

Apprvd. 04.12.2022

**TOWN OF PHILLIPSBURG
TOWN COUNCIL MEETING MINUTES
TUESDAY, APRIL 05, 2022
7:00 P.M.**

(This will be first live meeting of 2022, at 535 Fisher Avenue, the PHA Community Bldg.)

1. **CALL TO ORDER** - 7:03 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 April 05, 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 present Attorney Wenner and Acting Municipal Clerk Loudenberry

5. **APPROVAL OF MINUTES -** None

6. **BILLS LIST -**

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			

7. **ANNOUNCEMENTS** - VP Clark reminded all – Saturday April 23rd is Community Day of Action. Encourage all to participate and help clean up Our DownTown.

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 and Administrative Officers**

Mayor’s Report –

- Traffic Situation on Free Bridge – met with Easton Mayor Sal Panto in agreement with the solution, 2 lanes going into PA
- Painting Matthew Penrose Mem. Fieldhouse original colors
- Exchange Club of Warren County sponsoring Egg Hunt – Maloney Stadium-April 9/rain date April 16 8am – Grades Pre-k through 2nd Grade.
- (3) new Police Officers – Jeffrey Sullivan, Hector Vasquez and Nicholas Marino – March 30th

Admin Report – Councilman Piazza

Request has been submitted to Governor Phil Murphy’s office – regarding plan to limit truck traffic on South Main Street. The request was drafted by Council along with Mayor Tersigni. Town of Phillipsburg has been awarded a Grant of 250k for first Phase/design phase of Howard Street extension.

Councilman Marino asked if Council could have copy of the award letter. BA Bengivenga noted he would provide.

Attorney Wenner stated Ordinances 2022-11 Nepotism and 2022-12 COLA would have their second reading at the next Town Council meeting; which is work Session via Zoom 857 7011 8335.

10. **PUBLIC DISCUSSION ON AGENDA ITEMS**

Joe Meyner – 392 South Main Street

Spoke to O2022-13 Sewer Bond Ord-improvements 750k. Step in right direction, most of sewer has been inspected. Keep up good work

11. **ORDINANCES – SECOND READING**

Apprvd. 04.12.2022

O2022-13

BOND ORDINANCE PROVIDING FOR INSPECTION AND REPAIRS OF SEWER LINES, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY, APPROPRIATING \$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

ROLL CALL

Passed 5-0

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

Public Discussion - None

12. ORDINANCES – FIRST READING

O2022-14

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY ESTABLISHING 2022-2026 SALARIES FOR AFSCME EMPLOYEES

ROLL CALL

Passed 4-0-1

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 – 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 Kennedy		X	X			
Councilman Piazza			X			
Councilman Marino			X			
Council Vice Clark	X		X			
Council President Wyant			X		*	

Discussion

***CP Wyant abstained from 2022-86.**

Council President Wyant asked if any Council member needed to pull off any Resolutions from the Consent Agenda.

Cncلمان Piazza noted he had a question about R2022-83. Asked if this had been built into the Municipal Budget.

BA Bengivenga stated, yes.

R2022-80

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, REGARDING THE DISCHARGE OF A DEPARTMENT OF PUBLIC WORKS LIEN

R2022-81

RESOLUTION APPOINTING ROBERT A BENGIVENGA JR AS QUALIFIED PURCHASING AGENT PURSUANT TO N.J.S.A. 40A:11-3A AND N.J.A.C. 5:34-5 ET SEQ

R2022-82

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, REGARDING SALARY INCREASES FOR STATUTORY EMPLOYEES

R2022-83

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, REGARDING SALARY INCREASES FOR NON-CONTRACTUAL EMPLOYEE

R2022-84

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN BOND ISSUES AND DETERMINING THE FORM AND OTHER DETAILS OF THE OFFERING OF \$7,915,000 GENERAL OBLIGATION BONDS, SERIES 2022 OF THE TOWN OF PHILLIPSBURG, IN THE

