANTS	18,532.35
CAPITAL FUND	15,647.65

SEWAGE UTILITY FUND	174,967.42
PLANNING BOARD TRUST FUND	14,285.50
OPUS INVESTMENTS	13,905.00
SECTION 8	2,372.00
AGENCY FUND	252.92

Regular Bills List 02-20-2018 Total \$376,999.81

Section 8 Rent Payments \$141,238.00

Pre-Paid Bill List as of FEBRUARY 20, 2018

STATE & FEDERAL GRANTS	37,540.00
AGENCY FUND	148,905.32
<u>Total Pre-paid bill list</u>	\$ 186,445.35

GRAND TOTAL ALL FUNDS \$704,683.16

Councilman Lutz made a motion to approve the bills list. Councilwoman DeGerolamo seconded the motion.

Council President Fulper questioned 72018 – Al Marino; 72031 in the amount of \$931.20 key blanks. Mayor Ellis they are four programmed for the Durango. CP Fulper questioned if it was a community vehicle? Mayor Ellis stated he doesn't use it so others can.

CFMV 71447 Recreation - Youth Center, 72121 Section 8; do we also know if there is a c/o on \$2936.00, can we verify before it is released.

CML would like to table Worth and Company. CP Fulper seconds the motion. # 25438 for \$94.00.

Attorney Wenner stated he sent a letter in the fall of 2017 consideration next week synopsis of the Worth Contracts, 27817 Repairs to boiler.

CP Fulper adopts the bills list as amended to include 94 worth, 1295 worth 72121 (approval of attorney). CM FMV 72120 informational purpose. CP Fulper can't overrule. Mayor Ellis is happy with the work done we have a legal obligation to pay the bill.

Councilwoman DeGerolamo made a motion to approve the amended bills list. The motion was seconded by Councilman Lutz.

Roll call

YEAS: McVey, Lutz, DeGerolamo, Davis, Fulper
NAYS: None

PUBLIC DISCUSSION ON AGENDA ITEMS

Joe Meyner, 392 South Main Street, the online agenda R2018-05, huge revision of the rental ordinance, topic of a work session, formatted, systemic input on Parking, do what you did at work session, next week.

Tim Burger, 295 Filmore Street, repeal – replace parking, fisherman and business owners, only vets and seniors should get it. I have an ordinance, driveway parking, (T. Burger holds up is parking permit)

CFMV in Easton you pay until 9 PM, this is where we should go through all the parking ordinances. T. Burger, if I sell my vehicle I need to go in and get another permit.

ORDINANCE Second Reading

O: 2018-03

AN 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 DELETE SUBSECTION I ENTITLED *MUNICIPAL LOTS, PAYMENT REQUIRED* was introduced for a second reading by Councilwoman

DeGerolamo and there being no errors corrections or objections,

Councilwoman DeGerolamo moved that the ordinance be adopted according to law. The motion was seconded by Councilman McVey.

Roll Call

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo	X		X			
Davis			X			
Lutz			X			
McVey		X	X			
Fulper			X			

CP Fulper opens the Public hearing – on the Gas Company

OPEN PUBLIC HEARING – Attorney Ricard Valenti- of Newton on the Elizabeth Town Gas, Gary Marmo. The document was revised to reflect the changes at the first hearing. Councilwoman DeGerolamo thought it was 50 years / the insurance. Mr. Valenti stated reviewed every 10 years. Councilman Lutz thought we were boosting the insurance to five million. Mr. Valenti also stated that can be looked at every few years and also we did raise it up from where it was.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			x			
Davis	x		x			
Lutz		x	x			
McVey			x			
Fulper			x			

Motion carries and Council closes the hearing.

ORDINANCES – FIRST READING

O: 2018-04

CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP

BANK (N.J.S.A. 40A: 4-45.14) was introduced for a first reading as amended by Councilman Lutz who moved that the ordinance be properly advertised.

The motion was seconded by Councilman Davis.

Discussion: CWDD 2018 Budget, revise cap. CJD – R. Merlo

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			x			
Davis		x	x			
Lutz	x		x			
McVey			x			
Fulper			x			

O: 2018-05

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY

OF WARREN, STATE OF NEW JERSEY, DELETING CHAPTER 464
“RENTAL PROPERTY” IN ITS ENTIRETY AND REPLACING IT WITH A
NEW CHAPTER 464 “RENTAL PROPERTY”

Discussion: Council President Fulper made a motion to table this Ordinance to discuss at the next work session. The motion was seconded by Councilman Davis.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			x			
Davis		X	X			
Lutz			x			
McVey			x			
Fulper	X		x			

O: 2018-6 or 6 A

Attorney Wenner stated that there are two different versions; it is matter of right to park in any town lot, or to be lot specific.

O2018-06

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

Discussion: Councilman Davis stated this came late in the afternoon, and made a motion to table 2018-06. CP Fulper stated we will lose revenue on the Easter Train. CJD stated that he couldn't vote for something that he hasn't read, conclude on Friday's agenda, 2018-06 was thrown at us. CP Fulper encompassing to get it passed for the Easter Train. Mayor to veto to get revenue from the Easter Train – collect during the time it takes to replace it with 2018-06.

Councilman Davis made a motion to table 2018-06. Council President Fulper seconds the motion to table. Councilwoman DeGerolamo stated she felt better waiting too.

ROLL CALL

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

Councilman Davis made a motion on O2018-06A. The Motion was seconded by Councilwoman DeGerolamo.

Councilman Davis made a motion to table O2018-06A. The Motion was seconded by Councilwoman DeGerolamo.

ROLL CALL

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

NEW BUSINESS - none

RESOLUTIONS CONSENT AGENDA

R: 2018-43

A RESOLUTION AUTHORIZING THE SUBMISSION OF A STRATEGIC PLAN FOR THE PHILLIPSBURG MUNICIPAL ALLIANCE GRANT FISCAL YEAR 2019

R: 2018-44

A RESOLUTION TO PROVIDE FOR AN APPLICATION FOR A LIMOUSINE OPERATOR'S LICENSE FOR HALIM A. BOURI

R: 2018-45

A RESOLUTION PROVIDING FOR A REFUND OF PUBLIC WORKS FEES

R: 2018-46

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

R: 2018-47

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH RT ENVIRONMENTAL SERVICES, INC FOR RADON AIR TESTING IN AN OFFICE AT THE FORMER FREEMAN ELEMENTARY SCHOOL

R: 2018-48

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

R: 2018-49

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A DISCHARGE OF MORTGAGE FOR BLOCK 1408 LOT 19 AS IDENTIFIED ON THE TAX MAPS OF THE TOWN OF PHILLIPSBURG

R: 2018-50

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, APPROVING A CHANGE ORDER FOR THE PURCHASE OF A NEW FIRE PUMPER

CP Fulper asked if there were any questions or removals from Council. None.

Councilman Lutz questioned the Limo License, 2009 Chevy, 2006 Kia and the application is 2017.

2018-43 Municipal Alliance

2018-44 Limo

2018-50 Fire Dept.

The following are being voted on as the consent agenda, R2018-45;46;48,49. Council President Fulper made a motion to approve the resolutions. Councilman Lutz seconded the motion

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			x			
Davis			x			
Lutz	X		x			
McVey			x			
Fulper		X	x			

Discussion on R2018-43 Municipal Alliance Grant, Councilwoman DeGerolamo asked are there more than 2017, Mayor Ellis stated 16, 170 proposed 2000, Education programs, high school programs, end of year.

Councilman Davis made a motion to move the resolution. Councilwoman DeGerolamo seconded the motion.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo		X	x			
Davis	X		x			
Lutz			x			
McVey			x			
Fulper			x			

Discussion on R 2018-44 Limo license, Councilman Davis stated should be postponed and he should reapply. CML We need to know if the apartment complex will allow him to run his business there. Council President Fulper made a motion to deny the license. The motion was seconded by Councilman Lutz.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			x			
Davis			x			
Lutz		X	x			
McVey			x			
Fulper	X		x			

Discussion R2018-47 Professional Services with RT Environmental for Freeman School building. Councilman Davis made a motion to approve. Councilwoman DeGerolamo seconded the motion. Council President Fulper questioned if this is common practice. Mayor Ellis stated that RT suggested it but not required by the school, it was requested by an employee in general they would come before council prior to being done. Council President Fulper stated that council would like to vote before and not after. Mayor Ellis stated there was a scheduling issue.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo		X	x			
Davis	X		x			
Lutz			x			
McVey			x			
Fulper			x			

Discussion on R: 2018-50 Change Order Fire Dept. Councilman Lutz stated the fire company needs this. Council President Fulper made a motion to approve the change order. The motion was seconded by Councilwoman DeGerolamo. Councilman Davis stated that he believes the firemen need it to be completed.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo		X	x			
Davis	X		x			
Lutz			x			
McVey			x			
Fulper			x			

HABITABILITY HEARING

Attorney Wenner stated that he was in receipt of a letter dated February 14, 2018 on 32 Heckman Street, and it is currently under foreclosure. Pushing sides to agree, there is no intention of renting the property and it is in the final stages to a buyer. Notice was properly given here –Attorney Wenner asked the audience if anyone is here from Arce family or 32 Heckman street property?

