

**TOWN OF PHILLIPSBURG
TOWN COUNCIL MEETING MINUTES
TUESDAY, November 22, 2022
7:00 P.M.**

(Town Council Meeting to be held in person at PHA Community Bldg., 535 Fisher Ave., Phillipsburg, NJ 08865)

(subject to change pursuant to N.J.S.A. 10:4-8(d)-this agenda is tentative to the extent known at time of posting”

- 1. **CALL TO ORDER** - 7:05 PM
- 2. **OPEN PUBLIC MEETING ACT STATEMENT:** - VP Clark

THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS LAW. THIS MEETING OF November 22, 2022 WAS INCLUDED IN A NOTICE SENT TO NEWSPAPERS OF RECORD AND POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND HAS REMAINED CONTINUOUSLY POSTED AS THE REQUIRED NOTICES UNDER THE STATUTE. IN ADDITION, A COPY OF THIS NOTICE HAS BEEN AVAILABLE TO THE PUBLIC AND IS ON FILE IN THE OFFICE OF THE MUNICIPAL CLERK

- 3. **INVOCATION AND FLAG SALUTE** - Led by Cnclman Piazza
- 4. **ROLL CALL** Wyant, Clark, Kennedy, Marino, Piazza – All Present
- 5. **APPROVAL OF MINUTES** - TC Mtg. Mins – November 1, 2022

ROLL CALL

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Piazza			X			
Councilman Marino			X			
Councilman Kennedy	X		X			
Council VP Clark		X	X			
Council President Wyant			X			

6. BILLS LIST –

ROLL CALL

Passed 5-0

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Piazza	X		X			
Councilman Marino		X	X			
Councilman Kennedy			X			
Council VP Clark			X			
Council President Wyant			X			

Cnclman Piazza abstained from ck#87643 and CP Wyant abstained from ck#87638.

7. R2022-244 Executive Session – called regarding potential litigation and Contracts.

ROLL CALL

To break into Executive Session

VP Clark moved to go into Executive Session. Councilman Piazza seconded the motion.

AYES: Wyant, Clark, Kennedy, Marino, Piazza

NAYS: None

VP Clark moved to return from Executive Session. The motion was seconded by Cnclman Kennedy.

AYES: Wyant, Clark, Kennedy, Marino, Piazza

NAYS: None

Attorney Wenner stated in Executive Session approvimately 45 mins. at which time three (3) items were discussed, (2) Contracts and possible litigation. No Action was taken.

8. ANNOUNCEMENTS/PRESENTATIONS

EJ Tarpey – Recreation Superintendent thanked Mayor and Council for all of their support for the many Programs he has been able to offer for the Youth of TOP. He also spoke to the many improvements that have been and will be made in the future. He then introduced Dr. Brennan and Mr. Finegan.

Jeff Finegan and Dr. Jim Brennan – Presentation regarding Cal Ripkin Sr Foundation Multi-Purpose Field to be created at Walter’s Park. Thanked Council/Mayor for opportunity to present.

The Offices of the Municipal Bldg. located at 120 Filmore Street, will be closed for the Thanksgiving Holiday on Thursday, November 24 and Friday, November 25.

Thursday’s garbage will be collected on Wednesday, Nov. 23 and Friday’s garbage will be collected on Monday, Nov.28.

Police Chief Stettner – Accreditation – Moved to Dec. 6

9. Mayor’s Report / Administrative Officers

Attached

10. PUBLIC DISCUSSION ON AGENDA ITEMS

Joe Meyner – 392 South Main Street
Spoke to R2022-241 Affordable Housing Trust Fund Spending Plan, 2.5 million – Bldg. 125 units – who and when. Noted initial cost – Admin cost of 20% thought high. Continued, O2022-34 – FOG, Fats, Oils, Grease and noted very thorough.

Attorney Wenner spoke to R2022-241 and noted Town collects monies from Projects and a portion of the monies are earmarked for the Affordable Housing Trust Fund Spending Plan. He shared example of Bridge pays to TOP required amount to go towards the spending Plan; which must go to affordable housing – rehabilitating dilapidated buildings – 20% State statute.

