

Apprvd. August 3, 2021

TOWN OF PHILLIPSBURG
TOWN COUNCIL MEETING MINUTES
WEDNESDAY, JULY 07, 2021
SENIOR CENTER located at 310 Firth Street
7:00 P.M

1. **CALL TO ORDER** - 7:12 PM

2. **OPEN PUBLIC MEETING ACT STATEMENT:**

THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS LAW. THIS MEETING OF July 07, 2021 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 *Read by CP McVey*

3. **INVOCATION AND FLAG SALUTE**

Lead by CP McVey

4. **ROLL CALL**

PRESENT: CP Mcvey, Cnclmn Piazza,
Cnclwomn DeGerolamo

ABSENT: VP Fulper, Cnclman Wyant

In attendance Attorney Wenner and Deputy Clerk Loudenberry

5. **APPROVAL OF MINUTES -** June 15, 2021

ROLL CALL

Passed 3-0-2

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant						X
Councilman Piazza		X	X			
Councilwoman DeGerolamo	X		X			
Council Vice President Fulper						X
Council President McVey			X			

6. **BILLS LIST -**

Bills List
ROLL CALL

Approval of Minutes

Passed 3-0-2

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant						X
Councilman Piazza			X			
Councilwoman DeGerolamo	X		X			
Council Vice President Fulper						X
Council President McVey		X	X			

7. PRESENTATION

REGAN GROUP, LLC

Larry Regan addressed the audience regarding their Vision Plan for a Workforce Housing Redevelopment for the 5.42-acre parcel located at 150 Fleming Drive (formerly Anderson Street). He appreciates Council inviting them to introduce their conceptual plan for the site and giving their input.

Gregg Stires, Civil Engineer noted early in process, 80-90 unit three-story building. Noted the entrance/driveway directly across from Firth Street. Hoping for second entrance on Warren Street – all Conceptual at this point. Parking in front and rear. Stormwater Management – backside, anticipating access to foot bridge and the park. Noted right across from Elementary School, currently in negotiations for Contract with owner. Open to ideas Public/Town Board.

Discussion

Cnclman Piazza – starter families – can see the need, those with small children. Location between Elementary School and the Firth Youth Center with services to families with after school Programs. Location lends itself to provide for young families. How Many 1, 2, 3 bedroom units?

Larry Reagan - Planning 20% 1 Bedroom, 20% 3 Bedroom and 60% 2 Bedrooms. Affordable to families, those coming out of College but not ready for own home. Affordable, Green built, new housing to provide for those working at new jobs resulting from Bridge Project. Those earning 30-80k annually. Not Public Assistance/Section 8. Individuals, couples and small families – don’t want or need house, but first want to rent space well managed.

Cnclwmn DeG- Asked if there would be fees, like Condo – added on top of rent?

LR – Answered no. Renter responsible for heating/cooling – electric, own utilities. Water would be included in the rent.

Cnclwmn DeG – noted just apartments, how many floors?

LR responded, three floors, but all open to Planning Board.

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DD – commended Mr. Regan for coming before Council and presenting tonight. Adding some buy and ask forgiveness after. Thanked for coming before Council ahead of Planning Board.

CP McVey – noted he had several conversations with Regan Group prior and had read their Letter of Intent at previous Council meeting. He added what a nice property right next to Town’s crown jewel, the Walter’s Park. He wished them well in the Process going forward. Noted he felt with Council’s reaction to Presentation felt comfortable advising to move forward in going to Planning Board.

Attorney Wenner asked block/lot for record. Engineer responded Bl:1803 Lot:1. He noted motion should come from Council to direct Planning Board as subject property – non-condemnation.

ROLL CALL Motion to move Regan Project forward to PB

Passed 3-0-2

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant						X
Councilman Piazza		X	X			
Councilwoman DeGerolamo			X			
Council Vice President Fulper						X
Council President McVey	X		X			

Discussion

8. ANNOUNCEMENTS

Phillipsburg Housing Authority position becomes available August 1, 2021. Emails of interest and Resumes preferred can be forwarded to Deputy Clerk Loudenberg by close of business Monday, July 19, 2021. This position is also posted on the Town’s Website.

CP McVey stated hoping for those interested to respond quickly, giving opportunity for review and ability to make appointment before term expires, to provide easy transition for PHA.