So, Town Council you have two options you can issue an order to repair or demolition, unequivocal evidence – require repairs to be made in 30days, they must comply or appeal the order, the Town has the right in legal framework. Council President Fulper I have been dealing with this property since August 09th, it is a constant nuisance, the pipes, urine, rodents, the back door was broken up by Gary Groff. Eric Einholtz said he cleaned it up in a week and he tried to purchase it on February 20, but were no closer, I read the email and saw the statement, its garbage, can't we do an administrative warrant the homeowner needs to be charged. If that doesn't happen I will move for demolition in 30 days. It is time to stand up to these types of cockroaches. He wants to buy the home for \$1000 it stunk all summer, if we don't start sending messages now to these types of landlords, we encourage this issue. Legally Attorney Wenner what can we do? Councilman Davis based on the abandoned property ordinance, it is prime to subject –letter of foreclosure provides for care, abandoned properties. Attorney RW yes if meets the criteria of abandoned. CP Fulper in my opinion the amount of traffic going in and out of that building – Eric Einholtz was there a week ago with caretaker and placed plastic over the windows so no one can see in. CML why don't we check Kevin has a list, if I am correct, why don't we get that list and give 30 days to fix it or have them back here to demo. Attorney Wenner correct to property was discussed prior, must request order to repair 30 days, justification to move forward, with appropriate action. CP Fulper 30 days, if not fixed I want them back here and I want that place demolished, anyone know what is on the list?

CWD I am looking at the list right now. CP Fulper, no the punch list the inspector must be done. Basement, and attic on that punch list, because when the police went in it was disgusting. Mayor Ellis not really a punch list as far as he was concerned nothing dangerous, but a nuisance with water problem on electric out-lit. Mayor Ellis stated that he has permission to go into the home with Rich Hay can condemn it as a fire hazard. CP Fulper would like to hear from the family that has been affected, thanked Mayor Ellis. Mr. Moore stated those who will be affected on June 1, 2016 obvious code violations; on 08-04 it was occupied and winterized building, two times since. No one has taken any action. You can hear the pipes popping, radiator leaks all over, the pipes must be broken. I fear for my safety. CO Fulper is the water currently off? Mr. Moore, we were told it is off, but someone is paying the electric because the fans are on and candles are on the floor. Attorney Wenner stated Rich Hay can have an administrative search warrant under the purview of the Board of Health. Investigation of health safety and public welfare, this is available acting agent of the Board of Health, reasonable suspicion. Mr. Moore stated he called the board of health dozens of times. Mrs. Moore, I can't handle it anymore. Attorney Wenner the administrative search warrant can act to short circuit the system needs a Superior Court Judge sign off on the warrant. CP Fulper how soon can we get a warrant? Attorney Wenner, if Judge signs off by Friday and is it in conjunction with the Mayor's office. Mayor Ellis stated it is legislative/executive branch. CP Fulper we are pm the same page with this? CP Fulper asked do you have access. Mayor Ellis stated we tore down the plastic Friday. Rich Hay can go in on fire safety hazard. CP Fulper stated I would like to go with you Friday. Mayor responded sure. CP Fulper can we do that this week? CJD glad we are handling this the situation vacant and abandoned property. Criteria have been established, no utilities, junk litter trash – notify the lien holder, under the ordinance, if they don't remedy it \$1500.00 a day if out of Stated, \$2500 per day. The Criteria is in accordance with the Ordinance and the Police officers can go out daily. Verify that the condition has not been improved. Hold the lender accountable. CP Fulper no problem we need to make sure ASAP for the Moore family. Mr. Moore stated if this is not vacant. I have called this number. CML this is what he does, electric on/off. Bank comes and looks occupied, there are 11 properties Arce owns, she got the properties but she can't handle them. He gets property cheap, consent correspondence – no formal motion. Mr. Moore, you have to watch when the ballast is on it can overheat. CP Fulper like to make a motion to amend the agenda to move old business below the Mayor's report. CJD don't we need to take formal action on this? Attorney Wenner stated No, he Mayor will handle it from his end, I can send a letter. CFMV Councilman Dais made a very good point. the past few months I visited with the Moore's I sat in their home, I am appalled with this house, it should be ripped down with my bare hands. If the

Moore's are happy I am happy, future landlords who think they are going to get away with this – not this Council.

CP Fulper Motion was to move the Mayor and Administrative reports before old business.

Council Woman DeGerolamo made a motion to have habitability hearing. The motion was seconded by Councilman Lutz. The motion carried a 4-1 (roll call)

Roll Call

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo	x		x			
Davis				x		
Lutz		x	x			
McVey			x			
Fulper			x			

MAYOR AND ADMINISTRATIVE REPORTS

Mayor – no report

Stan Schrek stated the projects that he has been working on – resurfacing and replacing the crosswalks – in April we had the bid.

The Small Cities, ADA, we are ready for bid, we have to change the project manager in the plan. Councilman Davis C.B.G.P.? Stan Schrek stated yes. Phase 1 & 2 Heckman Street, ready to bid, it is a larger project, which a larger project is better to bid. Phase 3 Armory. Phase 4 application discussion and aid grant. Three and Four together, valid application to repurpose because of the armory. Drains, handicap accessible sidewalks and repairs.

The Armory preliminary plans the Police and Fire OEM, was send to the Department of Corrections (DOC) for review, surveyed – site plan completed. One-way drive, I will talk further on that review but not tonight.

Corliss and the alternate location – moving forward we had staff input and need to discuss some storage issues.

Stan stated Rich has a general ordinance, from Senate bill 3233, that Christy did going out the door. The planning board – performance guarantee, asked for landscape, and site stabilization. The percentage charge gets in place as soon as possible.

The MS4 storm water, in 2004 DEP 2018 changed, council take course and certify on line. The planning board – mapping of the sewer CPS coordinates, summary letter together, electronically on the tax maps, force us into developing electronic tax maps. CIS coordination system, talking to Mayor for budget, road assessments, we can discuss at a work session it's a bit lengthy.

Councilman Lutz when getting anything back about the armory?

Stan Schrek stated helpful discussion in a work session or executive session

Councilman Davis proposal property review of Corliss.

Stan Schrek Next work session the cost analysis in April. Delayed in having some staff input, I can discuss at the next work session, the cost analysis will be a little bit longer.

OLD BUSINESS – tabled items from last meeting

KIOSK Bill – DEVO ASSOCIATES - \$11,000

CP FULPER – replacement ordinance ready to go an act of good faith to un-table this bill and pay it to move forward. Councilman Lutz made a motion to un-able. The motion was seconded by Councilwoman DeGerolamo.

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo		x	x			
Davis			x			
Lutz	x		x			
McVey			x			
Fulper			x			

Motion to approve the bill to be paid. Councilwoman DeGerolamo made a motion to approve the bill. The motion was seconded by Councilman Davis.

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo	X		x			
Davis		X	x			
Lutz			x			
McVey			x			
Fulper			x			

PUBLIC PETITIONS – this is the time the public can speak to Council (Public Comments -*Please state your name and address prior to speaking*)

Mr. Peters of Great Meadows NJ, represent the SHYC Wrestling team, which he considers his family. The past three years he has been a coach watching the youth center grown the program. I never get caught up in politics or spent here. I am here and some parents are here today. The best thing that has happened is Kelly Post Sheedy the numbers are up in every sport. Basketball, wrestling, and on snow days they supply diner, it makes me said that it has come to this point. It is all about the kids, without coaches, or her on staff it won't be the same. I am proud to be a coach. CP Fulper I am proud to have you as a coach.

Sandra Morrisette, 5 Fairview Heights, the fire storm on social media the former director has been subjected to, any member could easily put a stop to it. This was not done. Her salary was cut by 17% - not sure about the Civil Service Exam or not, the majority voted to pay cut, How much harm to the at-risk students in Town. How much harm has this done to the employee morale at the Town and at the Youth Center?

That Director was creative, had a heart and was educated and had a vision, not sure if you will ever get those four credentials in any one person.

Pria Amador, 92 A Mercer Street, thanks to everyone here to speak, amazing response and outpour we have received. No one knew this is what we were doing. It feels great, people saying thank you and making us feel good, I don't need a pat on the back. This is what we should do as a community. The reality of a community, we work, paid Friday and one situation to break the flow and now we will chase the financial situation. Self-reliance needs to be taught and emphasized to our youth. We are all guilty of this. Hurricane sandy people lined up for coffee, no power can't turn coffee pot on, I used my grill, and old pot, hand up not hand out.

My focus for the garden, happy to see Mayor Ellis here, I want to have the community garden to have the kids work on it. Have the first harvest donate to soup kitchen, farmers market in the park, spoken numerous times. Mayor Ellis you can speak if you would like to answer. I am behind the garden, health issues with rail property and nail down the lease responsibility of Council. Can't do by tomorrow morning, first step was to clean it up. Can't do it by tomorrow morning. CP Fulper be kind. Ms. Amador, On January we spoke verbatim I would do more than the veterans and that the lease was already signed. I don't know where the other conversation is coming from. CP Fulper I don't have the facts but I will speak with the Mayor's office. and we will set up a meeting. CP Fulper, I will contact you tomorrow once I hear from the Mayor's office.

