

Meeting Minutes

**TOWN OF PHILLIPSBURG
TOWN COUNCIL WORK SESSION
VIA ZOOM ID#857 7011 8335
TUESDAY, APRIL 12, 2022
7:00 P.M.**

(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** - CP Wyant - 7:00 PM
- CONDOLENCES** - to Dawn Slifer and family on the passing of Jim Slifer, spouse of longtime Town employee, Dawn Slifer.

Condolences also to Councilman Keith Kennedy on the passing of his father.

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 April 12, 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

Also in attendance via Zoom, Attorney Wenner, BA Bengivenga and AMC Loudenberry

5. **APPROVAL OF MINUTES** - TC Meeting April 05, 2022

ROLL CALL

Approved 5-0

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Kennedy			X			

Councilman Marino		X	X			
Councilman Piazza	X		X			
Council VP Clark			X			
Council President Wyant			X			

6. BILLS LIST – None

ROLL CALL

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

7. ANNOUNCEMENTS - None

8. OLD BUSINESS

O2022-06 – TBLD March 1, 2022

Awaiting Results of RT Environmental Report

O2022-06

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 2019-07 FINALLY ADOPTED ON MAY 7, 2019, AS FURTHER AMENDED BY BOND ORDINANCE NUMBER 2021-05 FINALLY ADOPTED ON FEBRUARY 16, 2021, IN ORDER TO REVISE THE DESCRIPTION OF IMPROVEMENTS AUTHORIZED THEREIN

9. Mayor’s Announcements

State of NJ has approved the Apothecarium for a Recreational Marijuana permit. Worked with Jerry DeLorenzo and TOP officials to have a safe opening this Friday, April 15, 2022. La Trinidad De Dios Restaurant is having Ribbon Cutting Ceremony tomorrow April 13, 2022. Gathering at noon – ribbon cutting at 12:30PM. Inviting Councilmembers to join if available. Reminded everyone that the Shad fishing tournament is being held from April 21st-24th, with awards being given on April 25th at 6PM. All of Council, along with Mayor invited to attend this event. Very well attended last year, great Event – please come out and join in the fun.

10. PUBLIC DISCUSSION ON AGENDA ITEMS

CP Wyant noted that the following (2) Ordinances were 2nd Rdg and Public could comment on them at that time.

There was no Public Discussion

11. ORDINANCES – SECOND READING

ORDINANCE NO. 2022-11

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 100 ENTITLED “PERSONNEL POLICY AND PRACTICES” OF THE PHILLIPSBURG TOWN CODE TO CREATE SECTION 100-20 ENTITLED “ANTI-NEPOTISM POLICY”

ROLL CALL

Passed 1st Rdg 03.22.2022 5-0

Passed 2nd Rdg. 5-0

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

Discussion – Public

None

O2022-12

CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

ROLL CALL

Passed 1st Rdg 03.22.22 5-0

Passed 2nd Rdg 4-0-1

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

Council President Wyant			X			
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Discussion - Public

None

Joe Meyner 392 South Main Street

Attempted to address change on O2022-11 Anti-Nepotism, but was unable to communicate during Public Discussion on that item. CP Wyant explained passed on first and second reading, unable to make any changes now.

Councilman Piazza noted, as VP Clark had touched on earlier, under DCA rules, Boards and Commissions have their own anti-nepotism rules and anyone in that position is expected to recuse themselves. Leaving our Anti-Nepotism ordinance unneeded.

12. ORDINANCES – FIRST READING

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

Passed 5-0

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

R2022-92

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH AQUATIC FACILITY DESIGN INCORPORATED TO COMPLETE A LIMITED KARST HAZARD REVIEW

R: 2022-93

A RESOLUTION DESIGNATING HANDICAP PARKING SPACES WITHIN THE TOWN OF PHILLIPSBURG

R: 2022-94

A RESOLUTION APPROVING THE PAYMENT OF SECOND QUARTER 2022 COUNTY TAX AND OPEN SPACE TAX, DUE MAY 15, 2022

R2022-96

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH REMINGTON & VERNICK ENGINEERS FOR AN EPA EVALUATION REPORT AND INFILTRATION & INFLOW ANALYSIS

R:2022-95 Removed for explanation at request of Councilman Marino

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING R2022-61 to change amount to Sartini Plumbing to \$3,139.50 AUTHORIZING THE PAYMENT TO SARTINI PLUMBING HEATING & COOLING, LLC FOR WORK PERFORMED ON AN EMERGENCY BASIS FOR PROPERTY LOCATED AT 24 STULL ALLEY

ROLL CALL

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

BA Bengivenga – for record explained original amount on R2022-61 was \$16,238.09. This amount contained a previous balance. The new amount of \$3,139.50 was the corrected amount for this service.

