

TOWN OF PHILLIPSBURG
TOWN COUNCIL MEETING MINUTES
TUESDAY, JUNE 15, 2021
SENIOR CENTER, 310 FIRTH ST.
7:00 P.M

1. **CALL TO ORDER** - 7:07 PM

2. **OPEN PUBLIC MEETING ACT STATEMENT:** Read by VP Fulper

THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS LAW. THIS MEETING OF June 15, 2021 WAS INCLUDED IN A NOTICE SENT TO NEWSPAPERS OF RECORD AND POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND HAS REMAINED CONTINUOUSLY POSTED AS THE REQUIRED NOTICES UNDER THE STATUTE. IN ADDITION, A COPY OF THIS NOTICE HAS BEEN AVAILABLE TO THE PUBLIC AND IS ON FILE IN THE OFFICE OF THE MUNICIPAL CLERK

3. **INVOCATION AND FLAG SALUTE**
 By VP Fulper

ROLL CALL Present: CP McVey, VP Fulper, Councilwoman DeGerolamo, Councilman Wyant

Absent: Councilman Piazza

4. **APPROVAL OF MINUTES** - TC Meeting June 01,2021

ROLL CALL Passed 4-0-1

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

Discussion - None

5. BILLS LIST -

ROLL CALL

Passed 4-0-1

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

Discussion - None

Councilman Wyant abstains only from #7014.

CP McVey noted he would be rescinding Original order of Agenda

6. EXECUTIVE SESSION -

Motion to go into Executive Session – 7:21 PM

R: 2021- 165

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING former Personnel

ROLL CALL

Passed 4-0-1

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

Motion to Reconvene - 7:58 PM

ROLL CALL

Passed 4-0-1

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

Attorney Wenner stated Litigation concerning former employee. No Action Taken

7. ANNOUNCEMENTS

Friday, June 18, 2021 – Ole Town Festival-Shappell Park
Saturday, June 19, 2021 – Ole Town Festival Walter’s Park

Proclamation Rescinding Local State of Emergency

Council President McVey stated Sgt. Larry Marino, Jr. would be retiring as of July 1, 2021. He wished him well and encouraged those in attendance to do same. He continued as Sgt Marino’s position was one of Supervision, suggested possible breakdown to (2) positions, allowing for more officers and hoped a female would be considered. Noting there is an upcoming Sept/Oct academy.

8. OLD BUSINESS

Habitability Hearings – 124 and 159 Mercer Street

Attorney Wenner stated 124 Mercer Street B1:1508 Lot:2 – owner Michele Godin, as Executor of the Estate of Mildred Godin sold to Roberto Martinez. He reminded Mr. Martinez he had given previous testimony and was still under Oath.

Mr. Martinez presented Rehabilitation update – he noted Progress made Roofing, Siding, Tree Removal requesting (2) more months for Electrical and Sheetrock to be completed.

CP McVey noted Jack Daniels, Inspector has been involved and stated owner is making progress, the rehabilitation is moving along and felt it prudent to dismiss the Habitability complaint.

Motion 124 Mercer St.- to dismiss Habitability complaint

ROLL CALL

Passed 4-0-1

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

Discussion

CP McVey addressed Mr. Martinez, noting at each visit to Town Council he showed he was making progress. He also noted that Mr. Martinez was responsive to appearing before Council, adding that Council is glad he is rehabbing the Property.

159 Mercer Street

Attorney Wenner stated 159 Mercer Street, Bl:1510 Lot:11 owned by Joan Carnevale, as Executrix of the Estate of Anna Bernhardt never made appearance before Council. Lien Holder appeared and met Inspector Jack Daniels at site. Lienholder mowed grass and covered/secured windows, but nothing else was done. Needs roofing, siding, windows, etc. Lienholder does not own – hesitant to invest – efforts have ceased – will not attempt the Rehabilitation, walking away. Inspectors Jack Daniels and Paul Smith determined unfit.

Attorney Wenner stated first order 35 days comes/goes – falls in conjunction TOP. Town can order demo. TOP can demo – cost to Property owner, 1st position lien – can foreclose in 6 months.

CP McVey thanked Attny Wenner for spelling out. Noted tree on Property in bad shape, neighbors concerned. Asked if tree included?

Attny Wenner noted tree is separate, not much recourse focus strictly on building.

Cnclman Wyant noted another option, at end of 35 days – deem it abandoned – Town of Phillipsburg can fix roof, siding, windows and offer to someone to fix inside and save ratable. Adding also connected to another bldg.. and if tear down, never get ratable, very little.