Dan Boyce, 244 Irwin Street. I pointed out two posts and a video that were false, social media has been swarmed with comments. I have been working with bringing business to Town, rather than the self-serving posts. The industry is moving very slim possibility to speak with someone in Town. If you think you're doing good feeding into the malarkey, you are costing the Town business.

CP Fulper caution everyone that we are not attacking the Mayor or other members of the audience.

Jerimiah McFee, 187 Lewis Street, wondering to ask, busses changed with the schools and the pedestrian crossing. Storm water issues, flooding, rain gardens, considered the influx of water in the rivers, infiltration issues. DEP requirements, having waste and little going into the catch basins. A lot littler on half days, maybe place more waste baskets on the routes.

David Morrisette, 5 Fairview Heights, I am careful about the truthful and accurate and sometimes giving opinions. If anyone finds anything I say unactual I would be happy to correct it.

I have two questions, "If you had a bank and you were looking for a teller... and a bank robber applied for the job would you give him that position?"

"If you have a position for a social medial committee, if you had somebody with a documented record of multiple times violating digital copyrights would you give that position to that person? "thank you.

Jennifer McBride, 401 James Street, speak about Jeremiah McFee, comments regarding Stan Shrek, Environmental commission, you would need a green team, recommended through resolution by the Mayor, set forward, with the planning and zoning board to create a better recommend moving forward.

Randy Piazza, 389 Mercer Street, awkward scenario, in response to Mr. Morrisette had to say about the accuracy and social media, make clear, Mr. Morrisette made public comments on Lehigh Valley Live using your name, not face book, an illusion that we sold the entire IR property for 2.5 million dollars. We only sold 220 acres for 2.5 million dollars, which sold to Bridge Development for \$43 million. Do I make myself clear Mr. Morrisette?

Thank you.

Kiely Reiman 672 Belvidere Road., I moved here in first grade. I started working there last summer, we have more kids, using the facility. I went to Lopatcong Pool not Walters park pool, my mom took us there, she was told not to, because we would pick up bad habits. My mom went because it had cheaper prices, better staff. I don't know how you can deduct salary when she has made all this happen.

You can't tell me there is no resume or application on file if you approved her.

CP Fulper, I can't respond to personnel issues.

Meliss Paulus, 29 Glenn Avenue, I am also having issues getting the truth or any answers from the Mayor's office. Mr. Morrisette doesn't have any problem answering justification or tax savings. Mr. Morrisette, stated that Attorney Winner's firm lowered his fees to have Troxell. The Town's debt, what debt are we going to have, 14 million dollars. Town hall schedules by end of week in February 13th. I need answers as anyone else who pays their taxes, I get no response, what am I to do to get answers to I am a tax payer also.

CJD as term of the current bills finances they are to be given to you immediately.

Meliss Paulus, My OPRA's is the only way to get answers. My operas, are being reviewed by other people, not just Vicki, not being addressed. Do I have to file a complaint?

CJD if you feel your OPRA request isn't getting completed properly you can contact the GRC.

Meliss Paulus, I am very aware of that and I will need to take legal action.

CJD as far as the perspective debt its only perspective no definitive plan yet for debt – no preliminary proposals, at Sewer meeting was an approximately not in-depth. Meliss Paulus the NJEIT is now called NJEIP three quarters of that is 0% - so we need to act on that, ongoing for six months. With quarterly sewer meetings, Councilman Lutz agrees with me on this. Resolution passing Ordinance, CML no we haven't passed it yet. Meliss Paulus, oh ok I would like valid answers to my questions.

John Guthmiller, 132 Chambers Street, last meeting I came up about the last section of Summit Street being paved. Mayor Ellis stated it is on the list to be competed you have to wait for a year after work has been done. Mr. Guthmiller curious why it wasn't finished. CML stated was done in stages, one year before the hole to settles before we can repave, that is the procedure. Also, Bernie Fey mentioned money allotted to work on the ball fields, is that going to happen? CP Fulper, yes that money is in the budget, the DPW budget, the Mayor will handle that. Guthmiller, backstops, and the former father of a Steele Hill Catcher, they were out of date 10 years ago. CP Fulper, questioned the Counselor if the budget hearings are public, and that he urges people to come. CML stated yes, they are public.

Kia Walters, 380 Center Street, need some clarity of the Youth Center issue, concerned when I got information that my children won't finish their basketball season, due to cuts to the center. Center couldn't afford the rec programs. That the youth groups would have to pay more to have our kids play. I just want to make sure that my children can continue to be active in the recreation center.

CP Fulper, I sat with Mr. Russo from the Center currently there are no cuts to the center or the programs. Jay Yarnell sent a letter out to everyone that the rest of the year was ok. Ms. Walters, stated the funding came from anonymous people that wasn't anything that came from the Town. CP Fulper the center already received funding for last year. But after the budget is approved the Youth Center will receive their funding from the Town. I believe April 18th around the time. Has been the case in previous years. I did see the letter, I can't confirm the origin. Ms. Walters, this year, it won't come up next year. CP Fulper I can't speak on behalf of the Youth Center, they are a private entity. However, I spoke to Mr. Russo, and we feel that the Youth center are truly committed to the children.

Lee Clark 341 Heckman Street, this is the first time I am coming to the podium, so if I don't come off as good you will know why. I wasn't planning on coming up to speak but I just saw something disgusting. I saw a resident attacking another citizen attacking. That belongs on face book not here. This is a public spectrum, no hatred or bullying, we have laws, respect, it is the sharing of ideas and concerns. CP Fulper, Mr. Clark I appreciate it. Mr. Clark, thank you very much that's all I wanted to say.

Don Dickey, Randall Street, I have a question for you, I know it is tabled, as Council I haven't read the ordinance. No provision of the parking lots of people who buy permits during the vents. Are they going to be subject to pay during the events? CP Fulper, if the event is in that lot – they won't be able to park there. Don Dickey, when we utilize these lots for out of towners, for special events like Thomas the train. CP Fulper, it is in there, a valid permit you can use that lot.

Joe Meyner, 392 South Main Street, Dates next meeting vacant house problem sill our subject. Next meeting 394 South Main street, February 25, 2018 1:45 – 3pm if you attend you are a member. Un occupied properties are being reduced, we need to attract owners, we have bad absentee landlords, we need to help the minimum wage workers, have a roommate. There was an article in Modern Maturity, dual occupancy for the senior years. CP Fulper – these are excellent topics for a work session. Joe Meyner, fair practices. Resident agreement, safety inspections, pest control.

Dustin Pierce, 119 Lewis Street, I do go to school and not here often, I have seen face book and social media. The attacks must stop. The recreation director, I am going to give Kelly kudos, you do it because you care for the kids, if It is 10

dollars or applies to peaches do it for the kids did it for your sole, because it makes you feel better, to resign over a salary cut makes no sense.

CP Fulper, unfortunately I don't know why she resigned. Dustin Pierce, personal attacks seem quintessential to a resignation, salary is only adopted in November or March ... CP Fulper, I can't discuss personnel matters. Dustin Pierce, I feel like it would be different if it was 2 years and I was relying on that salary. Shows her resignation – feels to me a disservice to the kids, were in limbo again no acting director. Mayor takes the head.

Blaine Fehley, 237 Bowhay Ave., Everybody knows here I place the meetings on Your Tube. The copy right information complaints came from DEMS WEB, and who's in charge? Attorney Wenner stated that is a rhetorical question. All that did was create a disservice to the residents by taking it down, but you know me I will get it going again.

OPEN TIME

Councilman Lutz – Rich did you write a letter to Wynkoop about the church. Attorney Wenner, drafter it but not letter has gone out. CML thank you.

Councilwoman DeGerolamo – contact the Mayor letter of approval, the bullying issues, the library director contacted me and we should be moving next month to get the community program, the police and the school. Everyone else confirmed and participating. Thank the Mayor and his Staff.

FMV I love open time. Weather something on the map walk in the spring to promote health and fitness in our adult community. Business owners and workers, help these people to walk I'll do the first one and hopefully everyone on the Dias on a Saturday or Sunday to promote health and fitness.

I go our frequently to speak with the business owners. Ashley home store, Barry DiMaio, owns several stores, I explained about the tragedies we have had. We have fire, flood, the Phillipsburg homeowners he will outfit them for ta better quality of life.

Also, through my NJ Devils and the Prudential arena, we have a department called the grass roots, we sit on the Delaware River, Jeff Sky VP of that, connected him with NJ Youth Corp., Mike Muckle. Get them together and get the organization involved, get the youth there for a game, for graduation and have a nice time.

Councilman Josh Davis, buying a house on Center Street. CP Fulper Congratulations. CJD, thank you, I would be remis not to speak of the concerns at the last meeting. The three resolutions, one salary of administrative staff, one salary of department head, and another depository assignment of documents. Faulkner act has clear delineations of authority. We acted on inappropriately as a governing body. In terms of the salary of the member of the administrative staff. The Mayor adheres to pertinent contractual, CSC guidelines and obligation and budgetary constraints. In the purview of the Mayor's office, and for us to act on a resolution independently overstepped out bounds as a legislative body.

