

TOWN OF PHILLIPSBURG
COUNCIL MEETING MINUTES

November 21, 2023 — 7:00 P.M.

- 1. CALL TO ORDER 7:0 pm By CP Wyant**
- 2. OPEN PUBLIC MEETING ACT STATEMENT Read by CVP Clark**
- 3. PLEDGE OF ALLEGIANCE All**
- 4. INVOCATION Led by Councilman Piazza**
- 5. ROLL CALL – Present - Wyant, Clark, Piazza, Marino, Kennedy**
 -Also in attendance: Business Administrator Hall, Attorney Wenner
- 6. APPROVAL OF MINUTES – October 17, 2023 Regular Meeting Minutes
 November 8, 2023 Special Meeting Minutes**

ROLL CALL

Motion Carries 5-0

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

7. BILLS LIST –

ROLL CALL

Motion Carries 5-0

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			

- 8. ANNOUNCEMENTS/PRESENTATIONS – None**
- 9. MAYOR’S REPORT/ADMINISTRATIVE OFFICERS - No reports**
- 10. PUBLIC DISCUSSION ON AGENDA ITEMS –**

- Joe Meyner, 392 S Main St, Phillipsburg – Resolution 2023-220 pricing procedure to sell the Sewer Plant and privatize it. The sale would result in a windfall of money but property owners would have a bigger sewer bill due to private ownership.
- Dan Boyce, 58 Sitgreaves St, Phillipsburg – on the Bill List Merchants- parking is \$600. Is that all the money brought in? Administrator Hall stated that was fees paid, not money collected. This is the fee for credit cards used in the meters.
- Bill Benz, 39 S Main Street, Phillipsburg – Resolution 2023-234 Sale of \$9,000,000 in bonds. What does this do to outstanding available cash in case of emergencies? Administrator Hall stated this is debt already authorized and gives us the cash flow the bonding did not.

11. HABITABILITY HEARINGS

475 South Main St, Block 2003. Lot 12 – Continuation of hearing – Owner Muhamed Ghamin was not in attendance. Construction Code Official Pat Kays stated a permit to replace floor joists had been submitted but not yet reviewed. The exterior has been stabilized, alarms have been installed, the back door has been secured, the basement door has been temporarily supported, and soffits were enclosed. He is moving ahead, but slowly. The front door has not been replaced. Mr. Kays feels Council oversight is still necessary. CP Wyant suggested a 30 day continuation to December 19, 2023.

Motion to continue the hearing on December 19, 2023.

ROLL CALL

Motion Carries

5-0

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

368 Thomas St, Block 2402, Lot 15.01- Owners Floyd and Dawn Raabe were not in attendance. Mr. Kays confirmed the property is held by a third party through a tax sale. Mr. Kays viewed the property with the third party in early October. The porch and yard had been cleaned at that time. He has a quote to repair the roof within the next few weeks. The lienholder would like authorization from the town to add the cost of the improvements to the cost of the tax sale certificate.

Motion to authorize the addition of the costs of improvements incurred by the lienholder to the cost of the tax sale certificate.

ROLL CALL

Motion Carries

5-0

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			
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Motion to continue the hearing on December 19, 2023

ROLL CALL

Motion Carries

5-0

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			

12. ORDINANCES FOR 1ST READING –

O2023-15 A REDEVELOPMENT PLAN ORDINANCE OF TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, PERTAINING TO BLOCK 1005, LOT 13, COMMONLY KNOWN AS 540 MARSHALL STREET, AND DESIGNATED AN AREA IN NEED OF **(REHABILITATION)** REDEVELOPMENT BY THE TOWN OF PHILLIPSBURG, IN ACCORDANCE WITH N.J.S.A. 40A:12A-7 ENTITLED “40A:12A-7. ADOPTION OF REDEVELOPMENT PLAN”

Discussion – Attorney Wenner noted the word “Rehabilitation” should read “Redevelopment”.