Apprvd. 04.12.2022

COUNTY OF WARREN, STATE OF NEW JERSEY, CONSISTING OF \$6,000,000 GENERAL IMPROVEMENT BONDS, SERIES 2022 AND \$1,915,000 SEWER UTILITY BONDS, SERIES 2022, AND PROVIDING FOR THE SALE OF SUCH BONDS, AND DETERMINING CERTAIN MATTERS WITH RESPECT THERETO

R2022-85

A RESOLUTION TO PROVIDE FOR THE ADOPTION OF EMERGENCY TEMPORARY APPROPRIATIONS FOR 2022 CURRENT FUND IN ACCORDANCE WITH PROVISIONS OF N.J.S.A. 40A:4-20

R2022-86

AFSCME SALARIES

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING EXECUTION OF THE AGREEMENT BY AND BETWEEN THE TOWN OF PHILLIPSBURG AND AFSCME COUNCIL 73 LOCAL 2928

R2022-88

Engagement of Phoenix Advisors, LLC as Municipal Advisor to TOP

R2022-89

A RESOLUTION TERMINATING THE DESIGNATION OF USW, LLC F/K/A STATELINER UNITED AS THE REDEVELOPER FOR THE RIVERFRONT REDEVELOPMENT AREA (UNION SQUARE)

R: 2022-90

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING REFUND OF TAX OVER PAYMENT

R2022-87 – has been tabled due to inability to Cert of Funds; which is condition of award

2021 Road Program – Request for Quote

Chip Seal – Asphalt Paving Systems

ROLL CALL

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

14. NEW BUSINESS

Cnclman Piazza – spoke to topic of Library Budget being taken out of our Municipal Budget. Continued there are Vacant positions; which provide services our Town needs and should be funded by the Municipal Budget. The Municipal Budget is not intended for funding the Library. Stated our Department Heads should have peace of mind – should not be an issue year to year. Warranted to go to Referendum, this needs to be addressed soon.

CP Wyant stated the Next Work Session – April 12 will be used to discuss the issue. Continued someone from the Library side – would be good to hear from them – contact the Library. The Next Work Session is via Zoom 857 7011 8335.

Cnclman Marino inquired if Attorney Wenner could prepare checklist of the Referendum Process to share with Council.

Cnclman Piazza spoke to subject from Mayor’s report – the repainting of the Matthew Penrose Memorial Fieldhouse. Noted letter from R. Fulper regarding the Green Street fieldhouse, noting in 2020 the painting was done to in an effort to unify the newly founded Townwide Team. Adding since the Team has collapsed, the need no longer exists to support that team, Council can agree with Mayor to go back to the way the building was previously painted.

15. PUBLIC PETITIONS

Randy Piazza – 309 Mercer Street

Asked for update/progress on Municipal Pool Project?

BA Bengivenga responded the Project will not be completed this year due to design issues. Added the former Recreation Director had instructed contractor to go forward, but there were issues. Being dealt with Attorney/Contractor – 2023 will be completed.

RP – noted if that is the case, no pool this year, what will be done to prevent kids swimming in the river?

BA – stated signage/enforcement, noting valid concern.

Maryann Kobble – 1315 Belvidere Rd.

Trisha Kobble – 60 Harmony Station Rd.

Trisha spoke to traffic situation on Free Bridge negatively effecting Small Businesses in the Union Square. Continued, nice group of hardworking entrepreneurs putting all savings into business and more fail than succeed. Just coming off 2 long years of Covid and now congested traffic issue. Jimmy’s closed for the last 3 days. Added you will lose us all, need to find solution together to keep our Businesses Open.

CP Wyant – responded, Council is greatly concerned about Safety and livelihood of Business owners. Meeting with Bridge Commission, Town voiced concerns, short term solution will be 2 lanes of traffic traveling West. Added, Town has limited control.

Apprvd. 04.12.2022

TK suggested person to aid traffic flow with flags to keep traffic moving. Also suggested timing of lights. Suggested night work, change order of work bid.

CP Wyant noted when Project was bid, bid as day job and calculated/awarded under those terms. Changing time for light is under PA-DOT, Rt 611 as well, adding we can't nullify Bid.

