

TOWN OF PHILLIPSBURG
TOWN COUNCIL MEETING
WEDNESDAY, September 04, 2019
7:00 P.M. — REGULAR SESSION AMENDED AGENDA

1. **CALL TO ORDER**

2. **OPEN PUBLIC MEETING ACT STATEMENT**

THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS LAW. THIS MEETING OF September 04, 2019 WAS INCLUDED IN A NOTICE SENT TO NEWSPAPERS OF RECORD AND POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND HAS REMAINED CONTINUOUSLY POSTED AS THE REQUIRED NOTICES UNDER THE STATUTE. IN ADDITION, A COPY OF THIS NOTICE HAS BEEN AVAILABLE TO THE PUBLIC AND IS ON FILE IN THE OFFICE OF THE MUNICIPAL CLERK

3. **INVOCATION AND FLAG SALUTE**

Council Vice President McVey

4. **ROLL CALL**

Council President Fulper, Council Vice President McVey, Councilwoman DeGerolamo, Councilman Lutz

5. **DISCUSSION – BATTLEBORNE**– Christopher Yarnell

Matt Doran reads prepared statement about his brother, Joey Doran. His service to his Country, dealing with PTSD and addiction and the stigma that it carries. Urging all to be aware of our Servicemen and woman who have invisible wounds and need our help and understanding. Battleborne brings these issues to the forefront, to be talked about – substance abuse, mental health.

Encouraging Vendors, free tables, good resource for our Vets.

Talks about Event to be held Sept 28, 2019 – a 5k walk to be followed by food, live music and dedication of bench in Joey Doran’s honor.

Council President responds to Matt Doran by saying an honor for Council members to attend. Adding they would like to give something back to the Doran Family.

6. **MINUTES** Town Council Meeting March 05, 2019

ROLL CALL

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

7. **PAYMENT OF BILLS** (RF – Abstain Ck# 76929)

ROLL CALL

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

8. **PUBLIC COMMENT ON AGENDA ITEMS**

Joe Meyner – 392 South Main Street

2019-159 McWane-Ductile and Phillipsburg Waste Discharge Agreement?

RF – deferred to Mayor Ellis

Mayor Ellis – Noted in accordance with NJDEP, any industrial site, rain water is to be treated. Adding McWane-Ductile does have a pre-treatment site and is pretreated again because of the contaminants. They were getting close to the upper end of the limit. Not a burden on the plant, but ups the price and the Town will benefit.

JM – Asked, “We are getting money, but we are going to treat more.”

ME – Noted the money makes up more than what we need to treat.

RF – Public Comment – Closed Goes into Executive Session.

9. **ADMINISTRATIVE REPORTS**

- **Sub – Committee Sewer**
- **Sub – Committee Redevelopment**
- **Sub – Committee Landlord Tenant**
- **Mayors Report** - Began by talking about Kean Berranga and the Norfolk/Southern Railroad, commercial freight use, the potential of that and the Contractors, and developers in Piscataway and other places that use the rails.

Also, noted Toys for Tots Program would be using the rails this year, the train will roll in and toys will be organized and put on train. Distributed from Picatinny Arsenal.

Spoke to possibly refunding pools fees, number of days closed was (4) for mechanical breakdowns. Asked Council for their guidance or another option for next year

RF – Thanked mayor for his report, asked for questions regarding report – none

Ray Pat – reported about local football program

Games began last Saturday – 18-6 peewees

Biddies lost 20-0 and midgets 25-22 Good turnout – home this Sunday – flags starts at 10am

Attorney Wenner arrived at 8 PM

10. **ORDINANCES — SECOND READING** **Tabled Until 09.17.19**

O: 2019-20 FIRST READING 08-05-2019 SECOND READING 09-04-2019

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, TO REGULATE, CONTROL AND STABILIZE RENTS IN THE TOWN AND AMENDING THE MUNICIPAL CODE TO ADOPT CHAPTER 463 ENTITLED “RENT CONTROL”

ROLL CALL

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

11. **ORDINANCES – FIRST READING** -

O: 2019-22 – (First Reading 09-04-2019)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN LAND AND PROPERTY NO LONGER NEEDED FOR PUBLIC USE PURSUANT TO N.J.S.A. 40A:12-13 AND 40A:12-21

Discussion - None

ROLL CALL

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

12. **RESOLUTIONS - CONSENT AGENDA** * **Matters listed on the Consent Agenda Resolution are considered routine and will be enacted by one motion of the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item to be removed for consideration*

R: 2019 - 155

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-87

ROLL CALL

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

R: 2019-156

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE INITIATION OF A HABITABILITY HEARING FOR 65 SITGREAVES STREET

ROLL CALL

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

R: 2019-157

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE INITIATION OF A HABITABILITY HEARING FOR 145-147 MERCER STREET

Council President Fulper – (Abstain due to personal conflict)

ROLL CALL

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

R: 2019 – 158 APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BROAD STREET PROJECT

ROLL CALL

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

R: 2019 - 159

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF THE INDUSTRIAL WASTE DISCHARGE AGREEMENT BIND BETWEEN THE TOWN OF PHILLIPSBURG AND MCWANE DUCTILE

ROLL CALL

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

R: 2019 – 160

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, APPOINTING DANIELLE DEGEROLAMO TO THE NEIGHBORHOOD PRESERVATION PROGRAM AS A COUNCIL REPRESENTATIVE

ROLL CALL

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

R: 2019- 161

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF PERFORMANCE BOND FOR 306 ROSEBERRY STREET (CHASE BANK)

ROLL CALL

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

R: 2019-162

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AWARDED CONTRACTS TO LIBERTY TRANSPORTATION AND STORAGE COMPANY INC.

