

TOWN OF PHILLIPSBURG
COUNCIL MEETING MINUTES

February 28, 2024— 6:00 P.M.

- 1. CALL TO ORDER 6:00 pm By CP Marino**
- 2. OPEN PUBLIC MEETING ACT STATEMENT Read by CVP Paulus**
- 3. PLEDGE OF ALLEGIANCE All**
- 4. INVOCATION Led by Councilman Scerbo**
- 5. ROLL CALL – Present - Marino, Paulus, Clark, Kennedy, Scerbo**

-Also in attendance: Mayor Piazza, Business Administrator Hall, Attorney Rich Wenner

6. BILLS LIST

ROLL CALL Motion Carries 5-0

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Clark	X		X			
Councilman Kennedy		X	X			
Councilman Scerbo			X			
Council VP Paulus			X			
Council President Marino			X			

- 7. PROCLAMATIONS – Read by Mayor Randy Piazza, Jr.**
- WHEREAS, born and raised in East Orange and Newark, NJ, Byron "B" McIntosh, known as "B" to family and friends, has owned and operated the CHOPSHOP barbershop located at 396 Heckman Street in Phillipsburg since 2008; and
- WHEREAS, Byron "B" McIntosh founded the CHOPSHOP with his late brother Jay McIntosh who recently passed away in February 2022; and
- WHEREAS, Byron "B" McIntosh learned the trade from his mother, Audrey Clark Burch, who owned and operated Clark's barbershop on Hudson Street, growing up working in the barbershop industry, running errands, cleaning, and learning to cut; and
- WHEREAS, Byron "B" McIntosh has continuously strived to foster a diverse, family friendly, and inclusive small boutique style shop where individuals of all backgrounds are welcome to relax and interact with each other; and
- WHEREAS, the CHOPSHOP has perennially been involved in multiple charities and events in the greater Phillipsburg area including the Firth Youth Center back to school event as well as various food and clothing drives; and
- WHEREAS, the CHOPSHOP is the embodiment of the barbershop as a community hub and gathering place; and
- WHEREAS, it is fitting that Byron "B" McIntosh be recognized for his contributions to the Town of Phillipsburg during African American History month by a grateful community.

NOW, THEREFORE, I, Randy S. Piazza, Jr., along with the Governing Body of the Town of Phillipsburg, wish to honor Byron “B” McIntosh for his service to the community and to the Town of Phillipsburg at large.

WHEREAS, Branching Out Foundation was founded in 2015 by Vickie Mendes-Branch in an effort to provide much needed services to children with Autism in the Phillipsburg School District; and WHEREAS, Branching Out Foundation has hosted Autism Walks, monthly caregiver support groups, first responder trainings as well as other specialized caregiver trainings, Sensitive Santa events, special needs bowling, and the Phillipsburg Christmas Community Drive; and WHEREAS, in 2021 Vickie Mendes-Branch opened Page One Resource Center which satisfied a need for a safe space for newly diagnosed families to be able to locate local resources, offering grant funded weekly social groups and including caregiver support groups and monthly speakers and trainings; and

WHEREAS, in addition to her contributions to the Autism and developmental disorders community, Vickie Mendes-Branch made history as the first African American elected to the governing body of the Phillipsburg School Board in 2016, breaking new ground and paving the way for greater inclusivity and representation; and

WHEREAS, it is fitting that Vickie Mendes-Branch be recognized for her contributions to the Town of Phillipsburg during African American History month by a grateful community.

NOW, THEREFORE, I, Randy S. Piazza, Jr., along with the Governing Body of the Town of Phillipsburg, wish to honor Vickie Mendez-Branch for her service to the special needs community and to the Town of Phillipsburg at large.

8. ANNOUNCEMENTS/PRESENTATIONS –

-Police Chief Stettner – at 3:30 pm today the Police Department went live with Shot Spotter technology. The advantage for the Police Department is receiving the information within one minute, versus 4 to 5 minutes from a call going to dispatch. Officers will receive an alert on their phones. The exact locations of the Shot Spotter technology are not disclosed. The town should be very proud to be using this technology. Should Council have questions, the company will send a representative to provide information and answers.

Within the next few months, there will be more walking patrols. Officers will be assigned to neighborhoods. The Police Department will provide the name and email address of the officer in a particular neighborhood upon request.

He urged residents to call the police if they think something is wrong. A caller can remain anonymous. The Police Department can handle things faster and more efficiently when they’re informed.

Councilman Kennedy asked for a time frame when cameras will be installed. The Chief said phone calls were made today but they are at the mercy of the company. This is their next big ticket item to finish. Councilman Clark asked if council could send letters or do anything else to move it along. Chief Stettner said not at this time, but he will ask if it helps in the future. Councilman Scerbo asked about the heading “Other” in the online police report. The Chief said these are things like taillight tickets, equipment, etc. CP Marino urged people to contact the Police Department with any concerns.

