

**TOWN OF PHILLIPSBURG  
TOWN COUNCIL MEETING MINUTES  
TUESDAY, December 20, 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** - 7:04 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 20, 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 Councilman Piazza
- 4. **ROLL CALL** – Wyant, Clark, Kennedy, Marino, Piazza
- 5. **APPROVAL OF MINUTES** - TC Mtg. Mins – December 6, 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. RESOLUTIONS** - CP Opened up to Public Discussion

**R2022-254**

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO A CONTRACT WITH SOUTH STATE, INC. CANCELLING THE ENTIRE AMOUNT OF \$821,000.00

AYES: Wyant, Clark, Kennedy, Marino, Piazza

NAYS: None

**R2022-255**

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO A CONTRACT WITH MONTANA IN THE AMOUNT OF \$256,064.00

AYES: Wyant, Clark, Kennedy, Marino, Piazza

NAYS: None

**R2022-256**

A RESOLUTION AUTHORIZING BUDGET TRANSFERS IN THE AMOUNT OF \$93,000.00

Cnclman Piazza inquired of Matt Hall, BA if fuel transfers were due to cost or usage. MH responded guessing cost, but would look into.

AYES: Wyant, Clark, Kennedy, Marino, Piazza

NAYS: None

**7. BILLS LIST –**

**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			

Cnclman Piazza asked to be removed from vote regarding ck#88067 and yes to all other bills.

Cnclman Marino questioned ck#88060 to Boyer Swimming Pools, Inc – draining and cleaning of Municipal Pool in the amount of \$10,388.30, asked how arrived at that amount. Matt Hall, BA

stated invoices incurred under former Recreation Director. Former BA, Benjivenga challenged, but clearly work had been done. Not just draining, but winterization – there were 5-6 invoices, totalled 10k, some over 2 years old.

**8. ANNOUNCEMENTS/PRESENTATIONS**

**9. Mayor’s Report / Administrative Officers**

**10. PUBLIC DISCUSSION ON AGENDA ITEMS**

**11. Ordinances (Second Reading and Public Hearing)**

**ORDINANCE 2022-33**

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER I6I7-21, 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**

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

Public Discussion – None

**ORDINANCE 2022-34**

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

**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			

Public Discussion – None

**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.*

**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			

R2022-257

RESOLUTION AUTHORIZING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION PURSUANT TO **N.J.S.A. 40A:4-87**

R2022-258

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

R2022-259

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

R2022-260

RESOLUTION AUTHORIZING THE CREATION OF A HANDICAP PARKING SPACE

R2022-261

RESOLUTION MUNICIPAL ALLIANCE

R2022-262

A RESOLUTION AWARDING AUTHORIZING A CONTRACT FOR LED RETROFITTING OF CERTAIN TOWN OF PHILLIPSBURG OWNED BUILDINGS

R2022-263

A RESOLUTION AWARDING A CONTRACT FOR IT SERVICES TO ARAE NETWORKS

R2022-264

A RESOLUTION AUTHORIZING AN ADDENDUM TO THE SHARED SERVICES AGREEMENT BETWEEN THE TOWN OF PHILLIPSBURG AND THE BOROUGH OF ALPHA PURSUANT TO N.J.S.A. 40A:65-1, et. seq.

R2022-265

RESOLUTION AUTHORIZING EXECUTION OF LEASE AGREEMENT BETWEEN BROTHERS BEFORE OTHERS AND THE TOWN OF PHILLIPSBURG

CP Wyant had Resolution pulled to discuss, as the Lease Agreement was not part of the Agenda; which was posted on the Website for the Public. He continued by saying he had problem with the Resolution and not with the Brothers before Others Organization, noting there should be a balance with the Parking. Noted when he was Mayor and before, residents could park in front of their homes on N. Main Street. Decision was made to eliminate the parking spaces and put in a sidewalk to allow safety from traffic, the concession being the Municipal Parking Lot; which had 7 spaces. He continued feels not fair all those spaces be taken from the residents – going back on what was agreed and cannot in good conscious vote for approval of Lease. He is a no Vote.

VP Clark stated he remained quiet during discussion as he had been advised by Town’s Attorney to recuse himself from the vote because he had been given a ticket to the Turkey Brawl sponsored by the Brothers before Others organization and this has created a conflict – transparency, not voting on this Resolution.

Cnclman Marino stated in regard to transparency – never rec’vd anything from the Brothers before Others organization. Also commented that did not see any of the UEZ proposals until today and yet discussing them tonight. Noted the Organization does great work and he will be voting yes.

Cnclman Piazza noted leases do change. Vote for the greater good 100 spots – 7 spots relief, does a lot for the Community. Serves a broad spectrum of people in, voting yes.

Cnclman Kennedy would have preferred Lease Agreement had been part of Agenda posted on Website. Recognizing all the organization does for the Community.

**ROLL CALL**

**Passed 3-1-1**

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		
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**13. NEW BUSINESS**

Matt Hall copied Engineer on the email.

**14. PUBLIC PETITIONS**

Caleca – 810 Columbus Avenue

Speaking to parking problem on Columbus Avenue, noting parking only on (1) side of the street. Some people have as many as 4 to 6 cars for one property. Causing a hardship, asked if possible to change parking from the (1) side to accommodate increase in number of cars needing to Park.

CP Wyant stated he would refer to our Engineer regarding width of street and why original decision to park on only one side of street was made. Also added if meets criteria, perhaps one way could be considered to allow parking on both sides.

**15. COUNCIL OPEN TIME**

Cnclman Piazza wished all Happy Holiday and Happy New Year.

Cnclman Marino wished all a Merry Christmas and a Happy New Year. Continued hoping in future to address Rent Control, Cannine Units for Police Department and help residents with parking issues.

Cnclman Kennedy spoke to Cnclman Marino’s no vote to the Cal Ripkin field due to it not being available to children with disabilities. Mentioned that Cnclman PM earlier in year complained not enough activities for children in TOP, but here is opportunity. He continued it was explained why not possible due to the surfaces not conducive to those with disabilities and the Miracle League has a field (close proximity in Palmer Twp.) Also stated, initially not in favor of Peron Warehouse (taking heat), but changed opinion knowing need to move forward.

VP Clark Happy Holidays, Happy New Year and celebrate with your families.

CP Wyant wished all Merry Christmas and blessed New Year.

**16. ADJOURNMENT**

Cnclman Piazza moved to adjourn – the time was 8:46 PM