9. OLD BUSINESS

159 Mercer Street – Repair/Demo – August 3 TC Mtg.

CP McVey noted hoping for assessment from Code Official prior to August meeting to be informed to make decisions.

10. MAYOR’S AND ADMINISTRATIVE OFFICERS

Mayor’s Report read by BA Benjivenga - Town of Phillipsburg's first Pride Event was a huge success. We look forward to making next year's bigger and better.

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The Town has applied for NJDOT road grant for Green Street from Center Street to Pursell Street.

The Mayor met with Rathi Niyogi of Stateliner United whose team and partners are working towards redeveloping Union Square Waterfront area guided by the Town's redevelopment plan for the area. This was a promising meeting with Rathi, and they discussed Stateliner United's vision and progress for the redevelopment project and its impact to community. They also discussed items of concern that have been raised by the members of the community; which include parking, truck traffic and access to the river & boat launch. All these issues will be considered and reviewed by Stateliner and Town professionals as the formal design of the project comes together. We are looking forward to working with Rathi and the Stateliner United Team, the community of Phillipsburg and the Town's Redevelopment committee as this project progresses through all the required steps.

Easton has been chosen to host part of the 20th Anniversary of the tragic events of 9/11 on September 4, 2021, and Mayor Panto asked us to be part of the ceremonies which include a parade that our Police, Emergency Squad and Fire Departments will participate in. The Never Forget Walk will highlight a day-long event schedule followed by a parade down Northampton Street honoring our first responders. The parade will start at 11:00 a.m. and end at the circle with a brief ceremony. Please come and honor these first responders for their brave and courageous help on that tragic day 20 years ago, and to remember all those who lost their lives.

CP McVey stated attended NPP/South Main Street alliance meeting on June 24. Well attended, productive meeting.

CP McVey noted he attended a Downtown Association meeting – it was very productive. Continued, confident moving forward things will only get better. Stated met with Rathyi – one of stakeholders, Stateliner and while downtown was able to introduce to Mary Jo Harris – had healthy, robust conversations. Grateful for by chance meeting.

11. PUBLIC DISCUSSION ON AGENDA ITEMS

Joe Meyner – 392 South Main Street

Spoke to 2021-176 stating the redevelopment of Union Square will completely destroy the Phillipsburg we know and love and McVey and Lutz will be responsible. Asked if O2021-16 if the 2.7 million was principal or % and part of the Budget.

DD – responded, all in the Budget.

Keith Kennedy – 898 Hill Street

Spoke to R2021-176

1. RFP Redevelopment rights transferring, who is principal?
2. Amount to invest
3. Sub-committee notes – available to Public?
4. Pilot or full tax rate

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Attorney Wenner – responded USW is it's own entity – correct in terms of authority, Rights afforded to Stateliner are given to USW.

CP McVey – Estimated 80 million, acquired 7 million – sub 1, 2 Sub-committee meeting – give updates.

Attorney Wenner – Stated, No formal request nor discussion regarding Pilot. Adding that does not mean there might be a request in the future, but not at this point.

Derek Lewis 298 Morris Street

Appreciates seeing items online. Likes to see Progress in Union Square. Questioned R2021-176, asked who owns all of impacted properties and if any were Town owned? Added, were we prepared to use Eminent Domain. Asked about a Green Acres Meeting held in April of 2021 – Union Square – Red house.

CP McVey responded we know who owns – in Subsection 1. Responded Eminent Domain was voted on and passed and can be used, but as of now it is not needed. Regarding the Boat Ramp/Animal Shelter-developer is not moving forward with that area. Town of Phillipsburg will keep/maintain.

DL asked if encumbered?

CP McVey noted Sub 1-we own Parking Lot, if Developer wants to extend they could. We would move out RFP's-Planning Board. R2021-176 – Sub Area 1.

Attorney Wenner – stated Planning Board – still in process of Eminent Domain – not formalized yet, but looking to see if should be.

D. Morrisette 5 Fairview Hghts.

Noted thought Regan Presentation nice, asked if Pilot for that complex?

CP McVey – Preliminary stages – no discussion of Pilot at this time.