Attorney Wenner spoke to subject. No ability to amend a bid – paying day rates impact costs – would have had to bid it that way for night work, adding that ship has sailed. Noted, Town has had conversations with the Bridge Commission and shared their concerns. Suggested as Business Owners, go make your voices heard. Added, we don't control the Bridge – traffic patterns

MaryAnn Kobble – asked if the Bridge Commission notified the local Businesses of the impending work. She stated as a Business owner she did not receive any notification.

CP Wyant noted their focus is in rehabbing the Bridge.

Cnclman Piazza stated there were (2) different Public Meetings regarding the rehabbing of the Bridge. Noted this was done online Q & A.

MK – stated argument not Council. Wants to work together to keep traffic flowing in both directions. Asked if anyone from Town would go with to Bridge Commission.

BA Bengivenga stated had meeting with Bridge Commission and asked about night work – not feasible to do work and have to break back down/remove in 12 hours. Can only close/work on 1 lane at a time. The back-up of traffic on South Main Street made it a Safety issue for rescue vehicles to get to Residents/Businesses. Proposal – 2 lanes into PA, then detour PA thru Toll Bridge.

Joe Meyner – 392 South Main Street

Stated when CP Wyant was Mayor – proposed 2 lanes into PA – Bridge Commission gave no response. When Mayor Ellis had an emergency/safety issues – 2 lanes into Easton – Left lane needs to be straight and left and Right Lane makes the right. Should have been better last week. Give it time, should work out.

CP Wyant reminded Mr. Meyner to address Council – not carry on conversation with audience.

16. DISCUSSION

Cnclman Marino – called for need of Executive Meeting to discuss Contractual. That's all.

Cnclman Kennedy – Thanked Easton Mayor Sal Panto – for meeting with Mayor Tersigni and himself regarding the traffic situation on South Main Street due to rehabbing of the Free Bridge. Continued, hoping Easton and Phillipsburg can continue to cooperate in order that TOP and Easton can continue to prosper.

Cnclman Piazza – Stated, wanted to congratulate 3 individuals.

Apprvd. 04.12.2022

Vicki Branh for opening new Business, “Branch Out” at 525 Memorial Parkway. Noted a Chamber Sponsored Event – Grand Opening at 5PM on Wednesday. Continued, previously out of her home helping Community now has Business.

Daughter – National Archery event invited to in Spring – excelled, very proud

Friend, Shawn O’Conner – 100 mile ultra marathoner, but recently put music out there. Town is filled with Talented people want to shine light on those individuals.

VP Clark – congratulated Cnclman Piazza’s daughter for her accomplishment. Noted April is Sexual Assault Awareness Month and 2 organizations, Victims to Warriors and also the Drip Lounge dedicating time and events to this Subject. Spoke to National Library Week – wants to see Library succeed – well into it’s Centennial. Hoping to discuss at work session and solution to make fully funded.

CP Wyant spoke to traffic, noting we are frustrated. Mayor, self understand the hard work required for businesses in the US, but had to do something for Safety, there is no easy solution. Added for Kobbles to send their ideas, but voice their concerns to the Bridge Commission because they make the decisions. Added, maybe night work could have sped things up, understand this is your livelihood.

17. COUNCIL OPEN TIME

18. MOTIONS

SPECIAL EVENT PERMIT APPLICATIONS

Relay for Life of Warren County – American Cancer Society – April 30, 2022
10am – 10pm /Rain Date May 1, 2022

This will mark the 25th Relay for Life of Warren County – set-up 8am – clean-up midnight.

Ayes: Wyant, Clark, Kennedy, Marino, Piazza

Nays: None

19. EXECUTIVE SESSION - 8:01 PM

R: 2022- 91

Apprvd. 04.12.2022

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING potential Contractual. No Action to be Taken.

ROLL CALL

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

ROLL CALL - Reconvene – 8:13 PM

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

20. ADJOURNMENT - 8:13 PM

Councilman Piazza moved for adoption. The motion was seconded by Vice President Clark.

Apprvd. 04.12.2022