The former documents chapter 279 office of the Municipal Clerk. CP Fulper, Councilman before you go any farther, remember the last council meeting you would be remis if you did not do your due diligence if you did not rice notice the clerk? CJD speaking but not clear to determine what was said. Council President Fulper stated Councilman but I cannot let you move forward without rice noticing the Municipal Clerk. CJD active with the Municipal Clerk. CP Fulper will you be addressing her duties? CJD no not her duties address the resolution we passed in general. CP Fulper I would say you need to wait till the next meeting you can bring it up them. CJD I find it to be difficult to accept that concerning we failed to rice notice her the last meeting. CP Fulper, before we go any further, Vicki would you like to be rice noticed? Clerk Kleiner responded, yes please. CP Fulper, Councilman...the employee has wished to exercise her right to be rice noticed. CJD very well then, I will address it at the next Council meeting. CP Fulper – thank you. CJD my last criticism is regarding the salary of the department head, procedure, the compensation of the Mayor, Councilmembers and departments heads, should be fixed by Council immediately after the reorganization on January first. We did have the authority it should have been at the time we reorganized. The salaries of the departments heads should have been done temporarily at the time we reorganized on January first. Those are my criticisms and I think we can learn a lot from those in the future. Thank you

CP Fulper, Councilman your statement didn't have the authority to reduce the salary. CJD my understanding of the Faulkner Act is the setting of salaries of members of the administrative branches of our government is under the purview of the Mayor. CP Fulper then why would council vote on them on October 03, 2017, because they are under the purview you would not have had to vote on them. I can tell you that you are misinterpreting the Faulkner act, I can tell you because I have been on the phone for the last week and a half over this issue. CJD I am reading directly from the Faulkner Act. CP Fulper well I can send you a number of an

attorney whose is very versed in the Faulkner Act. CJD, the Mayor shall pick the amount of salary of the compensation of his employees. CP Fulper I will not argue. CJD (muttered something)

CP Fulper, I am sorry Councilman? CJD I am asking a question? CP Fulper I will give you this attorney's phone number. If in fact it was under the purview then we would have NOT set the salaries raises in October of 2017. CJD I think we errored that we set the salary ranges by ordinance. After re reading it, should have been set by Ordinance. By going to salary ranges we sabotaged our Government the Faulkner act, by taking away that exclusive authority to have the Mayor's intervention. CP Fulper I would ask that you put that in writing to the attorney. If we did an error on judgement we need to correct that. The resolution passed and eventually we must move forward.

CP Fulper there are a couple of things I wanted to do tonight but Councilman Lutz reached out to me. We need to move forward. There is a lot of hate on social media, and a lot of untruth. I agree with Lee Clark, we shouldn't degrade anyone for what they are saying. The way you can combat them is to stay positive. I am an elected official and you can call me any name in the book. I will continue to work with Council if you like me or not. That's all I have to say.

MOTIONS - NONE

ADJOURNMENT

Councilman Lutz moved for adjournment Councilwoman DeGerolamo second the motion. The motion carried a 5-0 vote.

TOWN OF PHILLIPSBURG
Council Meeting Minutes
March 06, 2018

March 06, 2018 at 7:00 PM at the Phillipsburg Housing Authority, located at 535 Fisher Avenue, Phillipsburg.

The required Open Public Meeting Act Statement was read by Councilwoman DeGerolamo.

Moment of Silence – CP Fulper – for Danielle DeGerolamo’s grandmother the oldest living Phillipsburg resident, at 102 years old.

INVOCATION by Council Vice President DeGerolamo

PLEDGE OF ALLEGIANCE by the Assembly

ROLL CALL

PRESENT: Councilmen: DeGerolamo, Davis, Lutz, McVey

President: Fulper

TOWN OFFICIALS PRESENT

Attorney Wenner,
Clerk Kleiner

APPROVAL OF MINUTES: December 19, 2017 Council Meeting.

Attorney Wenner – point of order – voting is a doctrine of necessity, approving the content. A motion to approve the minutes was made by Councilman Davis. The motion was seconded by Councilman Lutz. Roll call vote – Councilman Davis Yea, Councilman Lutz Yea.

APPROVAL OF BILLS

The following bills were submitted for payment approval:

SUMMARY

CURRENT FUND	2,138,021.32
STATE & FEDERAL GRANTS	195.37
CAPITAL FUND	16,812.18
SEWAGE UTILITY FUND	8,257.84
SEWAGE CAPITAL FUND	13,107.71
PLANNING BOARD TRUST FUND	651.50
OPUS INVESTMENTS	2,025.00
SECTION 8	18.00

Regular Bills List 03-06-2018	Total	\$2,197,088.92
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Pre-Paid Bill List as of March 06, 2018

SEWER UTILITY FUND	2,391.54
AGENCY FUND	3,233.48
<u>Total Pre-paid bill list</u>	\$5,625.02

GRAND TOTAL ALL FUNDS	\$2,202,713.94
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Councilman Davis made a motion to approve the bills list. Councilman Lutz seconded the motion.

Council President Fulper asked if any questions

Councilwoman DeGerolamo questioned 72174 the uniform cleaning. CFMV Stated that Chief Stettner was at a training this week and it is in motion. I am anxious to get this taking care of. CP Fulper asked if the Mayor was here... no he isn't here.

CWDD questioned 72194 Recreation – safety equipment. CJD stated that the bills previously are beyond safety equipment and baseball last year. CWDD

questioned bill 72209 HEPA rental, for fire? Clerk Kleiner, for municipal building air. CWDD, it this a rental? Clerk Kleiner, yes, CP Fulper questioned Clerk Kleiner if the air quality if it is still being checked. Clerk Kleiner stated yes, and CP Fulper questioned by whom? Clerk Kleiner stated RT Environmental, but I can check on it for you.

CWDD questioned the purchase of a light tower 72212. CML stated it was in last year's budget for public works and recreation and the train.

72219 the Fire Dowd. Does this get billed back to the property owner. CP Fulper, Mr. Dowd was called out by Mayor Ellis. CML said there was a gas line? CP Fulper, 2064 is hefty. CML, fire emergency to rip street up this should go against the owner. CP Fulper, should we pull this to get clarification before next meeting. Councilman would you like to make that motion. Councilman Lutz made a motion to table the bill 72219. The motion was seconded by CP Fulper.

CWDD 82225 Section 8 did they hire someone new? Or is this a re- up check. Clerk Kleiner yes, no new employee, check.

CWDD 72181 Marianna's café - for Municipal Alliance program. CP Fulper you say it is a conflict. CWDD yes, Attorney RW stated if conflict I suggest you abstain and not pull from the bills list. CML – it is billed from money that we give them – and it should be deducted to the amount we give them.

CP Fulper, Councilwoman do you want to explain you conflict? CWDD – no CP Fulper, Councilman Lutz anything else? CML no, Councilman McVey anything? CMFM no- Councilman Davis? CJD, 7221 the insurance cover this claim? Clerk Kleiner stated yes that is our deductible. CP Fulper, vote on the amended bills list. CMJD that's it thank you.

Council President Fulper made a motion to approve the amended the bills list. Councilwoman DeGerolamo seconded the motion.

Roll call

YEAS: McVey, Lutz, Davis,
NAYS: None
ABSTAIN: DeGerolamo, Fulper

PUBLIC DISCUSSION ON AGENDA ITEMS

Joe Meyner, 392 South Main Street, Statement included

Bill Timmann, 230 South Main Street, 2018-06/07 first reading, questions regarding the opinion of 07, double billing permit holders, if using other permits, 06 used for any Town lots, 07 indicates in designated lots. If decided to use another lot, they would have to pay for parking again during events and getting doubled billed. Smaller batches, indicating other lots more costs to just purchase

the permits. Local service business to buy a permit and use on service vehicle in lots or downtown and no be penalized and able to work your permit would be good there or any lots.

Council President Fulper. Only one ordinance and one is a repeal. Bill Timmann, you have both on here. CP Fulper, we do? Attorney RW stated that 07 is the lots, 06 is the repeal of the parking. CP Fulper, I did ask the Mayor to veto. Bill Timmann, I feel you should do general not lot specific.

Second thing is 2018-55 from what I am reading, costing us 19,545 for recycling, CML we get that back, that money we get form state it is a recycling fee. BT said why do we recycle to get it back. CML I want to differ with Easton, it is a quarter for 15 minutes all contractors must pay.

Emil Brisson 94 Bullman Street, 2018-06, Parking Ordinance, page one South Main Street Lot St. Philip and St. Janes, James. Loosing income from that lot. Explanation of that when it is discussed.

Ethics comments, regarding Joe Meyner made. More objective if the existing authority on the ethics complaints. On the next the last page 53-17 letter C could cost us money, and not being objective. Those are my comments. Thank you.

ORDINANCE Second Reading

O: 2018-04

CALENDAR YEAR 2018 ORDINANCE TO EXCEED THE MUNICIPAL
BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP
BANK (N.J.S.A. 40A: 4-45.14)

Discussion: NONE

ROLL CALL

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			x			
Davis		x	x			
Lutz	x		x			
McVey			x			
Fulper			x			

ORDINANCE FIRST READING

POINT OF ORDER – CJD O2018-06 – 6A, Attorney RW stated it is tabled until work session, we can un-table. 2018-06 Un-table. CP Fulper made a motion to un-table 2018-06. The motion was seconded by Councilman Davis.