12. ORDINANCES – SECOND READING -

ORDINANCE NUMBER 2021-16 (1st Rdg. 06.15.2021, 2nd Rdg. 07.07.2021)

BOND ORDINANCE PROVIDING FOR VARIOUS 2021 CAPITAL IMPROVEMENTS, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$2,886,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,742,175 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

ORDINANCE NUMBER 2021-17 (1st Rdg. 06.15.2021, 2nd Rdg. 07.07.2021)

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AT THE SEWAGE TREATMENT PLANT OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$600,000

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THEREFOR AND AUTHORIZING THE ISSUANCE OF \$600,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

13. ORDINANCES — FIRST READING

None

- 14. 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.*

R2021-166

RESOLUTION TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY APPROVING PERSON TO PERSON AND PLACE TO PLACE TRANSFER OF LIQUOR LICENSE FOR PLENARY RETAIL CONSUMPTION LICENSE NUMBER 2119-33-021-008 FROM ALBOC CORP. TO ROSENDO GROUP, LLC

R2021 - 167

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

R: 2021-168

RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN

R: 2021-169

A RESOLUTION APPROVING THE PAYMENT OF THIRD QUARTER 2021 COUNTY TAX AND OPEN SPACE TAX, DUE AUGUST 15, 2021

R2021-170

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING CERTIFICATE NO. 4 CHANGE ORDER INCREASE IN THE AMOUNT OF \$2,000.00 TO THE CONTRACT AWARDED TO DERSTINE COMPANY, LLC RESULTING IN AN INCREASE IN THE CONTRACT AMOUNT TO \$285,000.00

R2021-171

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE ACCEPTANCE OF THE OFFICE OF THE ATTORNEY GENERAL'S DEPARTMENT OF LAW AND PUBLIC SAFETY AWARD FOR THE SFY21 BODY-WORN CAMERA GRANT PROGRAM

R2021-172

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN STATE OF NEW JERSEY AWARDING AND AUTHORIZING THE EXECUTION OF A CONTRACT FOR CONSULTING SERVICES TO

THE RODGERS GROUP, LLC

R2021-173

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

R2021-174

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

R2021-175

RESOLUTION AWARDING BID FOR WASTEWATER TREATMENT PLANT BOILER REPLACEMENT PROJECT TO PENNETTA INDUSTRIAL AUTOMATION

Consent Agenda 166-175

ROLL CALL

Passed 3-0-2

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant						X
Councilman Piazza		X	X			
Councilwoman DeGerolamo			X			
Council Vice President Fulper						X
Council President McVey	X		X			

RESOLUTION 2021-176

A RESOLUTION DESIGNATING USW, LLC AS REDEVELOPER AS THE SUCCESSOR ENTITY OF STATELINER LLC FOR THE RIVERFRONT REDEVELOPMENT PLAN

ROLL CALL

Vote 2-1-2

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant						X
Councilman Piazza		X	X			
Councilwoman DeGerolamo					X	
Council Vice President Fulper						X
Council President McVey	X		X			

Discussion

Cnclwmn DeGerolamo asked if reason for joining with someone else now regarding R2021-176, need more funding?

Attorney Wenner – joint venture – capital needed.

CP McVey noted it was Allied out of Bethlehem.

Cnclwmn DeGerolamo stated affiliation with investor and contractor therefore can't vote, would need to Abstain.

15. NEW BUSINESS

Resolution of Support – Van Cleef. NJDOT – specific truck routes. McKeen – Union Square. Determine what Routes best served, traffic of a certain weight permitted, local deliveries excluded. Engineer at our disposal.

Cnclwoman DeG in speaking to Bridge 78 Pt., that was in pre-approval, back when approved warehouse project.

Tim O'Brien – Bridge Pt. – certain truck routes – Bridge's site, yet ending up in other places in Town. This Road would designate – needs approval from DOT. Wants to start the conversation.

Cnclman Piazza – Northern portion of South Main Street – beneficial start-up Business. Pre 78, Thru portion of Rt 22, more viable.

DD – signage needed coming back through Phillipsburg.

CP McVey – South Main Street issue – concentric.

RP – Rt. 22

Tim O'Brien – Properly signed – Firth, Bates.

Attorney Wenner asked if under Van Cleef retainer?

Tim O'Brien answered yes, under retainer.

Attorney Wenner asked next meeting?

Tim'O Brien noted advisory, what steps Town to take.

