

Aprvrd. 12.20.2022

**TOWN OF PHILLIPSBURG  
TOWN COUNCIL MEETING MINUTES  
TUESDAY, December 06, 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** - 7:00 PM

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

**THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS LAW. THIS MEETING OF December 06, 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

**MOMENT OF SILENCE** Cnclman Piazza requested a moment of silence for Morgan Taylor, formerly of Phillipsburg. She was a Captain serving in the United States Air Force in the State of Colorado, when her life was claimed in a tragic car accident two weeks ago.

**4. ROLL CALL** Wyant, Clark, Kennedy, Marino, Piazza – All Present

**5. APPROVAL OF MINUTES** - TC Mtg. Mins – November 22, 2022

**ROLL CALL**

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

**6. BILLS LIST –**

**ROLL CALL**

**Vote to pull ck. 87909 - \$504.00 violation of Grant**

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			

**Discussion**

Cnclman Marino inquired about ck.87909 in the amount of \$504.

Matthew C. Hall, BA replied luncheon for the Cal Ripkin Foundation fundraisers/volunteers. NPP funds used

Cnclman Marino noted he was opposed to the Cal Ripkin Field because it does not accommodate disabled kids in our Community adding they are as entitled as all kids

Cnclman Piazza thanked BA for statement. Continued if this was paid out of NPP funds; which is a Federal Grant, why on our bills list? Noted funds could have been better used elsewhere, such as striping in the parking lots. Continued, no need to provide luncheon to discuss program, waste of money.

**BILLS LIST –**

**ROLL CALL**

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

Cnclman Marino said yes with exceptions vendor 422 and vendor 701.

**7. ANNOUNCEMENTS/PRESENTATIONS**

TOYS FOR TOTS – Event held on December 4, 2022. Great event huge success, 3xs as many gifts collected as last year. Well attended by Community.

**Police Chief Stettner – Accreditation**

Welcomed Harry DelGado and Phillipsburg Police Sargeant Ryan Sokoloski, Assistant in administering accreditation program.

Mr. DelGado proceeded to explain the accreditation program and noted Phillipsburg Police Dept was being recognized as one of best in the State for compliance of the 112 standards. Best practices on the State and National level and noted it is a significant accomplishment. Continued this led to many instances of improving/exceeding transparency, resulting in 11% fewer liability claims. Noted PPD worked to build relationships for a safer community and continues to work toward future plan of a Community Partnership.

Chief Stettner accepted the accreditation from Mr. DelGado, NJ State Association of Chiefs of Police. He thanked Sargeant Sokoloski, members of the PPD, the Mayor and Council President Wyant and the citizens. He noted that the PPD has been recognized by an exclusive group, initially the Rodgers Group. This program helped to allow PPD to promote Trust. Adding they are better police force today, noting it has promoted more oversight and efficiency. He thanked the Mayor and former BA, Robert Bengivenga as they met weekly to administer/promote program. Noted Council provided funding, he is very proud and this was on his bucket list.

CP Wyant noted this was a fabulous accomplishment, to be accredited through the State.

Cnclman Piazza noted this was accomplished in just one year, noting he had been informed a little and new it was a difficult process to pass. He inquired if he was right when he stated first in Warren County to accomplish.

Chief Stettner noted that in just three years they would be up for accreditation again. That it is an ongoing process.

Cnclman Marino stated that the PPD is appreciated for all they do for the Community.

VP Clark stated it was fantastic news and shows the commitment of the entire PPD force to help build trust moving into the future.

Cnclman Kennedy noted entire PPD should be proud of this achievement.

**8. Mayor's Report / Administrative Officers**

Attached

Matthew C. Hall, BA stated a Bond Note Sale for 6.125 million 3.23 – Terms of the Bond Sale.

**9. PUBLIC DISCUSSION ON AGENDA ITEMS**

**Joe Meyner – 392 South Main Street**

Spoke to R2022-245 – purchase of another Police car – does not feel it is needed. Only positive, purchased for good price. Stated fan of PPD, but not this accreditation program as there is no civilian oversight.

**Dan Seyler – 22 N. Main Street**

Spoke to R2022-252 asked what will happen with handicap parking space?

CP Wyant stated there is going to be a handicapped parking space in the Municipal Lot on North Main Street. He continued this space is available to anyone who has a handicap placard or plates.

DS asked if this is a reserved space. How quickly would handicap space be made available and will the chains be removed?

CP Wyant noted that is not up to Council, but the Administration, Mayor and BA.

Attorney Wenner stated anyone with a handicap placard will have ability to park in the handicap space like any other handicap space in TOP. Continued, yes you can have access without arrest.