Attny Wenner stated Action tonight – Order of Repair/Demolition pursuant to N.J.S.A. 4:48-2.5. prepare memo for July 7 meeting, can always amend.

CP McVey stated property been abandoned almost 30 years.

Cnclmn Wyant questioned if construction officials had been inside – thought bldg. sound?

Council President stated Mayor Tersigni wanted to give his report and invited him to join Council and address the audience.

9. MAYOR'S AND ADMINISTRATIVE OFFICERS

The Town of Phillipsburg is working with the Engineer to submit applications to NJDOT for FY 2022 grants to improve the roads in Phillipsburg which will be submitted as the priority application is Green Street between Center Street and Pursel Street and the second priority will be Hudson Street from Warren Street to Evelyn Ave.

NPP – South Main Street Alliance Monthly Report – May/June

- DCA gave the green light for final approval of Year 2 NPP funding. Plan submitted to the town clerk for dissemination to the Town Council for a resolution approval is forth coming
- Year 2 funding \$125,000 will provide the continuation of projects and promotion and marketing plans to contribute to the revitalization of the South Main Street corridor from McKeen Street to Market and Walter's Park to Howard Street.
- The town will meet the cash-match requirement through hours, projects and improvements done in the NPP footprint through DPW and staff hours (recreation, police, engineering, etc.) and improvement projects located in the area

- Year 1 funding will be expended by June 30, 2021, with the purchase of planters to be placed at major four corners of South Main Street & Stockton, South Main Street and Jersey Avenue, and South Main Street and Jefferson with additional planters lining parts of Main Street.
- Planting will be done to finish the new gathering/dining space in Shappell Park – Planters are on back-order
- Benches and trash cans for Shappell park are still on back order with an expected shipment date 5 weeks out
- The “Here” Campaign flags and window signs will line South Main St to promote the restaurants and retails spaces as well as the parks and events. “Eat HERE”, “Shop HERE”, “Visit HERE”, “Meet HERE”, “Invest HERE”
- Empty store fronts will have “This space is not empty; it is full of POTENTIAL – Invest HERE” signs prominently displayed in the windows with contact information to rent or buy the space/building
- Additional lights will be installed at Shappell Park to light up the monument
- A Wayfinding directory is being developed to be in Shappell Park in the two kiosks

10. PUBLIC DISCUSSION ON AGENDA ITEMS

Joe Meyner – 392 South Main Street

Stated R2021-156 is evidence our Sewers need major improvement, should be top priority. Noted Town given small additional to it, needs more. R2021-161 – Green Street Project – likes it.

Tom Sulick – 87 Sigreaves

Stated flooding of Sitgreaves Street due to storm caused basement to flood, thanked Fire Department for pumping out basement. Noted longtime problem with flooding on Sitgreaves St, Engineering problem, needs to be addressed.

Joe P – The Apothecarium

Thanked Mayor, Council allowing to be part of Phillipsburg. Noted the Opt In/Opt Out Cannabis would be discussed tonight. Letting Council know the Apothecarium takes their role seriously in the Community. Thanked them for their continued support adding Terrascend loves the Town of Phillipsburg.

11. ORDINANCES – SECOND READING - None

12. ORDINANCES — FIRST READING

BOND ORDINANCE 2021-16

BOND ORDINANCE PROVIDING FOR VARIOUS 2020 CAPITAL IMPROVEMENTS, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$2,886,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,742,175 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

BOND ORDINANCE 2021-16

ROLL CALL

Passed 4-0-1

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

ORDINANCE 2021-17

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AT THE SEWAGE TREATMENT PLANT OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

ROLL CALL

Passed 4-0-1

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

13.

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

R: 2021 - 155

A RESOLUTION AUTHORIZING THE CLOSING OF STREETS AND A MUNICIPAL PARKING LOT

R:2021-156

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, FINDING AND DECLARING AN EMERGENCY FOR PURPOSES OF N.J.S.A. 40a:11-6 AND N.J.A.C. 5:34-6.1

R:2021-158

A RESOLUTION PROVIDING FOR RENEWAL OF ENTERTAINMENT LICENSE

R:2021-159

A RESOLUTION APPROVING 2021-2022 LIQUOR LICENSES WITHIN TOWN OF PHILLIPSBURG WITH A SPECIAL RULING 12:39

R:2021-160

APPROVAL TO SUBMIT GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH NJDOT FOR THE HUDSON STREET PROJECT

R: 2021-161

APPROVAL TO SUBMIT GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH NJDOT FOR THE GREEN STREET PROJECT

R2021-162

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL ITEM OF REVENUE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87(CHAPTER 159, P.L. 1948