Matter of formality. CP un-table 2018-06? Attorney RW – table, un-table, second reading. 06 and 06A – you can act un-table.

Roll call Vote:

ROLL CALL O2018-06 Un-table

Council	First	Second	Yea	Nay	Abstain	Absent
DeGerolamo			x			
Davis		X	x			
Lutz			x			
McVey			x			
Fulper	X		x			

Discussion - NONE

O2018-06

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

Discussion: CJD did we move it at the last meeting? or did we table it? Attorney RW – I don't recall. CML the transit lot asked that no fees until the lease gets or contract. CP Fulper – spoke with Mayor to amend it in August. CML – meters 80 meters – from black bridge. CWDD stated in the lot. CML so we need another one. Need another ordinance. Thank you. CP Fulper, CFMV caution on meters that are not operational, contract with someone to oversee, ticket that is the Town's fault. But extending it to the meters, the properly authority needs to make sure every single one is working, most isn't good they need to all be working. CML stated Dale should go down and make sure what's working, and it's a quarter an hour, and that's pennies. CJD, 8 pm close access, or fees at 8PM, reword that section fees enforced from 8 am - 8 pm. CP Fulper stop fees at 8PM. CJD can we adjust that, I make a motion to amend that. CWDD seconds the motion to amend. ROLL CALL all yes. CWDD – comments hit all the lots this weekend. Sitgreaves lot needs addition handicap, since we have been called out I assume they are correct. Attorney RW stated they are not correct. The Town Engineer is reviewing as per the ADA. CWDD motion to do that now. CJD second that. Roll call – all yes. CWDD also regarding the 12 reserved parking spaces, as well as placards, do something different, 12 is a little inadequate. Use the municipal parking permit that is in place and designate 25 spaces. CP Fulper, the building owner has four

other units that he is bringing in, selling them the permits. I would like to up the riverside lot use to 25 for Mr. Baum has Tenants, CWDD, believe each business has four employees, CML said it should be enough. CWDD right now two separate sets of permits, they are not being enforced, so a placard vs a parking permit, seems like an extra cost to keep it going? CP Fulper, you want them to have for free? CL proposed a dollar, each. I think a permit would allow them to park instead of separate permits. CWDD can we look into seasonal permits for boats and trailers CP Fulper spoke to Mr. Hinkle see the fisherman come and use the boat ramp and visit our businesses. I want to keep them here and be advantageous to the Town of Philipsburg. CWDD I motion to change 12 to 25 Attorney RW not to be faced with a loss of 2018-06 and 2018-07 to get a comprehensive ordinance at the work session come together and presented an ordinance all address first reading. Mr. Hinkle mid-March. CP Fulper, that's why I don't want to put it off. CP motion to amend the permit from 12 reserved to 25 at the Riverside way. The suggested price of a seasonal permit suggested fee by the Mayor is \$25.00. Active fisherman license April 1st – November 1, 25 residents and 35 for out of Town. CP Fulper, I move to amend. CW DD second the motion. CJD – original understanding the placard would be a pseudo permit for the business owners. If 25 of the 100 spaces, it would be a quarter of it would be for the businesses. CP Fulper if 25 parking spaces reserved?? Would we have a placard to identify the spaces. CJD the language 36 spots by business 25 placards to park anywhere in the lot. CP Fulper 11 30 mins and 25 employees and owners and yes 36 is correct but don't believe it will all be used. In spring it busy, but its friendlier to the business and the fisherman. Just trying to keep it practice. CJD that was my understanding at the work session.

CP Fulper only thing I don't see is the Shad festival would be free. I would like to specify if in writing they will adhere to it. Amend Ordinance to specify Shad tournament be free for four days. CWDD can I make a suggestion rather than the calling out a specific event ability to give free dates for parking. CP Fulper Special use at the Mayors discretion. I don't want fisherman to get lost during the event. Mr. Hinkle discussed Senior citizens and disabled Vets. Attorney Wenner, to move this forward address the larger items as quickly as possible. There was a discussion of the fees to be waived, still being considered but right now as much as we can quickly as we can.

ROLL CALL AMENDED

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

Further amend the ordinance

CP Fulper motion to amend to include shad festival. CFM seconded the motion.

Discussion: Attorney RW – special events trailers, waive fees. Not event specific but it is in there. CP Fulper cost of the special events permit. Attorney RW, yes there is a cost and it is up to the council. Leave it stand. CML you pay if you go to Allentown, no matter what event you always park. Everyone has to pay their fair share, we are looking the other way a bit, no matter where the fisherman goes they have to pay. It's been for free a long time, we are able to get money into the Town coffers now and were giving it away. It was promised this year, we can look at it again next year. CP Fulper, we need to move this forward, put your faith in us we are working together, Thank you.

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CP Fulper, my original motion Second by CFMV

ROLL CALL AMENDED

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

RW to be clear on the ordinance

Provide for handicap spaces, re- ADA by Town engineer

Changing Riverside lot 12 reserved to 25 riverside way for business

Placard – transferable fee- issuance of each placard

Seasonal permit \$25 / annum April 1 – Nov 1 \$ 25 resident \$35 Non-resident

Amend transit lot – no fee park amended to no fee absent permission of NJ transit

Collection fees from 8 am – 8 pm daily

ROLL CALL AMENDED

Council Members	First	Second	Yea	Nay	Abstain	Absent
Council Vice Pres. DeGerolamo			X			
Councilmen Davis	X		x			
Councilmen Lutz			X			

Councilmen McVey			X			
Council Pres. Fulper		X	X			

O: 2018-07

AN 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 DELETE SUBSECTION I ENTITLED *MUNICIPAL LOTS, PAYMENT REQUIRED*

Discussion - none

ROLL CALL

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

O: 2018-08

AN ORDINANCE REPEALING CHAPTER 53 "ETHICS, Code of" AND REPLACED WITH A NEW CHAPTER 53 "MUNICIPAL ETHICS BOARD" OF THE CODE OF THE TOWN OF PHILLIPSBURG, NJ

Discussion: CML Joe said it exactly right costly, and could be a conflict, with who you pick. I would like to keep it as is. CWDD make it as a budget item, more similar to the historic commission, and line items to address. CJD I echo CL comments, all members appointed to the council, judicial executive, we need the impartial by outside and give authority to a partisan board. They can make their own laws and subpoena other than councils preview, the state has one in place. CP Fulper, I disagree, I believe we can find 6 qualified people in Phillipsburg, when a complaint is made it takes too long, administration aside they do happen, and I feel we need to be policed, I have been accused myself, But the constituents have every right to make me answer to my actions. With that being said I would like to move forward with a vote.

ROLL CALL

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

NEW BUSINESS - none

RESOLUTIONS CONSENT AGENDA

R: 2018 - 51

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR OPEN SPACE RECREATION AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND (N.J.S.A 40:12-15.2) FUND REQUIRED BY THE TOWN OF PHILLIPSBURG, N.J.S.A 40A:5-29

R: 2018 - 52

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER DONATION ANIMAL SHELTER (N.J.S.A 40:12-15.2) FUND REQUIRED BY THE TOWN OF PHILLIPSBURG, N.J.S.A 40A:5-29

R: 2018-53

A RESOLUTION TO PROVIDE FOR AN APPLICATION FOR A LIMOUSINE OPERATOR'S LICENSE FOR HALIM A BOURI

R: 2018-54

A RESOLUTION AUTHORIZING SUBMISSION OF RECYCLING TONNAGE GRANT APPLICATION TO NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION

Council president Fulper asked if anyone has anything they want pulled or discussed.

CMP – 2018-53 be removed. CWDD – questions 2018-52 because of me? Vicki – yes, I made a donation to the ACO. Gave my last paycheck to the animal shelter. JD Point of order. CP Fulper, I missed it. CMV I am with CL #53 marked.

Discuss 2018 -53 Haleem Bouri. RF, CFMV second, hold off no new application. CP Fulper the clerk did provide me with the application I will share with you.

CML to table. to next meeting Second by CFMV roll call vote to table

ROLL CALL

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

Motion to approve the consent agenda

ROLL CALL

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

NEW BUSINESS

CFMV –Deputy counsel has been missing. If he has him, CP Fulper, asked the Mayor and he stated that he has resigned. CFMV authority to investigate the hiring practice of the hiring practices, and how various hiring's. CP Fulper, is this the Ad Hoc. CFMV stated that would be my recommendation the recommendation of Council. CFMV motion to investigate Mayor Ellis's hiring practices. CP Fulper seconded the motion. Councilman Davis questioned what we were motioning? CFMV stated under the powers entrusted in us of Council to investigate matters for the betterment of our Town, period. CJD I understand the right to investigate, it is usually in an interview or report. CFMV made a motion to establish an Ad Hoc committee to look into the hiring practices of Stephen R. Ellis. CP Fulper, I did second. Councilman did that clear that up for you? CJD yes well, it did but didn't specify the method. Councilman – are you requesting the records? CFMV I made a motion and discussion may not be the forum for that, but it is on them for discussion. Roll call Vote.

Discussion: C ML what he is trying to do and what is he going to accomplish.