CP Wyant seeing no others – closed

**10. ORDINANCES – 2nd Reading (This was advertised as having 2<sup>nd</sup> Rdg on December 6; though it was inadvertently on Agenda for 2<sup>nd</sup> Rdg on 11.22.2022, this must go to second reading at this TC Meeting on December 6, 2022.)**

**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**

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

**Discussion – Public – None**

**11. 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**

**Passed 5-0**

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

**R2022-245**

RESOLUTION AUTHORIZING PURCHASE OF ONE (1) FORD POLICE INTERCEPTOR UTILITY VEHICLE

**R2022-246**

Resolution Authorizing Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Howard Street By-Pass project.

**R2022-247**

Resolution Authorizing Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Roseberry Street Pedestrian Safety Improvements project.

**R2022-248**

GRANTING WAIVER TO OPEN, CUT OR EXCAVATE STREET TO PROVIDE UTILITY SERVICE TO PREEXISTING RESIDENCE PURSUANT TO § 545-39

**R2022-249**

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING PAYMENT IN THE AMOUNT OF \$70,372.01 TO

Apprvd. 12.20.2022

NATIONAL WATER MAIN CLEANING COMPANY FOR THE 2021 ROAD PROGRAM  
PHASE 1 – SANITARY AND STORM WATER INSPECTION

**R2022-250**

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY APPROVING THE 2023 SOFTWARE SUPPORT AND MAINTENANCE AGREEMENT WITH MUNICIPAL SOFTWARE, INC. AND EDMUNDS GOVTECH

**R2022-251**

A RESOLUTION AUTHORIZING A CHANGE TO THE BY-LAWS OF THE PHILLIPSBURG EMERGENCY SQUAD

**R2022-252**

A RESOLUTION DESIGNATING HANDICAP PARKING SPACES WITHIN THE TOWN OF PHILLIPSBURG

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**R2022-253**

UEZ Administrative Budget – July 1, 2022 – June 31, 2023

Pulled from Consent Agenda as per Cnclman Piazza’s request for clarification

**ROLL CALL**

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			

Keith Zwicker, on the UEZ Board, resides at 385 Congress Street explained that Council makes the Resolution and UEZ sends the Resolution to the State. Added it is a required formality, an added oversight of the money coming in, the budget is \$83k.

CP Wyant commented, whether for Administration or Projects this is how it has been done since its inception. Then goes to board at State UEZ level.

**12. NEW BUSINESS**

VP Clark gave update regarding LED lights in Shappell Park. Added NORWESCAP – NPP Funds being used for trees to be lit up year-round. Continued this affords safety, LED lights being used.

Cnclman Piazza – noted that with the new paid Parking Ordinance being enforced he noticed private parking pop-ups. Unsure which Town Code would apply to using the parking lot at the Democratic Committee meeting place, the former Train Depot bldg. parking lot – noted maybe signage needed to know where your monies are going, whether it is for a non-profit or something else. Continued when you

give to park – pay to play – don't want to jeopardize parking fundraiser. Business should post where money going and asked Attorney Wenner to look into. Attorney Wenner noted he would follow-up.

Cnclman Marino asked are parking lots – approved, inspected or governed? Asking if private property, is it legal to charge for parking?

Attorney Wenner stated are you asking where does the Town come in? Continued, primary principal use – pop-up parking, nothing in the Code. Ancillary to organization, not a violation of zoning. Liability does not exist for the Town – accident of slip fall – on the Organization.

### **13. PUBLIC PETITIONS**

Ms. Harte 101 South Main Street

Spoke to paying for Parking and the new O2022-28. She continued, pays \$1,100 for rent plus utilities and cannot afford to pay \$135-140/week for parking. Ms Harte noted her address is not even eligible for the Lottery for a parking pass; which is not a guarantee for a parking pass even if she were eligible. Continued her quality of life is affected and wanted to know what can be done to accommodate her situation. Ended by saying she cannot afford to live in Phillipsburg.

Cnclman Piazza wanted a moratorium on Parking and Cnclman Marino seconded. After all said and done, Councilman Piazza withdrew his suggestion of moratorium.

JP 351 Prospect Street – noted first time at a Council meeting and appalled to hear Ms. Harte's statement. Continued, lottery not a good idea. Feels Ms. Harte and Businesses should be accommodated. Stated you are pushing people out, can't afford to live here. Charge for events.

Nicole Timberman 112 N. Riverview Rd.

Tree Lighting – was this a Town sanctioned event, then should have had free parking. Can you pull records from the kiosk after 6pm and refund? Asked where funds are going.

CP Wyant stated to the General Fund

NT stated not specifically noted – Parking Authority maintain itemized line items.