ROLL CALL

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

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

NONE

14. **NEW BUSINESS**

Councilwoman DeGerolamo – Pork Roll Palooza postponed this year. Phillipsburg Downtown Association contacted – looking to have next year.

RF – Noted Crossing Guard at South Main and Hudson Sts. Needed. Multiple vehicles going through there, step up enforcement of speed limits. Also, need to set up machine to detect speed at Griffith Alley, behind old hospital.

Stated need consensus regarding Garbage, speak with DPW – not left behind

Council VP McVey – less stickers

Mayor Ellis – fewer stickers, lose effectiveness if overdone.

RF – Noted, last spoke about Baher Alley, signs on the grass, split rail fence, people fixing cars. New signs will be posted tomorrow and work will be done on the fence, should clear up majority of complaints.

ME – Stated (3) names have been put to Council to replace Councilman Davis who has resigned, they are Lee Clark, JP Stettner and Pat Dragotta. Adding if anyone has opportunity to interview each candidate he encouraged them to do so.

DG – Noted would like to interview in Public Forum adding (2) are on other committees and (1) works for the Town. She asked that they come before Council, but noted they need to vote within 30 days.

RF – Stated he had spoken to Mr. Clark, adding he was thinking it over – asked if he would be willing to accept if chosen. Work Session – send letters to candidates. To come in, selection by September 17. If they can't make it – how do you want to handle? Comfortable with sending a letter and asking if interested – doesn't feel any other need to interview. Work Session, don't want to drag it on, we are voting September 17.

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

Joe Meyner – 392 South Main Street

Gave statement to Clerk – asked to send

Nicholas Keekis – Dept Assoc 104

Made statement regarding O2019-20 Rent Control – Passion on both sides, maintenance, needs, points, limits spending, reducing the assessed value, 565 in NJ, 3.2 billion dollars. Major impacts, all same increases, market forces, take away reward the bad and punish the good. Drives up prices, does not meet effect that, negative effects. Definate issues, partners and address these issues, not appropriate solutions

Ryan Simonsons, - Point out a couple of things, new rent control ordinances, 40 years old or older, 1970. Did some homework, sincere 38 rent control oppositions more severe, control issues, this ordinance doesn't consider new construction, since 1988 exempt from rent control, new ordinance doesn't speak to that. This Ordinance is not at the point of adoption, owners that are not increasing, can they make up for it when the new tenant comes in?

The Rent Control Board – need to have policies in place. Won't be in the next 5 years, it will be immediate. Noted he makes his living counter acting the Rent Control. Adding if you don't hear from both sides and strike a balance regarding these issues, our Organization can come down on it. You repress the Ordinance and comply and makes it worse, immediate, glad to see you put it off.

We would like to come back and say here are some things you can consider, and heard issues, sit with us who dealt with these. What are my tax appeals, the bank devalues it, how to maintain capital in the building. No cash very complicated and very real. Free

money buy stuff, in 20 years someone else is going to pay off the cc, I can provide any help. Will you be willing to discuss at work session?

Bill Timmann – South Main Street

Noted the landlord should be notified, to come in and speak to it. Two weeks doesn't give anyone enough time - good landlords and then the bad landlords, (3) bedroom apartment.

Charles Gromally – Corliss Apts and Village Arms Apts.

Rent Control – there are two perspectives, Rent Control in Fort Lee, litigating rent controls and Mayor in his Town. This is a very economic control and gage the Landlord and Property Owner. Make a better Policy, landlord tenant committee have not reached out to anyone.

Interesting perspective, review of the Ordinance, not the worse, I have ever read, some good attributes. My view historically, Cambridge, MA. Strict format decreasing the Rental Housing stock and the number of apts. in the city decreasing, change the Rent Control and thought it was going to do good things. Noted the one thing he could say was show in any community, one new housing using, doesn't create new rental housing units, decreases number of units.

The price of housing is important to COAH. Rent Control is not considered Affordable Housing. Stated it really does a disincentive to invest in property, every town that has housing has problems. There is a housing code, health code; which can be enforced. The new construction Ordinance, 1980 was a genuine Statewide Housing Agency, passed statute, exempts new construction from Rent Control. Suggested engaging Landlord community will lead to better decision and a better result. Volunteered to come next week to Work Session.

Kelly Lefler – Congress Street

Noted new gas lines going in the Valley View neighborhood. Regarding need for stop sign at Congress and Hillside, adding officers have seen need while working the site.

Mayor Ellis – Noted the speed detection unit is on the Morris Street hill and he will speak to the Chief and perhaps move to Congress Street.

Chris Reperly – 50 Schoolhouse, Alexandria Township

Noted he is a landlord. Some items, 117 communities, 6 have rates. You as landlord set or lower, range of rates, can adjust on annual basis, need set time period to comply. Only sent (2) people notices, it is an investment and we are compassionate and do a good job. Adding he renovated completely and there are good landlords, get a time frame. Number of units, 3 or more, look at this list. AC and Camden, try to take in to account, give people time to adjust, if you are going to move forward.

RF – Public Petitions closed.

16. **COUNCIL OPEN TIME**

Council Vice President McVey – 51-49 this is very hard. Noted to not take wrong way, but Phillipsburg is not Monroe, Ridge Wood or Alexandria Township. It is Phillipsburg. Please remember this – why I am running, I drive around and look at this Town and after 20 mins you know why, (2) weeks ago cultural change in this Town. Need to work together, noting there are good landlords.

RF – Going into with an open mind, some time of compromise do need to make an effort to do what is best for Phillipsburg

17. **MOTIONS**

18. **EXECUTIVE SESSION**

R: 2019 -

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

19. **ADJOURNMENT**

Moved to adjourn at 8:41 PM.