Tax Assessor, Craig Brotons noted up to 20% of Total Budget.

CP Wyant stated R2022-241 is similar to our RCA Program – the Regional Contribution Agreement Program.

11. ORDINANCES – 2nd Reading

O2022-31
AN ORDINANCE AMENDING THE SALARY RANGE FOR CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF PHILLIPSBURG

ROLL CALL

Passed 5-0

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Piazza			X			
Councilman Marino		X	X			
Councilman Kennedy			X			
Council Vice Clark	X		X			
Council President Wyant			X			

Discussion – Public - None

ORDINANCE NUMBER 2022-32

BOND ORDINANCE PROVIDING FOR VARIOUS 2022 CAPITAL IMPROVEMENTS TO THE SEWERAGE SYSTEM BY THE SEWER UTILITY OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$725,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

ROLL CALL

Passed 5-0 2nd Rdg.

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Piazza	X		X			
Councilman Marino		X	X			
Councilman Kennedy			X			
Council Vice Clark			X			
Council President Wyant			X			

12. Ordinance – First Reading

O2022-33

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 67-21, SCHEDULE V, ONE WAY STREETS, OF THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO CHANGE THE DESIGNATION OF A CERTAIN TWO-WAY STREET

ROLL CALL

**Passed 5-0 1st Rdg.
(2nd Rdg 12.20.22)**

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Piazza		X	X			
Councilman Marino	X		X			
Councilman Kennedy			X			
Council Vice Clark			X			
Council President Wyant			X			

Discussion – Council - None

O2022-34

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY PROVIDING FOR THE REGULATION OF FATS OILS AND GREASE INTRODUCED INTO THE SEWER COLLECTION SYSTEM AND ESTABLISHING SEWER IMPACT FEE

ROLL CALL

**Passed 5-0 1st Rdg.
(2nd Rdg 12.20.22)**

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Piazza	X		X			
Councilman Marino		X	X			
Councilman Kennedy			X			
Council Vice Clark			X			
Council President Wyant			X			

Discussion – Council - None

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.*

ROLL CALL CONSENT AGENDA

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Piazza	X		X			
Councilman Marino		X	X			
Councilman Kennedy			X			
Council Vice Clark			X			
Council President Wyant			X			

R2022-232

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH PHOENIX ADVISORS, LLC FOR FINANCIAL ADVISORY SERVICES

R2022-233

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE TOWN TO EXECUTE A CONTRIBUTION AGREEMENT WITH WOODHILL ALPHA, LLC

R2022-234

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A CHANGE ORDER DECREASE TO PENNETTA INDUSTRIAL AUTOMATION, LLC IN THE AMOUNT OF \$1,100.00 AND AUTHORIZING FINAL PAYMENT

R2022-235

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN STATE OF NEW JERSEY AUTHORIZING THE RELEASE OF A LETTER OF CREDIT FOR BRIDGE INDUSTRIAL

R2022-237

RESOLUTION APPROVING RIGHT-OF-WAY USE TO CROSS RIVER FIBER

R2022-238

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY APPROVING THE RENEWAL AGREEMENT WITH SPATIAL DATA LOGIC, INC. AND AUTHORIZING THE MAYOR TO EXECUTE AN ENTERPRISE LICENSING AGREEMENT

R2022-239

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN STATE OF NEW JERSEY APPROVING CHANGE ORDER #1 IN THE NET AMOUNT OF \$1,350.00 TO MODERN GROUP, LTD. FOR THE PURCHASE OF A MODEL 250XP (12" DISC STYLE) BRUSH BANDIT CHIPPER

R2022-240

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE TOWN TO EXECUTE A TREATMENT WORKS APPROVAL APPLICATION SUBMITTED BY LARKEN ASSOCIATES, LLC AND EXECUTION OF CONTRIBUTION AGREEMENT

R2022-241

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY APPROVING THE ADOPTION AND IMPLEMENTATION OF AN AFFORDABLE HOUSING TRUST FUND SPENDING PLAN

R2022-242

RESOLUTION OF THE TOWN COUNCIL 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 National Opioid Settlement

R-2022-243

RESOLUTION APPOINTING SCHOOL RESOURCE OFFICER

R2022-236

Pulled from Consent Agenda by Cnclman Piazza

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, APPROVING CHANGE ORDER #2
IN THE NET AMOUNT OF \$0.00 TO ALL STATE TECHNOLOGY, INC FOR THE
WALTERS PARK POOL PROJECT

Cnclman Piazza asked Matt Hall, BA if this Concrete vs shocktreat product – was a lesser/inferior product and what was the reasoning behind the Change Order?