R2021-163

A RESOLUTION TO OBTAIN AND ACCEPT A GRANT FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS YEAR 2 NEIGHBORHOOD PRESERVATION PROGRAM IMPLEMENTATION PLAN

Consent Agenda

ROLL CALL

Passed 4-0-1

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

R: 2021 -157

A RESOLUTION APPROVING 2021-2022 LIQUOR LICENSES WITHIN TOWN OF PHILLIPSBURG

ROLL CALL

Passed 4-0-1

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

Discussion

Pulled in order that Councilwoman DeGerolamo might Abstain from 2119-44-005-009 Wolfpack Ventures, Inc., but vote yea to all others. No other discussion.

14. NEW BUSINESS

Discussion

Cnclman Wyant – State 150 Sitgreaves Street total disrepair, asked Council look into and advise Construction Official.

CP McVey stated, did Mayor and BA duly note.

Cnclwmn DeG – Nothing tonight.

VP Fulper – relay to Mlayor/BA regarding 3 way stop at Marshall/Wilson Strts. Also Traffic Study consideration on Roseberry St where WaWa crossing.

Cnclwmn DeG – noted Traffic Study already done.

VP Fulper – stated June 2019 with recommendation asked Mayor to reconsider.

CP McVey – stated looking to insert first work session perhaps in September – to concentrate on Rent Control and possible demo of the former Municipal Bldg. on Corliss Avenue.

Resolution No. 2021-164

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, ESTABLISHING 2021 DAILY RATE FOR THE PHILLIPSBURG SPLASH PAD

ROLL CALL

Passed 4-0-1

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant	X		X			

Councilman Piazza						X
Councilwoman DeGerolamo			X			
Council Vice President Fulper		X	X			
Council President McVey			X			

Discussion

Cnclwmn DeG – Noted Fee Schedule of \$2 adult and \$1 child – how about free?

VP Fulper noted he would support free

Attrny Wenner stated some cost – if only to regulate.

CP McVey asked Mayor if Rec. Superintendent, DJ Kophazy could comment

DJ Kophazy stated only allowing in 40 people at a time, charging a fee helps control and track numbers. Left open to Council, would increase concessions if not charging anything.

CP McVey noted some cost needed, covers some staff, not opposed. Stated on April 21st, 2021 received/passed on to Council letter of intent regarding 150 Fleming/formerly Anderson St. area between former Phillipsburg Middle School and Firth Youth Center, for a proposed workforce housing – conceptual Plan 80/90 unit – vision aligns with goals of the Community. Directed to working members 70k annually, family of three, working blue collar or new graduates at entry level salaries. Thousands with new jobs – need high quality rentals – perfect fit – will be positive for TOP economy. Housing stock – new, green built, affordable rentals- area in need of redevelopment. Would like to successfully carry out. Regan Group initially listen to your views/needs. Sit and meet if approved – go to Planning Board let them look at Plans and come back to Council.

Attrny Wenner – redevelopers study – issue report if meets needs of redevelopment. Council consideration-area redevelopment study – condemnation/non-condemnation – motion direct Planning Board.

Cnclwmn DeG – asked if Regan Group would do presentation?

Attrny Wenner – letter explains or they can present..

CP McVey noted giving presentation to Planning Board – communicated eager to have Project accepted.

Cnclwmn DeG- noted is it (1) tract?

Attrny Wenner – more than 1 tract.

Cnclman Wyant stated, would like to hear from Planner – can’t take (1) separate Bl/Lot

VP Fulper noted support sending to Planning Board, but can hear first.

CP McVey stated would conference call with Mr. Regan, Mayor, Attrny Wenner and Angela Knowles, thanked all for input.

15. PUBLIC PETITIONS

Joe Meyner – 392 So. Main Street

Stated at 4:30 PM traffic was all the way to his house, due to \$3 toll. Added future construction in Union Square will make worse. Stateliner united – Corcoran/Council H. Wyant, M.Lutz – Caucus – Public Referendum – word/word mandate-it passed. Process due property owners-Eminent Domain is a violation, hurts property owners – only (1) property owner happy – at least that’s something. Traffic Jam is his concern-no way traffic will lessen. Stating complex in wrong spot.

Joan Pierce – 111 Sitgreaves St.

Water damage to many homes on Sitgreaves Street due to violent storm/downpour. Told 2 years ago this problem had been solved. Basements needed to be pumped out – garbage going down through the Town.