ROLL CALL

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

CJD New Business – I don't have resolution meters, given information from Mayor for meters and I will forward to Vicki for further discussion.

CP Fulper question to Mayor but under old business.

Attorney Mark Bellin solar panels, - March 13 meeting to move work session CMJD/ CFMV roll call all yes.

OLD BUSINESS

CWDD few Bridge Development – stated to start the end of February. Attorney Wenner stated a meeting next week with Stan and Mayor in his office.

Do we know anything about PILOT with Perrone Construction? Been inactive so I was wondering, would you mind if I make a phone call and ask. CML been inactive maybe 20 years CP Fulper bring it up to the Planning board. CWDD I will do that.

CWDD the Firhtown signed moved. CP Fulper, promised Mr. Scerbo that he would move it. CP asked Mayor if it was cemented into the ground? Mayor responded no.

CWDD questioned if we had the condemnation meeting next to the Moore's? CP Fulper as you know the last meeting we discussed the administrative warrant as agreed to by the Mayor where do we stand with the 32 Heckman St property? Mayor Ellis responded we attempted to enter as a fire hazard, Chief hay couldn't do that the code official could not condemn it not structurally.

We did start to clean it. First floor is clean, we promised the Moore's a follow up with exterminator. CP Fulper where their health hazards in the building. Mayor said they tried to call the county health department. CP Fulper, 30-day time frame, and the Mayor has entered the building. At the end of the 30-day times frame the Moore's should have a better quality of life.

CP Fulper asked what the next step would be. Attorney Wenner stated that Council has the authority to have a habitability hearing and if found unfit by testimony you can make an order to be issued. The Mayor's office is currently working on the issues. The Council can have a habitability hearing. CP Fulper Mayor I was told there is bed bugs? Mayor Ellis stated that a couch was covered and removed. CP Fulper said sounds to me like K. Duddy found nothing not nothing else bad enough to condemn the building but enough to site the property owner. We would like it cleaned and continue to site it. We need to site them, we are charging them to clean it.? Yes? We should revisit this. But we need better communication Mayor. Can I have your word.? Mr. and Mrs. Moore, are you ok with this?? CP Fulper, I did have a candid discussion with the code office. They will be here next meeting at the work session, ask the inspectors to attend.

CFMV Councilman Lutz mentioned that police came in with guns drawn on you. and your still here.

MAYORS REPORT

250 homes loss power has been restored. Any questions they can call anytime, CP FULPER warming centers if needed? Mayor yes if power goes out.

PUBLIC PETITIONS – this is the time the public can speak to Council
(Public Comments -*Please state your name and address prior to speaking*)

Joe Meyner, 392 South Main Street, Homestead meeting open to the public, at 394 South Main Street.

Bill Timmann 230 South Main Street. Mr. Lutz in your neighborhood Mercer Street, a fire to be replace or repaired. I go down Cedar Alley you can see through the house. CML you would have to speak to the Mayor about it. Fox and Mercer Street property.

Helen Williams 525 Fisher Avenue Apt. 424. We were without electric for four days and invited to the youth center. CP Fulper did you have heat? Ms. Williams kept speaking how were we going to get there walk fly?? CP Fulper that is a situation that we need to investigate. Ms. Williams - Mayor stated they will bus us over. Paul Rummerfield won't answer, what kind of place, we are paying rent, respect your elders, people who are crippled, cancer. CP Fulper, we will speak to housing, do they have generators? Ms. Williams, one generator, for lights and elevator in the building. I picked a girl up off the third floor she fell in the hallway a woman, should could have been seriously injured. Was it reported. Mr. Carl Kline, Apr 202 Fisher Ave. No method to get us to the facility. I wasn't notified. Ms. Williams stated she got a call. CP Fulper asked Ms. Corcoran how people get notified. We would have to investigate that for you. I will give you my personal phone number. Mr. Kline, is there any additional responsibility of the housing authority. CP Fulper asked CWDD can you speak to your contact at the housing authority and we can try to get an answer. Ms. Williams someone must help them I had \$200 order I had to throw away. Tim Burger helped us the most. He just works here the only one we saw to check on the people, cancer people, blind people, something needs to be done here. CP Fulper here is my card with my number.

Jim Kleiner 318 Ohio Avenue, Concerns safety – security at the new temporary building the upper floor has been secured with key fobs. Public building, growing concerns, unwanted visitors, brought up on January 4th, secure the bottom floor it takes care of the whole building. The second floor operated by keep fobs. The first floor is sitting on the first floor and are also at risk on the first floor. There is an unwelcome guest and have no training. More than one occasion people make themselves at home in offices. I have concerns with that every day and it needs to be addressed. I am not a security expert. If addressed situation on first floor. It would have taken care. What is the response time it is not public and understand

why? But it is set up classroom separated, as original building open everyone can see each other, and it was more secure. The risk factor has increased for first floor and less of a risk on the second floor. Elitist and cowardly. CP Fulper asked how many employees on second floor vs first floor. Clerk Kleiner, 9 maybe on second floor 15 or so on the first floor. CP Fulper deferred to CFMV – thank you Mr. Kleiner, your accuracy in that building I don't know how to address this. I get scolded every time I ask. The building is a risk there are levels of security. Sign outside, I can't control city hall I would like to suggest, but emails get ignored. 24 hours ago, I sked for the magnetometer here that building is a huge risk. I voiced my opinion. I am certified 218 in NJ it is not the security guard in the building. I will forward an email tomorrow. Using the Magnetometer at the building have an officer there at that building. I went to alpha on a snow day there was a magnetometer there Lopatcong also. We can protect the people in that building. CP Fulper I am concerned about a crossing guard. CFMV buzzer system, human element key fob fifth player.

Meliss Paulus, 26 A Glen Avenue, unfortunately the Mayor left. I have been trying to contact him for several months, I get no response, therefore I am asking you to consider lower his salary because he is not performing his duties, I am not the only one that has had complaints. I know you have heard from several people that he says one thing and he does something else, we are paying his salary and benefits. He needs to answer to the residents and to be held accountable. You have done it to other employees and that what we voted you to do, you can do it to him too. If anyone thinks that I am in a conspiracy between me and the Council you are wrong, I have never been coached or asked, or post on Facebook I have a mind of my own. If anyone here can say that you have knowledge of it. CP Fulper I will be honest Ms. Paulus I don't think that you have the personality that will allow anyone to coach you. Ms. Paulus what I came here for is upsetting the current Mayor's office. I commend you for everything you are doing, and I stand beside you. You are doing exactly what you are elected for. I have conferred with other Mayors' I will start the recall again. I have been in touch with the insurance company he is a liability to us. I have asked for a meeting with the Attorney and myself and the Mayor and my attorney. I get no response. He comes to a meeting and leaves. CP Fulper – I don't have an answer.

Ms. Paulus I am tired of it.

CP asked any other public comments – there being none.

OPEN TIME

CML nothing

CVP DeGerolamo – First meeting - Not in our Town 04-16-18 @6pm invite the public, thanks to the library for hosting

UEZ – no FYC report, NO PL Board. Union square lighting project, to accentuate the buildings, one day event, potential investors, may be more than one date, participate, in the vacant store fronts, sometime after Easter, black bridge to union square area. March 22 Angela Knowles will present to the planning board. New business Lee Services. Learning Enrichment Experiences for those who age out of the system. 401 South Main Street, they purchased the entire property. Autistic habilitation for adults, ARC, IDD and family, they will have two full time and six-part time workers and partner with the local colleges. They had a nice presentation. Corks and Forks will be April 30 at Flynn's.

CVP DeGerolamo – is the phone services down? I called, and I get a recording that the building is moving

CP Fulper – Mayor's cell phone

CVP DeGerolamo, recommendations on fees, park rentals, pool rates work with me and Mark Lutz, and talk the next work session.

CMFMV Thank you all for coming, and sat through the parking ordinance, I do have the magnetometer came up security, at City Hall, as always do I will forward to you to forward to our Mayor, on that note I have sent 6 emails on various items, risk management, special needs children, etc...I will continue to send them to you, you will continue to forward them, I wish the Mayor was here so I can ask him directly why he isn't answering the emails. I am a full-time dad and I work a full-time job like everyone else and my frustration is beyond words, 65000 car and keys I will get a petition and do that job next year. I would rather have him answer my emails, but the publics first. My issue is the security of the folks at the hall.

