

TOWN OF PHILLIPSBURG
COUNCIL MEETING AGENDA
MARCH 7TH, 2023 — 7:00 P.M.

1. **CALL TO ORDER -** **By CP Wyant**
2. **OPEN PUBLIC MEETING ACT STATEMENT –** **Read by VP Clark**
3. **PLEDGE OF ALLEGIANCE -** **All**
4. **INVOCATION -** **Led by Councilman Piazza**
5. **ROLL CALL –** Wyant, Clark, Kennedy, Marino, Piazza
6. **APPROVAL OF MINUTES**

February 28th, 2023 Budget Work Session

ROLL CALL

Passed 5-0

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			

7. BILLS LIST

ROLL CALL

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

8. HABITABILITY HEARING

109 Chambers Street – Bl: 1404, Lot: 9

Attorney Wenner noted a continuation of February 7, 2023 Habitability Hearing. Nelson Trembler, owner was ordered by Council to (1) secure and make watertight the holes in the roof; (2) secure and make watertight the bilco basement door; (3) provide the Township with an estimate from a licensed contractor to bring the building up to code; and (4) permit access to the Township Construction Official to perform an interior inspection of the property. He then acknowledged Jack Daniels, Construction Official, reminding him he remained under Oath.

Mr. Daniels stated he had visited the Property, 109 Chamber Street, that day and noticing Mr. Nelson in the back yard, had some discussion with him reminding him of tonight's meeting. (Mr. Nelson did not attend the meeting.) He continued the Roof had been replaced, but the Permit had not been applied for until AFTER the work had been completed. Adding, the Permit has been submitted and processed awaiting payment. In speaking with the owner that day, Mr. Nelson told Construction Official Daniels, he did not recall being told he was in need of a Permit. Also, Mr. Nelson did not allow access inside the house.

Attorney Wenner asked if the Bilco door had been addressed? Inquired when sheathing is needed a Permit is required?

JD responded nothing had been done to address Bilco door, adding the sheathing was replaced; which required a Permit. It was not just patching of holes. He continued this Contractor had done this at least twice before did work without Permit, making this the third time. Continued, there is a Notice of Violation. He added, supposedly rear roof replaced, but still sagging; maybe new roof covering, but still structural issues.

Attorney Wenner stated Council needed to make determination if wanted to take further steps as owner did not comply in full.

JD brought up violation notice, but realized not Council's realm.

Attorney Wenner stated the remaining issues are, Bilco door, interior inspection and estimate from Contractor not provided. Advised Council they could (1) give owner further chance to comply (2) issue demo and place cost as lien on property (3) undertake repairs ourselves and impose a lien (4) or do nothing.

JD asked if possible to have rehab done by another Agency, such as NORSWESCAP? Attorney noted we don't own; not an option.

Attorney Wenner did state, Mr. Trembler did phone his office after 5PM and he had already left.

Councilman Piazza stated only the roof addressed, the Bilco door seemed like an easy fix.

CP Wyant wanted to clarify if truly a Bilco door; which is metal.

JD responded not really a Bilco door, but a covering over exterior steps. Added the covering is delaminated/delapidated.

CP Wyant noted an improvement, replacing the roof.

JD noted the Application that came in noted 10 rafters replaced. Adding he should have been given access to determine if properly done.

CP Wyant stated at least now watertight. He noted if Council agrees, a certified letter, giving 30 days and demanding owner appear at next meeting.

Cnclman Marino asked if something could not be done as owner not picking up letter.

MOTION

Cnclman Piazza moved that the owner be given 30 days. The motion was seconded by VP Clark.

AYES: Wyant, Clark, Kennedy, Marino, Piazza

NAYS: None

9. ANNOUNCEMENTS/PRESENTATIONS

None

10. MAYOR'S REPORT/ADMINISTRATIVE OFFICERS

Given by Matthew Hall, BA

11. PUBLIC DISCUSSION ON AGENDA ITEMS

Joe Meyner 392 South Main Street

Noted accessing the 2023 Budget Documents from our Website caused him great difficulty. He continued viewing the Budget should be reasonably easy. His concern was the Building Department needing a full time Inspector and Capital purchases. He asked if next year a paper copy could be made available to him.

CP Wyant stated, not even introducing the Budget yet. Continued there may be amendments tonight.

JM asked if he could read it.

BA Hall stated once introduced, hopefully March 21, 2023 – the next regular Town Council meeting.

Attrny Wenner explained the process of introduction, adoption and 2nd reading; which would be the Public Discussion.

Bill Benz – 39 Main Street

Asked about the Budget Documents; to which BA Hall stated PDF version online.

Meliss Paulus 26A Glen Avenue

Asked for explanation from the (2) Councilmembers against funding the Senior Center and Emergency Squad increases, adding it would be a mere 1/3 of a cent increase in the Budget. Also asked about Rent Control.

CP Wyant noted the Rent Control issue is not on the Agenda and should be addressed during Public Petitions and not Public Discussion. He then added would be bringing up the subject of the Emergency Squad.