CP McVey noted the Fire Department immediately responded. Recognized her distress, assured Ms. Pierce will be discussed at next quarterly Sewer Meeting.

Tom Sulick – 87 Sitgreaves Street

Needs new engineering – too old from the 40’s-needs to be redone. Stated has vision of TOP – needs own identity, currently dull. Need brightness, better lighting in Shappell Park. Glad of dispensary in Town – no longer must travel 124 miles to Cranberry, NJ. Noticed Hometown Hero Banners downtown, but after dusk can’t see, too dark.

David Morrisette – 5 Fairview Hghts.

Glad to be back in person. Presentation – rescind resolution paying the 320k to the County. Had documentation that if the County pulled out of the agreement, due to no fault of the TOP that the Town did not have to repay.

CP McVey – asked Mr. Morrisette make sure the Mayor/Attrny Wenner receive a copy.

16. DISCUSSION

CANNABIS – OPT OUT/OPT IN

Attrny Wenner – August 21, 2021 to adopt Ord – 6 classes – adult use Cannabis – legalized in NJ. Must take action or by default, 5 year Moratorium.

Adoption – 1st Rdg.

Planning Board 25 days to review

Back to Council – time crunch it is already June 15. Opt Out – prohibit some uses – if NO ACTION-prohibited for 5 years. Exception – Terrascend – grandfathered in – obtain retail use. But all others.

Opt In – certain uses. Thoughtful consideration is needed. 1st Rdg., Planning Board Mtg. June 24, 2021. Adopt 2nd Rdg. August 2, 2021 beat the August 21 Statutory

Opt Out

Cnclman Wyant noted things Opt Out best solution/ Opt In take out address any other zones. Too short of time. Opt In letter do it right.

Cnclwomn DeG – Stated more comfortable doing at a Work Session – Zones/Classes, Class 1 & 6 concerned with most. Measure twice, cut once. Opt -Out.

VP Fulper – noted if we opt out it doesn't hurt Apothecarium, right? Better to take our time – doesn't effect medical patients getting their medical marijuana.

CP McVey noted been online with all, felt Cnclman Wyant said best, to short of time, don't make a quick decision. Added if Public Comments or questions to please email Council.

17. MOTIONS

Ice House -
Town of Phillipsburg – Block:2806 Lot 1, F-4961-20

Ice House
Bl: 2806 Lot 1 – is under foreclosure – In Rem for nonpayment. Owner request from managing member of LLC legal counsel to consider post redemption – convey back to the LLC.

Cnclman Wyant – stated really don't want to own-Property liability – owning is not an asset – still think demo.

Attrny Wenner – Current demo order – numerous habitability hearings the proposal from Van Cleef to demo remains in effect. If accept request – demo can still demolish.

HW – Demo out there – why do they want to redeem. Redeem and use funds to demo.

RF – 2014 ordered demo – now it is 2021. Know they're not going to do anything. Nothing done for 7 years, agree to tearing it down.

HW – they want to redeem-aware of demo order, take money, tear down.

Attrny Wenner noted, Notices sent Certified Mail.

CP McVey stated in favor of demo, perhaps doesn't need to be total demo. Referred to local historical site, could be jumping off point for rails and trails. Referred to Black Bass Inn – safe remnants of building left behind to enjoy. Could be true gateway to Pedestrian Walkway – if Agway could be saved, true gateway to Town of Phillipsburg, could be very special.

Attrny continued demo not before Council tonight.

18. COUNCIL OPEN TIME

HW – good

DD – good

VP Fulper – Heartily agree with David Morrisette, asking Attrny Wenner to look into information about Library Federation money and offered kudos to Mr. Morrisette. Noted Little Liners fundraiser at Ole Towne Festival – pie in face – of Mayor and others, encouraged to attend. Added, Thursday, June 17 Chik-fil-a % of your drive through order benefits. Congratulated the Spencers on 50 years of marriage.

CP McVey – congratulated VP Fulper and his wife of 19 years of marriage. Congratulated Jess Piazza, wife of Councilman Randy Piazza, as she was at Prudential Center, a ceremony to receive her Master’s Degree. Continued, good meeting – a lot of development. Phillipsburg is Open – a lot of good work ahead. Those who shared false narratives is disappointing, suggested we are on the cusp of so many good things for town of Phillipsburg. Presentation next meeting to hear Regan Group – positive redevelopment, they care about Town of Phillipsburg

19. ADJOURNMENT

Council Vice President Fulper moved to adjourn at 9:37 PM. The motion was seconded by Councilwoman DeGerolamo.