On a good note I want to thank WFMZ for always coming to all the meetings. Even when I sat out there you were here thanking you for always being here. CP Fulper Lehigh Valley Live only reports on the face book posts.. I don't see them here. Thank you for being here. CJD New Season Track team sign ups at noon at the FYC. CP Fulper Councilman is that a travel team. CJD the farthest we would go is Hunterdon Central, in that area. CP Fulper, thank you I appreciate that. I would like to thank everyone for coming tonight. Even though we appear to be divided we are not, I must echo the sentiment of the residents and Council, when I sat that audience 7 or 8 months ago and CP Tersigni state I don't know I am in the dark I laughed. If it is anything like now we are on isolation island, we can't get an answer, I do email him, the only email that was ever reported was not to sit at

the Dias. The other emails don't get reported two days later when I asked him to come back I was wrong I am man enough to admit that I was wrong he should take his seat up here and answer the questions. I have a problem when I see emails to CMFMV and to myself banning us from the Municipal building. I have a problem when he is telling staff members not to speak with active Council members, I have an email here that an email that went out the night of the open house that no business is to be discussed with any elected officials. Why did I run? I am doing it because I love it but, why am I doing what I am doing? What am I getting done right now, you don't have to listen to what the Mayor says, I don't have to listen to what the Mayor says. You speak to me anytime you want that is your God given right. I am a resident of this Town if I choose to walk into that Municipal Building and speak to any employee, I am going to do it. He can't tell me NO. I will not direct a staff member what to do. I won't ask them to do anything other than their job but if I have a question or an inquiry I will ask it. That is my job and If I don't do that it is a severe disservice to you. It is a severe disservice to you when he goes out and requests his staff not to speak with me. That is a hostile work environment. He sat here tonight, he could have spoken to me. I won't pretend I am an angel, but he has said worse. I am tired of all the negativity, I ran for results, I am hopeful, it's been strenuous times, we will press forward and ignore the noise and with the five of us, we are here for four years I don't plan on a fifth. Thank you.

MOTIONS -

Approval for Raffle License No. RL: 1255 issued to St Philip & St James for Carnival Games on: May 02, 2018 – May 04, 2018 from 6-10 pm. And May 5, 2018- Noon until 11pm. and May 6, 2018 from noon until 5pm.

Councilman Davis made a motion to approve the raffle license. Councilman Lutz second the motion.

ROLL CALL

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

ADJOURNMENT

Councilman Lutz moved for adjournment Council President Fulper second the motion. The motion carried a 5-0 vote.

WORK SESSION MEETING MINUTES

ACTION WILL BE TAKEN

JUNE 12, 2018

The Phillipsburg Town Council conducted its Work Session meeting on Wednesday, June 12, 2018 at 7:00 PM at the Phillipsburg Housing Authority Community Center located at 535 Fisher Ave

The required Open Public Meeting Act Statement was read by Councilman Lutz

Moment of Silence: for our Friend, longtime resident and father to our CFO, Bob Merlo, let us offer a moment of silence for Joseph A Merlo who passed away on Friday, June 6, 2018.

INVOCATION by Councilman Mark Lutz

PLEDGE by the Assembly

ROLL CALL

PRESENT Council President: Fulper (arrived late-graduation)

Council Members: Davis, DeGerolamo, Lutz, McVey

TOWN OFFICIALS PRESENT: Attorney Mosquigeri, Deputy Clerk Loudenberg

PUBLIC DISCUSSION ON AGENDA ITEMS

Joe Meyner – 392 South Main St

Redevelopment plan will cause a Gentrification of the Town. Perrine Construction wants to develop 400 upper class units. The Town gives Pilot program to the developers. This does not help the Town. Poor will be gone and the rich take over. Section 8 does not impose rent control. Lose 6 million, 33 million school district.

Union Square lacks capacity for traffic flow next to RR bridge. There will be artificial looking buildings. Phillipsburg might become a place to visit, but people won't want to live here. Unless the development plan can extend beyond the parking lot and have more than one entrance/exit this will not work. The Developer must have a way of solving the traffic problem. Block entrance to River Rd if railroad allows crossing.

Bernie Fey – 1070 Logan St

Discuss R:2018-103 regarding the transfer of Section 8 rent assistance Program to Phillipsburg Housing Authority. Talking about RAD – went to Trenton, years back don't need to be affiliated-just need another Agency to administer. Currently (3) people in that office, no one approached these employees about their future. Mr. Rummerfield offered a position on occasions to Gina Fey if she wants to continue. What determines her options, can she call on the Union and bump someone with less

seniority? Only need approval from administration for this to happen? What happens to them, can they pursue any questions about RAD. Need all issues to be addressed before action is taken.

Regarding Code of Ethics, when I was a Councilman I was never allowed to Vote on Section 8, because my spouse was employed in that department. When JP Stettner was Police Chief he would recuse himself when it came to voting on Police business. Why then is Councilwoman DeGerolamo being allowed to vote on this matter, when her husband is employed by the Phillipsburg Housing Authority. It is a violation of the Code of Ethics. I ask that you all sit back and take time to readdress this change.

Council Vice President DeGerolamo takes a moment to pass over the gavel to Council President Fulper as he arrived late.

Council President Fulper addressed Mr. Fey, regardless, the Mayor tells me that Gina's position is secured at Town Hall. Cannot discuss here – there was no RICE Notice given. I will speak with you after the meeting.

BF – asks for his point of ethics be addressed.

Councilwoman DeGerolamo stated she was willing to discuss at this time. She noted she is not married to Mr. Rummerfield as he is the Administration for the Phillipsburg Housing Authority. She continued her spouse is merely an employee of the PHA and she does not feel she is compromised in any way.

Bill Timmann – 230 South Main St

Address R:2018-103 Section 8- feels the Section 8 Program is successful, why change. Phillipsburg Housing Authority is not qualified to implement inspections, enforce background checks. He urges Council to table – not pass. Currently Town handles better. Re-examine old housing plan – turned a profit, before hasty proposal of transfer.

Sandra Morrisette – 5 Fairview Heights

Questions – is Housing Authority hiring more inspectors

Mr. Paul Rummerfield – answer- Section 8 Rent Assistance Program to Housing Authority.

Councilwoman DeGerolamo – How does this raise the literacy rate? We are just asking the State to decide if we should or shouldn't make this change.

S. Morrisette – you say more profit

DD – research shows – better curb appeal – new construction. Housing Authority in lieu of Town as property value increases.

SM – old location of Karl's Auto Glass – already going on – existing program – not yet approved.

Councilman Mark Lutz - #1 on 1st Council – turned down junk yard. This is totally different. Just driving trucks and dropping off empty bins.

SM – empty – Waste disposal area?

ML – simply storage containers – just empty.

SM – nowhere in ordinance does it state NEVER STORE WASTE

D. DeGerolamo – Planning Board met – unanimously adopted it. 55 pgs long, all Planning Board voted on it. Until we adopt Redevelopment – this already has this in it.

SM- TC members ordinance – has NO STORAGE, plus inspection, contamination of ground water

BT – We know how many – 210 with current Section 8 Program. County not sending #s – how many County and State. Mayor asked and ignored. We have influx of people. I see a change in what is coming into our Town. More changes to come once County and State level approved. The Town has taken in a lot in the last couple of years.

RF- ceased providing us voucher program – sending to outlying boros

BT – Just # of people placed in Phillipsburg before changes- of what we have and can control

David Morrisette – 5 Fairview Hghts

2018-10 – Waste containers – application with LMR – Planning Board unanimously rejected – do not let LMR

RF – you are on the Planning Board – I will take your word for it

DM- we, Planning Board, don't want LMR. Allows picking up containers, Planning Board minutes specifically not to allow LMR to conduct business

Paul Rummerfield – 564 Barrymore St.

Old NPP Program – abandoned properties over to Town. Renovate and sell – back on Tax rolls. Money back – regenerate housing stock. Housing Authority – we do generate profit every year. 210 Units go up – No decline of administration. 192 units inspection – we will have a full time inspector. Personnel worked out if and when approved. Councilwoman's spouse does not benefit from this Program coming to Housing Authority. We have not been given a RAD Program. Don't need Sect 8 for RAD/PBRA. Project based Voucher does need partner – we have better control.

FP – if Council chooses to transfer Section 8 – Council sends request to Newark

PR – Newark approved 6 years ago, but DC thought we were trying to create new program. Admin fee – did not pursue transfer with Washington, DC HUD. You can't give to us – we have to get approval. Like most – request a transfer.

FP – should Council approve & Feds is it legal – do you do background checks?

DD – if arrested – evicted?

PR- if guest – restriction. Tenant Drugs – Notice have to leave. NJ – has most lenient eviction laws. Against law to evict – must go to court. Drugs – even paraphenalia – 3 day notice to quit

DD – good relationship

FP – Police Officer on your Board?

DD – One Fed Program to another

Public Housing – utility expenses. Less oversight w/Section 8 – no Community Service. RAD Program – 0 Feds. Congress & HUD – low income housing

FP – better housing facilities?

PR – Capital needs – developer would like to eliminate some units – create more open space – underground hot water/heat. Tear down some units – reconstruction off in future – hire consultant/planner. Develop whole parcel, but then full blown – application process – engineer – needs 20 yrs. – energy saving improvements – Solar.

FP – any questions?

JD – Would you achieve same result with shared program with the Town? Could we partner integrated shared units?

PR – Possible option

FM – deadline – Waiting on Application with HUD

PR – quicker we get it – personnel addressed

RF -Motion to table?

ML -Morrisette, heard does not want LMR to have containers?

FP – re-zoning – we are overriding the decision – not adhering to land use from Stan & Rich. We do have some issues. Allow to override – beneficial, should be Business friendly. I disagree with Planning Board. Spoke to him on non-related topic. Donated bins to Bernadine May free of charge. They are a good neighbor – Mr. Contrell.