MP stated if the use of the 1 million (one time) funds and surplus funds being used to keep Budget flat, what will happen next year. Asked if there are plans for the Phillipsburg Police Department to have their own space.

BA Hall said Corliss.

MP then asked when, is it in the Budget and are the TOP departments fully funded and fully staffed?

12. ORDINANCES FOR 2ND READING

****Reintroduced pursuant to mandated Board of Public Utilities amendments****

ORDINANCE 2023-03

AN ORDINANCE AMENDING MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, NEW JERSEY

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 – Alan Amey asked if this would create competition with Service Electric. BA Hall answered yes.

13. RESOLUTIONS ** CONSENT AGENDA **

Matters listed on the Consent Agenda Resolutions 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.

R2023-42

RESOLUTION IMPOSING A LIEN FOR DEMOLITION

R2023-43

RESOLUTION IMPOSING A LIEN FOR MUNICIPAL SERVICES

R2023-44

RESOLUTION DESIGNATING HANDICAP PARKING SPACES WITHIN THE TOWN OF PHILLIPSBURG

R2023-45

RESOLUTION FOR RENEWAL OF TAXI OPERATOR’S LICENSE

R2023-46

RESOLUTION FOR RENEWAL OF TAXI OPERATOR’S LICENSE

R2023-47

RESOLUTION AUTHORIZING THE TOWN OF PHILLIPSBURG UEZ PROJECTS FOR 2023

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			

R2023-39 ** Tabled from 2/21/2023 ** Asked to be pulled from Consent Agenda by Councilman Marino
 RESOLUTION APPROVING TOWN OF PHILLIPSBURG DCD SECTION 8 HOUSING CHOICE VOUCHER (HCV) PROGRAM ADMINISTRATIVE PLAN

ROLL CALL

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

Councilman Marino asked if BA Hall could look into Section 8 being run by a Public Housing Agency and if this would save the Town money as Coordinator and Inspector are needed to run the Program.

Council President Wyant stated the Administrator and the part-time Inspector are paid with funds from HUD a Federal Program, no direct cost to the TOP/taxpayer.

14. NEW BUSINESS

2023 BUDGET DISCUSSION – introduction will be March 21, 2023 TC Meeting

CP Wyant stated could 20k be appropriated to the Phillipsburg Emergency Squad in addition to the 15k given annually and in return they would give a truck to the Phillipsburg Fire Department; which would be most valuable to that Department.

Cnclman Kennedy noted, CFO Merlo made Council aware extra funds were received, causing him to be in favor of increase to both the Senior Center and the Phillipsburg Emergency Squad.

MOTION

VP Clark moved to appropriate the 20k for the Phillipsburg Emergency Squad, in exchange for the truck. The motion was seconded by Councilman Piazza.

AYES: Wyant, Clark, Kennedy, Marino, Piazza

NAYS: None

Cnclman Piazza spoke to estimated tax rates, noting next year could jump from 1.54 – 1.92. Adding an assessed property of 250k would be about 1k increase per year. A property assessed at 150k would be a \$600 increase. Continued, using so much of surplus, could effect Bond rating negatively. Added your Bond Rating is similar to a Municipal Credit Rating affecting 5 rates and especially borrowing ability. Stated this Budget is very narrow, not longterm nor sustainable, adding feels another Work Session may be needed as he did not receive info requested from Mayor regarding a plan for new sources of revenue. Noted if he were to receive info could go forward with into of this Budget.

CP Wyant stated, he expressed same concern at the Budget Work Session, adding nobody likes to raise taxes.

Cnclman Piazza noted could be a 14/15 cent increase next year, adding a disservice to TOP financial health.

CP Wyant stated with inflation, a couple cents increase every year is a better way to go.

VP Clark noted he is comfortable moving forward. Adding no one knows what the market will be next year. Feels keeping taxes flat gives opportunity to grow revenue for next year. Keep flat to weather the current National storm of inflation.

CP Wyant stated received the numbers from the State. Continued essentially the Budget is documented

Cnclman Piazza stated okay without Work Session if he can see the numbers from Mayor's Office.

CP Wyant stated will introduce the Budget at the next regular meeting, March 21, 2023. Asked Cnclman Piazza if a Zoom mtg would be acceptable. To which Cnclman Piazza stated Zoom would be ideal.

15. OLD BUSINESS

CORLISS AVENUE UPDATE

Tim O'Brien, Engineer (Van Cleef) stated had meeting with BA Hall and RT Environmental and reviewed Specs – out to bid end of month hopefully. Specs cleared by the State – 30 days. General lump sum – field pre-bid meeting will be held – allow adjust scope of Project – need plenty of lead time. Moving forward.

16. MOTIONS

**FIREFIGHTER – JOSEPH M. HALEY
JUNIOR FIREFIGHTER – TYLER S. BROWN**

Councilman Kennedy moved to accept both names. Council VP Clark seconded the motion.