9. HABITABILITY HEARING

475 South Main Street – Attorney Wenner stated this is a continuation of the hearing of December 19, 2023. At that time, most of the requested items had been completed. Mr. Kays stated that an exterior inspection today showed no noticeable changes from December except for installing a deck on the side which passed. The interior renovation plan review for replacing the first floor floor joists failed. Mr. Wenner and Mr. Kays recommended the owner, Muhammed Ghanim, resubmit plans for the interior within one month.

Motion to continue the Habitability Hearing for 475 South Main Street at the March 27, 2024 meeting

ROLL CALL

Motion Carries

5-0

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Clark		X	X			
Councilman Kennedy			X			
Councilman Scerbo	X		X			
Council VP Paulus			X			
Council President Marino			X			

PRESENTATIONS – Continued - Disc Golf Course Proposal – Mr. Justin Henry, Delaware Heights – Disc Golf gets people outside and energized, it is fun, and it is free. It has been rising in popularity recently for adults and youth. Delaware Heights Park has an unused lot directly behind the soccer field closest to Carpentersville Rd, about 7.5 to 11 acres, with a wooded area and lanes that are ideal for a Disc Golf course. Parking is already at the site as is a stand at which supplies, and food could be sold. Condominiums are going to be built at the corner and a Disc Golf course in their backyard would be appealing to the younger community. The course could also be used for youth sport and recreation opportunities. In other municipalities, these courts have attracted related businesses as well as restaurants and other establishments. Installing a course would clean up that area of the park and attract local players and those from out of state. The Recreation Department and/or Land Use Board would be made aware of how the lanes would be “built out”. The cost for a 9-hole course could be as low as \$3000, though Mr. Henry suggested investing at least \$6000 to obtain better equipment and stands upfront to keep future maintenance costs down. Mr. Henry distributed information to Council.

Councilman Clark stated he played this in his college years, and it does bring in a younger generation. He agreed that the courses attract other businesses into the area. The course would mesh well with the pickleball court and the Cal Ripken field. Councilman Clark asked if this property is Green Acres encumbered, which he doesn’t see as a problem, but it could entail some extra paperwork.

Councilman Kennedy thanked Mr. Henry and stated he is in favor of any additional recreational activity.

CVP Paulus thanked Mr. Henry. She invited him to join the Open Space and Recreation committee.

Councilman Scerbo thanked Mr. Henry. He too played Disc Golf and is excited to see the possibilities for the children and the community.

Mayor Piazza thanked Mr. Henry. He said many people travel to visit these courses. Harmony put one in last year. Easton has one and the tournaments held there attract a lot of people. The community of Disc Golf players cares about the courses and helps maintain them well.

CP Marino thanked Mr. Henry for the presentation. He is in favor of anything that helps the youth in town.

10. PUBLIC DISCUSSION ON AGENDA ITEMS –

- Joe Meyner – regarding Resolution 2024-34, he asked where Brainard Street Park is located. CP Marino stated near South Main Street, off the jug handle at Randall Street. It is currently in a state of disrepair and looks like a parking lot. Mr. Meyner asked if there is a plan in mind for condemnation of the park. Engineer Tim O’Brien stated the park is actually located on Brainard Street, off Hudson, near the rail track. The resolution is to authorize submitting the application for a Green Acres grant to install playground equipment. Mr. Meyner asked if \$500,000 was the

maximum the town would pay. Mr. O’Brien stated the grant application will be submitted for the maximum amount of \$750,000. After it is approved, the state will say how much money they will provide for the project. Then the municipality can tailor the project to work within the budget to accommodate what the grant requires, i.e. restrooms, accessible features, etc. An additional \$500,000 could be bonded at 0% over 30 years. CP Marino asked if a fence will be installed. Mr. O’Brien said some of the funds could be used for fencing.

- David Morrisette – Ordinance 2024-04. It seems the Open Space Committee members’ terms overlapped and there are duly appointed committee members whose terms have not expired, and they have not neglected their duties, nor have they committed any of the “for cause” instances cited in the ordinance. They could probably still serve as there is no cause to remove them. The ordinance states the duly appointment members will be removed, and the committee will be reconstituted. Is his interpretation wrong? Attorney Wenner stated his interpretation is correct if the ordinance is adopted. The “for cause” instances are not in the existing ordinance nor is there any removal mechanism. This is the cleanest way of dissolving and reconstituting the board while also amending the ordinance to provide for a “for cause” removal mechanism in the event future members are not performing their duties or any of the other “for cause” reasons cited. A due process provision is built into this ordinance in the event of a removal. Committee members could be put back onto the newly created board. Mr. Wenner explained that some terms, specifically when they expire, were unknown and the inability for the committee to meet prompted the new ordinance. Mr. Morrisette stated it sounds political.