Motion to pass O2023-15 subject to title amendment

ROLL CALL

Motion Carries

5-0

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

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

R2023-210 HANDICAPPED PARKING

R2023-211 PLACE TO PLACE TRANSFER EXPANSION OF PREMISES PLENARY RETAIL CONSUMPTION LIQUOR LICENSE

R2023-212 RESOLUTION AUTHORIZING A CONTRACT WITH CGP&H TO PREPARE AN APPLICATION FOR A 2023 AMERICAN RESCUE PLAN FIREFIGHTERS GRANT

R2023-213 RESOLUTION AUTHORIZING A CHANGE ORDER REDUCING THE AMOUNT OF A CONTRACT WITH KDP DEVELOPERS

R2023-214 RESOLUTION AUTHORIZING A CHANGE ORDER REDUCING THE AMOUNT OF A CONTRACT WITH SOUTH STATE

R2023-215 RESOLUTION AUTHORIZING A CHANGE ORDER REDUCING THE AMOUNT OF A CONTRACT WITH MONTANA CONSTRUCTION

R2023-216 RESOLUTION AUTHORIZING A CHANGE ORDER REDUCING THE AMOUNT OF A CONTRACT WITH MONTANA CONSTRUCTION

R2023-217 RESOLUTION AUTHORIZING A CHANGE ORDER REDUCING THE AMOUNT OF A CONTRACT WITH SOUTH STATE

R2023-218 RESOLUTION AUTHORIZING A CONTRACT WITH FOVEONICS VIA THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PURCHASING GROUP

R2023-219 RESOLUTION AUTHORIZING A CHANGE ORDER REDUCING THE AMOUNT OF A CONTRACT WITH HALECON

R2023-220 RESOLUTION APPROVING THE AWARD OF A CONTRACT TO PHOENIX ADVISORS, LLC FOR THE SERVICES OF AN INDEPENDENT FINANCIAL ADVISOR

R2023-221 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH REMINGTON VERNICK ENGINEERS FOR VARIOUS SEWER IMPROVEMENTS

R2023-222 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH REMINGTON VERNICK ENGINEERS FOR VARIOUS SEWER IMPROVEMENTS

R2023-223 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH REMINGTON VERNICK ENGINEERS FOR VARIOUS SEWER IMPROVEMENTS

R2023-224 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH REMINGTON VERNICK ENGINEERS FOR VARIOUS SEWER IMPROVEMENTS

R2023-225 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH REMINGTON VERNICK ENGINEERS FOR VARIOUS SEWER IMPROVEMENTS

R2023-226 RESOLUTION TO PROVIDE FOR THE APPOINTMENT OF MATTHEW C. HALL AS ACTING MUNICIPAL CLERK AND REGISTRAR FOR THE TOWN OF PHILLIPSBURG

R2023-227 RESOLUTION AWARDDING A SOLE SOURCE CONTRACT TO SOUND THINKING, INC. FOR GUNSHOT DETECTION SYSTEM

R2023-228 RESOLUTION AWARDDING A PROFESSIONAL SERVICES CONTRACT TO PHOENIX ADVISORS FOR VARIOUS FINANCIAL SERVICES

R2023-229 RESOLUTION AWARDDING A PROFESSIONAL SERVICES CONTRACT TO NISIVOCCIA FOR VARIOUS FINANCIAL SERVICES

R2023-230 RESOLUTION AWARDDING A PROFESSIONAL SERVICES CONTRACT TO S&P GLOBAL FOR VARIOUS FINANCIAL SERVICES

R2023-231 RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1948)

R2023-232 RESOLUTION AWARDDING A CONTRACT FOR DEMOLITION OF 150 SITGREAVES STREET TO CARAVELLA DEMOLITION

R2023-233 RESOLUTION GRANTING AN EASEMENT OVER DELAWARE RIVER PARK TO NY SUSQUEHANNA & WESTERN TECHNICAL & HISTORICAL SOCIETY SUBJECT TO NJDEP GREEN ACRES APPROVAL

R2023-234 RESOLUTION OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING TOWN OFFICIALS TO UNDERTAKE CERTAIN ACTIONS IN CONNECTION WITH THE ISSUANCE AND SALE OF NOT TO EXCEED \$9,125,000 BOND ANTICIPATION NOTES, SERIES 2023

ROLL CALL

Motion Carries

5-0

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		R-232 R-233	

R2023-209 - Tabled from 11/8/23 Meeting

R2023-209 Pulled from consent agenda by Councilman Piazza

R2023-209 RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH 4WARD PLANNING

Councilman Piazza stated that at the last meeting it was a concern that the town was incurring the cost of this. He clarified that there is now money in escrow from the developer to cover this cost. Attorney Wenner confirmed.