AYES: Wyant, Clark, Kennedy, Marino, Piazza

NAYS: None

17. PUBLIC DISCUSSION

Alan Amey – 71 Lewis Street

Stated his neighborhood in disarray due to minors on motorcycles, cycle bikes until late at night. Noted need more law enforcement, suggesting an Ordinance where parents must pay the violation of their minor child. He continued, sees them riding with no helmets, no license and needs to be addressed. Referred to Budget, noting spending the million all at once is a huge mistake.

Joan Pierce Prospect Street

Stated TOP needs Rent Control, adding April 1st her rent will increase and she cannot afford. Noting her family is living paycheck to paycheck.

Joe Meyner 392 South Main Street

Stated most important item to him in the Budget is the Inspections Department needing another full-time inspector.

Meliss Paulus 26A Glen Avenue

Stated did not appreciate CP Wyant censoring her earlier. Added, glad of 20k to the Phillipsburg Emergency Squad and asked if all departments are fully staffed and the projected revenue dollars.

BA Hall stated all set forth and projections made in Budget. Added tonight's changes will need to be made and when introduced on March 21, 2023 will be reconfigured – hard copy online.

Attrny Wenner noted executive summary – easily identified.

BA Hall responded regarding Corliss Bldg., Bond floated 6 million adding portion used for the pool 2.4 million. Noted presumably what is left – count down – Council decisions effect Bond's future.

MP asked Engineer if he had dollar amount.

TOB stated need Bid in minimum of \$1 million just to remediate.

MP asked if staffing is 100%?

BA Hall stated, has advertised for Inspectors 3 times now. Looked into State helping with Inspections, DCA/State told TOP only way if they can hire our staff.

MP asked about replacing Tax Collector and if search has begun, knowing Tax Collector looking to retire.

BA Hall stated was able to find a new tax collector previously while working for Washington Boro. He continued, possible to do a Shared Service with another Town. Continued as member of an association trying to work with Community Colleges to encourage younger crowd to consider local government and get their certifications.

Keith Swicker 385 Congress Street
Asked about Senior Center receiving increase?

CP Wyant responded that was accomplished at Budget Work Session last week.

David Morrisette 5 Fairview Heights

Spoke to site plan – 170 Howard Street – Warren Co. Planning Committee, 410 Square Feet – No Rail – 80 bays; which could be 160 to 480 truck passes daily. Continued variation dependent on rail – cautioned to be aware of legislation. Spoke to circulation plan – Center Street – diversion from Peron and Bridge Pt 78. Continued, just the noise would be unacceptable. Added 3 Councilmembers objected previously – noted don't open possibility of Center Street as a potential bypass Route. Ended by saying thankful to Council for good meetings.

Gary Willis 35 Riverview Rd.

Spoke to issue of stop signs needed on Riverview at Forrest and Belt. People speeding through his neighborhood, a lot of kids on bikes. Added does not have a computer, came to Town Hall and could not find any one in DPW office to help.

CP Wyant noted Patty in Public Works will help with Clean-up Forms. Asked TOB, engineer to address stop signs.

TOB noted certain criteria needed to determine if Stop signs needed. Traffic Volume, 5 or more accidents in a 12 month period, pedestrian volumes.

GW stated (3) streets do not have stop signs and Riverview is the route through the neighborhood, there is volume.

Stuart Ridley Summit Avenue

Spoke to O2023-03, noting there is a statement, "included herein" and nothing included. Continued, if document claimed to be in Ordinance, should be provided.

Ray Patt 459 Kneedler Avenue

Congratulated PHS Wrestling team (2) State finalists. Luke Gelata 6th and John Wargo taking 7th.

18. COUNCIL OPEN TIME

Cnclman Marino questioned if Police Contracts were open? Stated if Inspections was sending mail Return Receipt and individual refusing to pick up mail, could they be taken to Court?

Attrny Wenner noted the sole purpose of sending Return Receipt is to demonstrate the Town's attempt to notify – regardless of refusal to sign.

Cnclman Marino continued, if dollars spent to notify feels they need to comply to RR, can't keep being lenient. He added Roman doing a great job replacing all lead water lines in TOP. Knows it is inconvenient, but doing good job and intervened for individual who had broken waterline.

Cnclman Piazza congratulated Phillipsburg High School Wrestling Team. Also, noted National Women's month/day and FYC and PFPL recognized with activities.

Cnclman Kennedy explained his absence from last Council meeting due to his having had surgery for Colon Cancer/Liver Surgery. He continued, met with oncologist and received good news. Thanked all who shared prayers and good thoughts. Addressed audience and stressed importance of not putting off screenings, adding early detection saves lives. Happy St. Patrick's Day.

VP Clark congratulated the PHS wrestling team. Congratulated Cnclman Kennedy for beating the hell out of Cancer, noting he has to bike 66 miles this year.

CP Wyant asked Attrny Wenner if Executive needed and he replied no.

19. EXECUTIVE SESSION (IF REQUIRED) – None Required

20. ADJOURNMENT - 8:11 PM

Councilman Piazza moved to adjourn.