Tim O'Brien, Engineer – the design allowed for a switch in product; which is accepted industry wide and used by Contractor in past Projects.

Cnclman Piazza stated, then it is an industry standard. Added going forward are we looking for completion in May? Hoping Parks Programs are being mapped out way in advance so as not to be caught scrambling last minute.

Cnclman Piazza moved to pass the Resolution. The motion was seconded by VP Clark.

AYES: Wyant, Clark, Kennedy, Marino, Piazza

NAYS: None

14. NEW BUSINESS

Cnclman Piazza introduced subject of skateboarding groups, Lehigh Valley Bladers. The Town Facility – skateboard park not being used, fallen into disrepair. Not enough upkeep – added, people will travel for these type of staples – Recreation, Tourism and Safety/Lighting needed.

15. PUBLIC PETITIONS

Ms. Genser – 481 Pursell Street

Spoke to truck traffic on Center Street – (3) schools in area affected – asked please do not allow truck traffic.

Tim O'Brien, Engineer spoke to Center Street truck traffic, noting the State requires a connection to Rt.22 – Center Street or South Main Street. Continued, TOP does not want Center Street to be Truck route, but if State does not allow – Town would entertain, if State comes back with Center Street could adopt/reject. Do not go road by road – had to develop plan and left with State for review. Adding, must consider Center Street, but not preferred choice.

Cnclman Piazza noted to limit 95% on TOP roads – South Main Street, north.

CP Wyant stated ultimately comes back here. We could do nothing – if Council doesn't want. We have asked State for exception.

Cnclman Piazza stated as it is currently, trucks can use any street.

David Morrisette 5 Fairview Heights

Spoke to Center Street – Truck Route and noted if comes back Center Street or don't do anything, please don't do anything. Thanked TOP for following advice of State – can use Skate Park.

Questioned if Recreation Director can be paid by Referendum dollars. Thanked CP Wyant and Randy Piazza, Jr. for vote regarding O2022-30. Continued, CP Wyant recused himself as an owner of Property within 200' of the Howard Street Project. Noted as Piazza Jr. grew up on Mercer Street and has made mention of father still living there, meaning he has family member living within 200' and appears conflict regarding vote.

Dan Boyce 1526 Warren Street, Alpha

Spoke to past election and trespass – upset property owner regarding signs.

No others – discussion closed 9:09

16. COUNCIL OPEN TIME

Cnclman Marino noted Go Stateliners and have a Happy Thanksgiving. Noted BSA Troop 2022 is the first girls Boy Scout Troop ages 11-17 and commended Tammy O'Connor for her role in creating the troop. Stand up to Bullying their mission statement, her contact info is elkmama@gmail.com, 908.417.1691. Asked if Administration of PHA – any funding for off duty police officers to patrol the Senior Citizens Homes. Kids are out of control, Seniors are afraid for safety.

Cnclman Piazza thanked skateboarders, bicyclists for interest in TOP and developing recreation activities here. These can be a huge draw. Happy Thanksgiving

Cnclman Kennedy – Happy Thanksgiving, will be at Fisher Stadium to cheer on Phillipsburg – beat Easton.

VP Clark stated, go Stateliners. Congratulated the Powder Puff Football Team for their win 33-27. Thanked voters for the Open Space referendum being passed for 68% of vote and another 5 years.

CP Wyant said Go Liners – and have a Happy Thanksgiving

17. ADJOURNMENT

Cnclman Piazza moved to adjourn. The motion was seconded by VP Clark

AYES: Wyant, Clark, Kennedy, Marino, Piazza

NAYS: None