11. ORDINANCES FOR 1st READING

O2024-04 AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY DELETING AND REPLACING CHAPTER 93, OPEN SPACE, OF THE CODE OF THE TOWN OF PHILLIPSBURG

-No Council discussion.

ROLL CALL

Motion Carries

3-2

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Clark				X		
Councilman Kennedy				X		
Councilman Scerbo	X		X			
Council VP Paulus		X	X			
Council President Marino			X			

CP Marino stated he voted yes because an ordinance is a law. The committee has not met in over 2 years and there was no properly maintained list of members and their terms. This ordinance will set up the committee properly and terms will be set properly.

O2024-05 AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING VARIOUS SECTIONS OF CHAPTER 422, PARKS, REGARDING THE USE OF PARKS AND OTHER FACILITIES

-No Council discussion.

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Clark			X			
Councilman Kennedy		X	X			
Councilman Scerbo	X		X			
Council VP Paulus			X			
Council President Marino			X			

14. RESOLUTIONS –

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.

R2024-33 RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN AND STATE OF NEW JERSEY, DIRECTING THE TOWN OF PHILLIPSBURG COMBINED PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, BLOCK 1105 LOT 2 QUALIFIES AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.

R2024-34 RESOLUTION AUTHORIZING A GREEN ACRES APPLICATION FOR A JAKES LAW FACILITY AT BRAINARD STREET PARK

R2024-35 RESOLUTION AUTHORIZING A SOLE-SOURCE CONTRACT WITH RAZOROOTER FOR EPA CERTIFIED HERBICIDAL ROOT CONTROL

R2024-36 RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING R2023-104 TO CORRECT INFORMATION

R2024-37 RESOLUTION APPROVING 2021-2022 LIQUOR LICENSE WITHIN TOWN OF PHILLIPSBURG

R2024-38 RESOLUTION APPROVING 2022-2023 LIQUOR LICENSE WITHIN TOWN OF PHILLIPSBURG

R2024-39 RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY DISAVOWING THE COMMENTS OF FORMER MAYOR FRANK KNEEDLER AND EXPRESSING SUPPORT FOR THE RENAMING OF THE PUBLIC RIGHT OF WAY KNOWN AS “KNEEDLER AVENUE”

R2024-40 RESOLUTION AUTHORIZING A CONTRACT WITH VAN CLEEF ENGINEERING FOR PROFESSIONAL SERVICES FOR 34 STULL ALLEY RETAINING WALL FAILURE

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Clark			X			
Councilman Kennedy		X	X			
Councilman Scerbo	X		X			
Council VP Paulus			X			
Council President Marino			X			

15. OLD BUSINESS – No Old Business

16. NEW BUSINESS –

- Councilman Scerbo offered an explanation regarding Ordinance 2024-04. He stated that the members of the Open Space Committee appointed at the end of October 2023, were appointed during a “lame duck” session. It was known that two committee members would not be on the board in 2024. He feels it is important to make appointments at the beginning of a new year. The same people who were appointed in October 2023 have the right to submit a letter of interest and may be chosen for the new board.

17. MOTIONS – No motions

18. PUBLIC PETITIONS –

-David Morrisette – The Council does a great job moving the town forward. The residents of Phillipsburg don’t have to think about being alive in the morning. Currently, there is a crisis in Ukraine. There is trouble getting help to Ukraine. Council has the opportunity to make a statement tonight. He distributed a resolution to Council in support of Ukraine and the urgency for continued funding. He asked for a motion and second and passage of the resolution. Since it was not on the published agenda, CP Marino would read the resolution after a motion and second are recorded. At CP Marino’s request, Attorney Wenner explained he does not think the resolution should be acted upon at tonight’s meeting because he does not want to start a habit of non-council members walking in with resolutions and asking the governing body to endorse them at that moment. Mr. Morrisette accepted Mr. Wenner’s statement that the Public Petitions portion of the meeting is not the proper time to introduce a resolution. CP Marino stated he will follow the advice of the attorney. Councilman Clark noted this is a big issue internationally, but it is beyond the scope of a small town council, which should be focused on improving the town. He is sympathetic to the issue but is not fully educated on the complexities of international politics in this conflict. He will abstain if it is brought up for a vote. Councilman Kennedy agreed with Councilman Clark. He personally supports the people of Ukraine and stated people can contact their Senators and Congress people. This is not an issue on which the town council should decide. Councilman Scerbo agrees with his colleagues; this is not the proper forum, and we need to concentrate on issues within the town. He sympathizes with the people of Ukraine but feels this is better handled at the Federal level. CVP Paulus agrees with her colleagues.