ML – Dist 6 Riverside – I withdraw my motion to table

DD – Don't withdrawal – redevelopment does include to allow back in

FP – If there are any questions on Redevelopment Plan – invited to come next week

DD – Hear again – next time- 2nd wiped when ML removed to table

JD – not adopt – inconsistent with Redevelopment on South Main St. Attachment to recommendation

FP – stand by statement

JD – understand enthusiasm for good neighbor, started on just a handshake. Did not allow Maiaa'a, but possibly, pay engineer for Business already started

FP- Town Council Rejecting use of liquor at Riverside Way.

JD- Flexible standards on some things and not others

ML – handshake with Mayor

JD – Not the way to conduct business

FP – Sure, Mayor would now say no

JD – Can we amend ordinance – to add “No Storage of waste” and inspections. Intent now is “no physical waste – make it crystal clear”

ML – No overnite storage

FP – Valid, but move forward

JD-Can we amend and then go forward

FP – addresses Mr. Contrell, He responds “No, there is no waste. Council President Fulper continued, “Amend to empty storage.”

Councilman Frank McVey – further support for Mr. Contrell, I believe good neighbor. Any business to put in process without permission – not really case here

Discussion 2018-103 – untable

Transfer successfully untabled

JD – not to untable – not at point to untable – shared service agreement – limited on time-sickness in family. Actions in motion (2) formats. Voucher based as opposed to mixed income. Happy with our Towns’ Section 8, requirement, grandfathered of only 50% are allowed to be subsidized. Don’t have final plan – set something in motion that might stop something already working.

DD – address JD – Reg ML, 1 item we heard repeatedly – poor conditions, of lack of inspections- We have seen improvements of maintenance. Address ethics – not an issue-not married to P. Rummerfield

BF – ethics law – rebuttal

RF – DD has the floor

DD- not opposed to JD looking for more information-further discussion. I know he missed the meeting. If he will allow us to provide folks to talk.

JD-in general not opposed to RAD – to leverage and capital assets. Short term and pathway for success of Phillipsburg

F Mcvey- ethics – further clarification? – from Attorney

DD – said my call

FM- (2) asked PR – Timing – does this need to be certain date. No time constraint – let’s wait. Large undertaking of time. This is of Grand proportion. Don’t want to proceed hastily

RF – not on time constraint. Research – did walk thru, new project on Elm. Spoke to tenants – heart-warming – not happy with/ no ventilation, mold. Majority spoke to would welcome new construction. Placed in moral scenario-asked to weigh benefits on 14,500. How many Elm – 150 units, weigh living conditions- quality of life-against non-existent employment issues. When I ran- it was all for people, I like the Program & If there will be better living conditions – my vote is yes

RF – No disrespect to Mr. Fey, will read in entirety

4 motions

1 Findings – Mayor Ellis – inappropriate hiring practices

2 Advisements – order external order to afford complete transparency. Resolution to provide Council – RFP – to find – not to exceed.

Human Resource audit – 2016 -2017 to present – majority vote – Advisory Board can be written by our firm

JD – our law firm?

RF-Then before our board. Not familiar w audit firms during our Ad Hoc – (3) separate matters – expansion, I hold reports

June 2017 – J. McBride – contacted Regarding tenure – msg. funds – contacted Mayor & want to send funds back. Mayor extremely evasive – render her powerless – thought illegal – no knowledge – lack of response – text messages. Appeared to show req of bank statement final withdrawal of \$15000, Corcoran's Thomas Kent and Sherry Corcoran. 5/23/17 Mayor stating all of sudden close out account. Mayor – Sept 2016 closed account copies of withdrawals, closed out @ 193.30

5.12.17 Election – law enforcement , 6/08/17 – and her letter of resignation. Verify 20 days – 11.23.2015 balance 972.40. 6.14.2017 designates wf as treasurer. Unable to contact Mr. Mazcko – bank 7.17.17 law R-1 2016 all signed by Treasurer. 1500 campaign donation from Corcoran, 1500 Ellis family, 800 in-kind. Timeframes, discrepancies and change in signatures. Contact Office of Attorney General, CA legal, and Warren County Prosecutor's Office. Jen McBride can pursue her own legal actions as well.

RF – I ask for a motion for Resolution- to send to these other Agencies- ask the Clerk's office to handle.

Motion

The motion was introduced by Councilman McVey and seconded by Councilwoman DeGerolamo.

RF- turned over resignation, but not all findings – not willing to comment, not all documents available.

JD- How recommendation with mandate to investigate hiring practices

RF-We did say expanding mandate – worth expanding

JD-not issue of election law – debate another time

FMcVey-lots of steps – commend DD – staying on top of us. That is how I am conducting myself – do not close my eyes – easy to turn over to non-civilian board

RF – article this evening of Council members slandering the Mayor's name-verify or disprove facts – prove our case – for Resolution to Attorney General, Warren County Prosecutor's Office

Council – Fabo's Home Remodel – June 2017 – 5600 – price needed to break into 2,000k increments in order that it would not be questioned. Contractor asked about breaking to increments to circumvent Town Council. Electrician provided (2) invoices \$1800 and \$800 PO #s 26167-2017 and 26553 – 8.25.17. Potential local NJSA 40.1 violation as informed by Auditing Firm. Suspected example – Plaster-\$2,260 – just \$5 below threshold 2016-2017 attached. Same contractor – same job, but separate invoices. Auditing firm report, page 54. Purchases not in compliance – not awarded by Resolution.

All purchases – Robert Swisher- (2) situations – Morris County Coop – Governing body - \$14,600-Tikon. Professional hourly rate – 2016-69 authorizing to Christopher Troxell – not containing necessary language. Auditors – cause for concern. Then there is 32 Heckman St-property locked by owner – Mayor broke into 8/2017 – to allow Eric Einholz to enter for the purpose of cleaning debris from the property.

Mayor does not follow proper protocol. We need Resolution to share this information with Local NJ Attorney General's Office, Community Affairs – legal division and Phillipsburg Police Department. Again, Councilman McVey makes motion and seconded by Councilwoman DeGerolamo.

JD-Attorneys Perrucci/Steinhardt without a dollar amount

RF – rescinded Contract – Governing Body pattern established – not accident

JD – addressed in audit – Pathway to create/correct new action

RF – 2016-2017 not just (1) Contract awarded and how awarded under threshold

Lutz – yes

Davis – no

DeGerolamo-yes

McVey-yes

Fulper-yes

Discussion

JD - Object to Ad Hoc procedure. Venue not appropriate.

Report alleged break-in to States Ethics Board. McVey introduced motion and asked it be so moved. Seconded by Daniel DeGerolamo

JD – same argument – heresay-testimony of others. Heresay to Ad Hoc Committee

FMcVey – comments were made about me and Council President Fulper-to the effect that they (police officers) were going to kick our asses – that is not heresay. There were people present when these comments were made – witnesses make it easy for us to go forward. Heard what Town employee said, not just rumor.

Resolution – suggestion local Police Dept and Ethics Committee:

Lutz – yes

Davis – No

DeGerolamo-yes

McVey-yes

Fulper-yes

RF – Conclusion of Ad Hoc Committee – Advertisement or Website – remove remainder of meetings

M Lutz- (3) letters we voted to send out motion to send, Lutz 1st and Fulper 2nd

Eric – IR property

Tim Wynkoop – abandoned Church next to his property/Funeral Home- devised by Attorney Wenner-
resend to Town Council

RF- At an issue to remove Confidential Aide- to be discussed at meeting on Friday 6PM-to hear or
Tuesday. We are at Wage and Hourly issue-effectively paying for job that does not exist. The line item
was removed from the budget. Spend more money in one day – than in advertising. We will wait until
Tuesday. Also, to be discussed- Recreation Ordinance and resolution.

Resolution of Disapproval – attempt was made to revoke Jen McBride’s coaching status with the Youth
Soccer League. Town Ordinance – alleged crime does not disqualify Ms McBride from coaching, clearly
this is a retaliation taken by the Mayor. Council needs to send motion of disapproval. Asking Council for
Resolution

MOTION

Not following Councils’ resolutions. Until Mayor stops threatening – we’ve been stalled for the last 16
months. Mayor claims we are creating hostile Environment, but he is – I’ve tried to reach out – we must
now push back. Used law enforcement to retaliate against Ms McBride. Mayor needs to understand
there are (2) branches of government- Administration – Mayor and Law-Town Council.

DD – Did she file appeal?

RF-If she appeals it is as though she is admitting wrong doing. (1) Officer on board at Mayor’s house (3)
days prior. Do I wish we lived in a different Phillipsburg – yeas. Will give emails to M. Paulus. Gave to
Mr. Morrisette. Now Ms Paulus is speaking- asks Mr. Brisson to allow her to speak-you admonished
others.

JD-point of order – Resolution regarding Mayor revoking Coaching Badge/ID. Not appropriate –
opinionated – person not here.

RF-Resolution to comply with statutes – Recreation 140.8 – 140.9

Discussion

FM – for this motion, not witnessed in my whole career. Asked Mlayor then about, talked with him-
running clean campaign – 1 on 1 so to speak. Supported him-victory party. Next time-June 24-going to
destroy Fulper and family. I know the Mayor is not here to defend himself, but he was invited. Took
action from there.

RF-Rebuttal

Motion

Councilman Lutz moved to adjourn. The motion was seconded by Councilwoman DeGerolamo. Meeting
ended at 9:06PM.