14. NEW BUSINESS

None

15. DISCUSSION

Funding of Library – Referendum

Councilman Piazza spoke to the subject of removing the Library from the Municipal side of the Budget and putting the funding of the Library to a Referendum. He continued, it makes more sense to put out to Referendum and ask the Public if they want to raise it. Adding, the Mayor provided a compromise this year of 131k, but this still fell short of what Library says it needs. Noted every year this becomes an issue for the Departments managed under the Municipal Budget. Stated this would create better planning allowing more focus if the Budget is set. Moving TOP long-term steady Plan.

CP Wyant asked for any other comments.

Councilman Marino noted, agreed with Councilman Piazza. Adding, put out to Referendum and let the people decide what to spend.

VP Clark agreed should go out to Referendum, noting he and Councilman Kennedy ran on it. Added, in speaking to Mayor, disagrees with removing the 131k this year. Noted former Library Director, Deb Messling said Library needed 500k. Stated, Mayor met at halfway to keep open and function. Feels needs to stay open for our residents. Added, redevelopment of our Town, the Library is key. Stated 2008 Library's funding was taken away. Noted we need to make sustainable – money going to OUR library, become self-sufficient.

Councilman Piazza asked BA Bengivenga what the numbers were last year. He responded 555k. RP noted this year at 680 – up 130k, adding went up 180k in the past 2 years, 525k originally.

CP Wyant stated, we were left with a deficit from the Federation, went to the County – leaving a huge hole. Been trying to supplement the Library Budget little by little with smaller increase. If we do this, go to Referendum, it will increase taxes to TOP residents. If taxpayers want to fund Library, put on ballot. Agree Library is a pillar of our Community.

Councilman Kennedy agreed should go to Referendum. Adding, yearly this becomes a crisis as to how to Fund the Library. Noted, put in the Public's hands.

VP Clark noted, Library Director Dave Krolak was on meeting and asked if CP would allow him to speak.

CP Wyant agreed to allow.

VP Clark appreciated.

Dave Krolak, Library Director – thanked Mayor and Council for the compromise of 131k; which allows the Library to remain open Monday through Friday for 8 hour days. Noted the Library is essential for the residents of TOP. Stated not only for use of computers, but printing, copying. Most especially to receive Professional help with Resumes, job search and many Programs made available. Continued, the Library is an absolute gem and if we are looking to enhance the Town's reputation we need the Library. Added he is available to answer any questions, just email him.

Councilman Piazza asked what is most popular book, Harry Potter?

Mayor Tersigni stated worked with Library to arrive at bi-partisan compromise for the 131k. Also, like Councilmen believes should go to Referendum.

CP Wyant noted should move forward with Referendum.

Attorney Wenner stated before Draft – the question is specificity of number, 1/3rd of million? Went to CFO asking what increase ought to be. Adding are we going to fully close the gap and have zero on the line item? Library director, Dave Krolak and Mayor could provide work session in May? Stated will go forward as directed creating Resolution to present for adoption.

CP Wyant stated his understanding to totally remove from the Municipal Budget.

Cnclman Piazza noted his intention also.

No other comments.

16. Public Petitions

David Morrisette – 5 Fairview Hghts.

Noted, do we have amount County would charge? Referendum considered when County first pulled out 2016, heard 600k, former Cnclwmn DeGerolamo had said 300k. Once number figured our from County, know what we are looking for. Noted thinks the penalty being paid to the Library Federation is misinterpreted. Stated in agreement if County pulled out – Town would owe nothing. Feels Town Council should rescind paying penalty back. Added as Attrny Wenner knows – 1 party always gets punished, hope stop paying back.

Robyn Coe Donaldson – Stewartsville

Questioned where to go to find Library's Budget?

CP Wyant state at the Library.

Ed Bullock Warren Street

Late to meeting, wanted to respond to Robyn. Stated, call Library Director Dave Krolak – he will share Budget. Stated he supports PFPL – value of it.

17. MOTIONS

SPECIAL EVENT PERMIT APPLICATIONS

Adult Soccer Season – May 01 through October – Walter's Park – Weekends 8am-9pm
CP Wyant asked for motion regarding permit. Councilman Marino moved to approve.
Motion was seconded by Councilman Piazza.

Ayes: Wyant, Clark, Kennedy, Marino, Piazza

Nays: None

CP Wyant asked Council to consider (3) appointments to the Recreation Board.

Ann Davis

Roberta Bedough

Dawn Slifer

Cnclman Piazza asked how long vacant – CP Wyant responded since the 1st of the year.

CP Wyant moved to accept. The motion was seconded by Councilman Piazza.

Ayes: Wyant, Clark, Kennedy, Marino, Piazza

Nays: None

Council Open Time

Councilman Marino thanked Mr. Meyner for his Traffic Plan; which was shared with all of Council. Also for recognizing Sexual Abuse Awareness month at his community discussion. Recognized Ida Russo for taking pride in neighborhood/property, picking up trash.

CP Wyant noted there are a lot of people in Town who do the right thing. Wished all had pride in their Property, adding would make Town a lot better for all. Thanked Councilman Marino for bringing up. Asked if Executive Session needed and there being none, called for motion to adjourn.

18. EXECUTIVE SESSION - None

R: 2022-

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

19. ADJOURNMENT - 7:42 PM