CP Wyant stated all the things you mentioned came out of General Fund.

NT continued put burden on out of towners – Polar Express and the Apothecarium. Is there a way to charge the Businesses parking spots to run her business and accommodate her employees?

#### **Rebecca Place – 419 Center Street**

Spoke to Center Street becoming a Truck Route. New to town, purchased home a year ago located at 4 way stop on Center Street. Appalling – to think possibly truck route – Pre-Schoolers cross street on tow rope. Asked why sign changed – Center Street – 4 ton limit – sad to see picture – sign changed creates loop holes. No time to keep up with legislation – warehouse – incorrect another loophole.

Tim O'Brien, Engineer explained the TOP made application to NJ DOT – weight restriction most of TOP, but State notes we must have connection between Rt122 and 22. Must – it is required by State. TOP has strongly worded to the State that Center Street is not the preferred route. If State comes back only Center Street – we can take action or do nothing. State law we cannot leave unconnected.

## Apprvd. 12.20.2022

VP Clark noted trying to avoid; adding Cnclman Kennedy and himself reached out to the State, who sent a senior aide. Council trying hard to let DOT know do not want Center Street as truck route.

Sandra Morisette 5 Fairview Heights

Spoke to Councilmembers who recused themselves from O2022-31 and those who did not. Also spoke to traffic – new warehouse – Town Code – signage change on Center Street.

CP Wyant asked TOB sign change on Center Street and who authorizes.

TOB stated not a change under our Project

CP Wyant noted TOB should meet with BA

TOB noted specific Ordinance – proper signage before state weight 4 tons or less. 8k empty is 4 tons. Reviewed with Administration.

CP Wyant stated he knew it was weight restricted – Center/Green Streets.

TOB noted if petitions available send to DOT – helps support the Town's position of not wanting Center Street as truck route.

David Morrisette 5 Fairview Heights

Spoke to Petitions – asked Council – do not endanger our children. Noted Public believes R2022-51 – Council supports consideration of Center/Roseberry as truck route. New Resolution – does not endorse verbal commitment from Council members. Asked to not vote for weight change – 4 ton limit. Listen to residents, effects quality of life for those living on Center Street.

Joe Meyner 392 South Main Street

Spoke to O2022-28 – Parking – won't work because trying to satisfy dual Zoning use. Suggests go back to no Parking restrictions and go on the way it was. Or take up Peron Construction on their idea of Parking Garage 2 flrs. – residential parking/apartments; which is the better idea, but must wait 1 – 2 years for it to happen.

Rebecca Place 419 Center Street

Paid more for my home, but the truck route could decrease the value of my home. Noted there are 3 schools in the area. Adding if you lived here you would not want.



**14. COUNCIL OPEN TIME**

Cnclman Marino – Paid parking will kill downtown. Noted he voted NO to Parking – follow suit with Bethlehem - \$10/year. Asked, why destroy downtown Businesses – noting he and Cnclman Piazza have consistently voted no parking ordinance. His second thought is to entertain Rent Control. Noted 1600-2100/month, Seniors on pension/fixed income cannot afford.

VP Clark – Not perfect – ever evolving, but cannot continue to give away revenue. 60k in new revenue generated to re-invest back into TOP. Chamber/Delaware Heights Park – much needed for Youth. Phillipsburg Downtown Association supports small businesses. Against the Center/Roseberry Streets truck route, barreling down South Main Street – also voted against warehouse – must move on. Thanked all who came out to the Town Council meeting, encouraging all newcomers. Happy Holidays.

Cnclman Kennedy – spoke to Center Street/truck route when first proposed – school there. Nobody wants truck route on Center Street, it is the NJ DOT. Added nice to attend the tree lighting in Shappell Park – Santa there. Great Thanksgiving, Phillipsburg HS football team won the big game against Easton. The Emergency Vehicle escort for the team was great.

Cnclman Piazza – until ordinance fixed – suggests paid parking moratorium adding re-visit for more work. Congratulated his wife for achieving the Jean Harris Award for creating a Library curriculum that was recognized on the State level.

Councilman stated Motion for moratorium. The motion was seconded by Councilman Marino.

Ayes: Marino, Piazza

Nays: Wyant, Clark, Kennedy

CP Wyant Stated nobody on Council wants truck route on Center Street – State requires a 2<sup>nd</sup> route – don't know what State may come back with. We can do nothing, or future Councilman can decide – restrict trucks. Not being decided at this meeting. Trucks getting stuck Firth/Marshall and Warren/Marshall, on lock Street and in Valley view. Continued the State regulates what we can/can't do.

**15. ADJOURNMENT**

9:27PM

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