Attorney Wenner stated Council tonight could make motion of Support and letter to that effect would be drafted.

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DD noted there is nothing Eastbound 22 – trucks turning too early or completely lost. Mapping beneficial.

Motion was introduced by Cnclman Piazza and Council President moved to second the motion. Ayes – 3, Nays 0 and Absent 2. Passed 3-0-2.

Cnclwmn DeG also noted property located at 31-37 South Main Street, the roof has collapsed. She's been told Inspections is on it, but looking for Progress.

CP McVey asked BA Benjivenga to follow-up with Construction Official/Dept Head, Jack Daniels.

New Business

Read by CP McVey

R2021-177

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87 Award 20k appropriated Body Worn Camera Project.

ROLL CALL

Passed 3-0-2

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant						X
Councilman Piazza		X	X			
Councilwoman DeGerolamo	X		X			
Council Vice President Fulper						X
Council President McVey			X			

16. PUBLIC PETITIONS

Joe Meyner 392 South Main Street

Rent control Passed/Vetoed – Obtained Ordinance written by me – obtained Mayor's promise, but not on Agenda. Rent Control Plan should be sent to all of Council. CP McVey want to present at a Work Session. Noted he will email his plan to any interested parties.

Joan Pierce 111 Sitgreaves Street

Noted a couple of months ago Cnclwmn DeG stated she would stay in lane, stated she was told DD said negative things about her family.

CP McVey – warned Ms. Pierce she would be removed. Asked for further comments, none – **Public Comments closed.**

17. DISCUSSION

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Attorney Wenner – addressed the residents in attendance, explaining due to not having a Quorum the 2nd Rdg/Public Hearing of O2021-16 Capital Bond Ordinance and O2021-17 Sewer Bond Ordinance must carry to Town Council Meeting of July 20, 2021 to be held at 310 Firth Street, the Phillipsburg Senior Center.

18. COUNCIL OPEN TIME

Cnclman Piazza – Thanked Chamber for involvement with Ole Towne Festival. Also congratulated wife, for achieving Master’s Degree in Education Technology – very proud.

Cnclwoman DeGerolamo noted Deputy Clerk Loudenberry was 2 for 2 completing meeting minutes and it was appreciated. Second item, information from Facebook – did not personally attend Event in Montgomery-never received word. Event occurred in April-got off Facebook Page. Third item, Congratulations and best wishes regarding retirments will send personal notes. Fourth item, follow-up to email with Mayor – 4th of July events, too many residents- fireworks. Maybe Ole Towne Fest will satisfy some, would like to see Fourth of July Parade come back. Mentioned Burlee’s Fitness Club at Stockton Street – new members.

CP McVey – There is 1 motion to go, with only (3) Councilmembers. Great time at our first PRIDE Event held at Shappell Park. Very well attended – first time for this Event. Prior to last meeting mentioned – Open Space – watch the purse. Congratulated Ryan Sokolowski promotion of Sargeant. Requested Mayor discuss possibilities increase our force – law enforcement and building code inspector. Would like to see first female officer, diversity is needed in the Police Force. Opportunity for better response for enforcement needs. Will meet with Mayor – huge proponenet of law enforcement, but must watch the purse-hold off on SRO position – would be a 30k savings – could have been used for an inspection’s officer Full Time to end of year. Understand the Mayor’s call, but had to bring it up – don’t want to be called politician.

19. MOTIONS

Special Event Application – Pork Roll Palooza

ROLL CALL

Passed 3-0-2

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Wyant						X
Councilman Piazza			X			
Councilwoman DeGerolamo		X	X			
Council Vice President Fulper						X
Council President McVey	X		X			

Discussion

CP McVey – asked BA about Parking Fees.

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BA Benjivenga – anything that encumbered those areas requires a fee.

Cnclwmn DeGerolamo – Joe’s Steak Shop – are fees incurred there?

BA Benjivenga – Event – fees are attached.

Cnclwmn DeGerolamo – want to be consistent – don’t think non-profit should pay parking fees.
Mayor could review.

CP McVey – move ahead

20. EXECUTIVE SESSION -

R: 2021-

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

21. ADJOURNMENT

Cnclwmn DeGerolamo moved to adjourn. The motion was seconded by Cnclmn Piazza.

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