ROLL CALL R2023-209

Motion Carries

5-0

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			
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15. OLD BUSINESS – No Old Business

16. NEW BUSINESS – Tim O’Brien, Van Cleef Engineering – The Town will be applying for a DCA Resilience Communities Grant. Notice of the public hearing was published in the newspaper in English and Spanish as per the grant requirements. The grant is due Dec 15, 2023 and can be up to \$5,000,000. There is no match requirement, but it is a reimbursable grant. The public hearing is to allow the public and governing body to provide input on the application before submittal. The OEM has identified allowable projects, 7 of which are prioritized, based on the town’s Hazard Mitigation Plan. The first project is stream stabilization along Lopatcong Creek which entails removing debris from the creek, banks, and stormwater outfalls to allow for freer flowing water, less flooding and to improve habitat quality. Another project is the former Agway property. The grant allows for the town’s acquisition of properties in flood hazard areas, an area in which this is located. The next project is the purchase and installation of generators in emergency shelters, heating/cooling centers, and emergency operations centers, including DPW and firehouses. Another project is to reconstruct the Warren Street basin to meet current and future rain events and address water quality. The basin was last overhauled in the 1980’s / 1990’s and it is potentially undersized for future rain events. The next project is to replace the Mercer Street culvert that runs through Delaware River Park to alleviate and reduce flooding in the downtown area. The sixth project is the installation of backflow preventors along the Delaware and Lopatcong Creeks on the stormwater outfalls. The last project is to eliminate cross connections of stormwater and sanitary which result in additional flows into the stormwater system that can increase flooding risks. Mr. O’Brien asked for confirmation of the priority list from Council and any input from the public. At Mr. Wenner’s request Mr. O’Brien stated the list of projects was compiled by the Administration, The Director of Community Affairs, the OEM, and himself and the order was determined based on the likelihood of each project receiving funds. Councilman Piazza stated another grant could cover the cross connections. Mr. O’Brien stated, based on council’s prioritizing of projects, that may not be included in the grant application.

Motion to move the Resiliency hearing to December 5, 2023.

ROLL CALL

Motion Carries

5-0

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			

18. PUBLIC PETITIONS

-Ann Davis, 222 Lewis St, Phillipsburg – She had addressed council several weeks ago and spoken with Mr. Hall about getting paid for working the Open Air Market last year. She has been told several times she would get paid but has not been. Mr. Hall stated it will be on the next meeting. Ms. Davis asked for an accounting of NPP grant money and how it is being spent. She then asked what the normal turn around time is for obtaining a Certificate of Occupancy. Mr. Kays (audience) will look into the Certificate she needs.

-Ray Patt, 459 Kneeder Ave, Phillipsburg – Congratulated all the Rec teams that won championships.

-Robin Coe Donaldson, 44 Vernon Rd, Stewartsville – on behalf of the Downtown Phillipsburg Association (DPA), South Main Street was closed from Jersey to Stockton but work was only being done

by the park. Then one side of Stockton was closed. The whole area did not need to be blocked off. Businesses had zero traffic and a lot of them rely on walk-in traffic. DPA would like to be included in planning in order to help make things move better. CP Wyant stated the Police Chief is responsible for the road closures and he has asked him and the Business Administrator to work with downtown merchants because this has been a long term, ongoing problem. Administrator Hall stated they have met with utility companies to try to fine tune how they do road closures.

-Bill Benz, 39 South Main St, Phillipsburg – President elect of the DPA - at last night’s Land Use meeting, information about changing the Master Plan included documents indicating Phillipsburg as a warehouse town. DPA is curious about the subjectivity of the nature of this phrasing and how it fits into the overall plan and when the Master Plan was changed.

-Levin Ellison, 147 South Main St, Phillipsburg – He provided a resource center for LGBTQIA children and youth in his former town. He noticed a lack of mental health resources for them across Warren County. The State Department is interested in his program. He would like his organization appointed the official host of Pride Celebrations.

Public Petitions closed.

19. COUNCIL OPEN TIME

Councilman Piazza – Happy Thanksgiving. Predicts 20-26 Phillipsburg

Councilman Marino – wishes everyone a Happy Thanksgiving.

Councilman Kennedy – the Phillipsburg Indoor Winter Market is open every Sunday, 10 to 1, at 165 South Main St. through April. He congratulated Steel Hill, Lopatcong and Pohatcong on their youth football teams’ wins. He wished everyone a Happy Thanksgiving.

Council Vice President Clark – Tree Lighting Ceremony Monday, Nov 27, 6 pm at Shappell Park. Ribbon cutting at the train station Dec 2, 12 noon. He wishes everyone a Happy Thanksgiving.

Council President Wyant – wishes everyone a Happy Thanksgiving. He congratulated the Mayor-elect and Council-elect.

20. EXECUTIVE SESSION IF REQUIRED – No Executive Session

21. ADJOURNMENT – 7:45 PM

Councilman Marino moved to adjourn. Seconded by Councilman Piazza.

Ayes: 5

Nays: 0

Absent: 0

Motion passed.