-Joe Meyner – In the past he has strongly urged Council to stay out of national matters with the same arguments he heard tonight from Council. But sometimes when faced with the mass execution of people, the support of a majority of citizens, and a demand for the public to speak up, one Congressperson could change their mind. He hopes Council will reconsider the resolution, but politics should be taken out of it by amending the last line and replacing “President Biden and Vice President Harris” with” We, the people of Phillipsburg in support of the people of the United States”.

-Bill Benz – Phillipsburg Downtown Association has a new Council Liaison, CP Marino. The PDA is for the entire town of Phillipsburg. If people need business assistance, advocacy, education, or networking they can attend a meeting. Meetings are held on the third Wednesday at 5:30 in the Union

Train Station. A new website PhillipsburgDowntown.org launched yesterday. He is hoping to increase membership from 70 to 100 members.

-Tommy Scheck – The Warren County Warthogs football team was started a year and a half ago by Isaiah Court who has moved out of the area. Mr. Scheck wants to rename and continue the team. They play in D1 competitive football, not local recreation football. Their sessions would be held in the spring and summer so as not to pull any players from established local teams or school teams. This league does not categorize players based on weight, but on age. Recent games, held in other states, had over 100 teens participating, and their families accompanied them. They'd like to hold a similar event in town and hope to have the town's support. CP Marino thanked them for taking an interest in the children of Phillipsburg. He suggested they contacted the Recreation Director. They have and will be meeting him tomorrow.

-Kelly – her son played with the Warthogs last year. She supports the team. Kelly joined a local committee that helps set up local events. They meet on the first Tuesday of the month at 5:30 pm at Rocco's and residents can speak what they feel about changes they'd like to see, issues they're having, etc. She asked if transportation can be arranged for seniors in the South Main Street area. CP Marino will relay that to the Senior Board.

-Randy Piazza, Sr. – suggested restarting Block Watcher Groups to help get young people involved.

19. COUNCIL OPEN TIME

- Councilman Scerbo- Resolution 2024-39 – thanked Councilman Clark and all of council for their help with and support for the resolution to rename Kneedler Ave.

- CVP Paulus – heartwarming to see so many people come forward tonight with ideas for recreation for all ages.

- Councilman Kennedy – On February 26th. Inside New Jersey came out with their “African American List of Honor” which includes Councilman Lee Clark. It was announced today that the Haas Family, through retired NASCAR driver Kevin Harvick, are contributing \$100,000 to the Cal Ripken Field and the Rotary Club is contributing \$25,000. We're getting closer and closer to our target number. Chuck Brady from the Ripken Foundation will attend a Council meeting next month. Councilman Kennedy congratulated the Phillipsburg Basketball Teams for their great season and the records they broke. Seven Phillipsburg wrestlers will be competing in the State finals which begin tomorrow. NJ.com will air the matches.

- Councilman Clark – thanked Chief Stettner for coming in tonight and sharing the Shot Spotter information. Keeping our technology up to date helps our officers combat crime. Phillipsburg can become a trailblazer for other small cities experiencing the same problems we are. It was heartwarming to see the acknowledgement of Black History Month tonight. He hopes the reporters here tonight will report how it shows the town in a bright, diverse light, and that we're growing and diverse in our leadership and constituents. Black History is Phillipsburg history. Councilman Clark thanked Councilman Kennedy for sharing the Cal Ripken Field information and Councilman Scerbo for his work on the Kneedler Ave resolution. Going into March, let's give the same amount of excitement to Women's History Month.

There are many strong women in Phillipsburg who can be recognized and highlighted. For St. Patrick's Day, will the annual flag raising be announced? Mayor Piazza stated that a Kiwanis member is working on a shamrock cut out which should be done in the next day or two.

- CP Marino – thanked former councilman Piazza because he pushed for additional officers. Anything we can do to make Phillipsburg a safer, cleaner town. A group of volunteers will be starting clean up projects in the downtown area. He has received complaints about the municipal building. We're working towards completion by March 15th. Then there will be an evaluation of the roof to prevent further water intrusion. After that, an engineering evaluation will be conducted. No move back into the building will be considered until it is confirmed 100% asbestos and mold free.

20. EXECUTIVE SESSION (IF REQUIRED) – No Executive Session

21. ADJOURNMENT – 7:26 PM

Councilman Clark moved to adjourn. Seconded by Councilman Kennedy.

Ayes: 5, Nays: 0, Absent: 0

Motion passed.