

R2024-25

RESOLUTION AUTHORIZING AN EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF PHILLIPSBURG AND MATTHEW D. NOEL

WHEREAS, historically the Town of Phillipsburg, pursuant to § 5-80 of the Code of the Town of Phillipsburg, entitled “Division of Maintenance Services,” has organized the oversight of the Division of Maintenance Services under the unclassified title of Deputy Municipal Department Head (Civil Service Title Code # 07026) under the Director of Municipal Services (Civil Service Title Code # 05895); and

WHEREAS, the Superintendent of Public Works (Civil Service Title Code # 07109) has historically reported to the Deputy Municipal Department Head overseeing the Division of Maintenance Services; and

WHEREAS, a Superintendent of Public Works has been duly appointed; and

WHEREAS, The Mayor and Council wish to appoint Matthew D. Noel, who currently serves as the Director of Recreation for the Town of Phillipsburg, to the position of Deputy Municipal Department Head as specified in the foregoing while retaining the duties of Director of Recreation with a focus on fully integrating the Division of Maintenance Services in the maintenance, repair and upkeep of all parks and public facilities pursuant to § 5-80(L); and

WHEREAS, Matthew D. Noel has thus far served the Town of Phillipsburg with distinction having overseen the completion of the Walters Park Pool project, the successful operation of its opening season, and the launch of various recreation initiatives including but not limited to, the Rails to Trails project and the settlement of the Town of Phillipsburg’s longstanding Green Acres diversion; and

WHEREAS, in addition to Matthew D. Noel’s extensive recreation experience, he is also a seasoned public works professional with 18 years of experience in the public sector; and

WHEREAS, Matthew D. Noel received exemption #2024-009 from the State of New Jersey Employee Residency Review Committee on January 3, 2024 in accordance with the “New Jersey First Act” N.J.S.A. 52:14-7 (L. 2011, Chapter 70); and

WHEREAS, Matthew D. Noel is willing to assume the position of Deputy Municipal Department Head of the Division of Maintenance Services (Civil Service Title Code # 07026) as well as Recreation Director for the Town of Phillipsburg subject to the certain terms and conditions of employment set forth in the employment agreement on file in the Town of Phillipsburg Human Resources office; and

WHEREAS, Mayor Randy S. Piazza, Jr. proffered the appointment of Matthew D. Noel as Recreation Director to fill the vacancy subject to the advice and consent of the Town Council and subject to the terms and conditions of an employment agreement between Mr. Noel and the Town of Phillipsburg; and

WHEREAS, the governing body, by Resolution dated February 14TH , 2024, approved the appointment to take effect immediately , subject to the terms and conditions set forth herein.

NOW, THEREFORE, be it agreed between the Mayor and Council of the Town of Phillipsburg (hereinafter referred to as the Town or Employer) and Matthew D. Noel. (hereinafter referred to as Deputy Municipal Department Head of the Division of Maintenance Services or Employee) that:

1. Matthew D. Noel is hereby appointed as the Deputy Municipal Department Head of the Division of Maintenance Services of the Town effective immediately.
2. Time off benefits.

Nothing in this agreement shall be construed to either enhance or diminish the amount of time off benefits afforded through the Employee's initial employment agreement with the Town of Phillipsburg contained in **Resolution #2023-57**.

3. Schedule. Employee's regular schedule shall be Monday through Friday, 7:00 to 3:00, with attendance at events outside of normal working hours commensurate with the demands of the Division of Maintenance Services. As such, the Employee may be required to work outside of regular office hours and/or attend meetings and events on behalf of the Town including regular and special Town Council meetings, community meetings, committee meetings, etc. Additionally, the Employee may be required to respond outside of regular business hours to emergencies, events, and other Town business not typically scheduled. The Employee recognizes that he is not entitled to any overtime/comp time and/or additional compensations for such work. As such, the Employer also recognizes that the Employee, as a professional, will be entitled to reasonable flexibility in the work schedule to accommodate the demands of the job. Likewise, as a professional, the Employee is expected to devote service, on-site presence, and commitment to the Town commensurate with the full-time nature of the job.
4. Salary. The Employee shall be paid the following annual salary:

Effective February 14TH, 2024 - \$80,000.00 annual base salary as Deputy Municipal Head for the Division of Maintenance Services.

Effective February 14th, 2024 - \$20,000.00 annual stipend as Director of Recreation.

Effective January 1, 2024 and each year thereafter, Employee shall receive an annual increase (applicable to base salary only) as provided to department heads within the Town government.

5. Professional Development. Employee will be permitted a maximum of 7 days (6 nights) annually to attend conferences such as NJRPA, and the NJ State League of Municipalities (NJSLOM). Registration and lodging for the annual NJSLOM conference shall be reimbursed by the Town in an amount not to exceed \$500 and other reimbursements will be made on a case-by-case basis with the approval of the governing body. Additionally, the Employee may represent the Town and attend relevant one day job-related seminars provided prior notice is given and at the discretion of the governing body and the availability of funds in the annual budget.

Professional development courses may be approved on a case-by-case basis at the discretion of the Mayor and the availability of funds in the annual budget.

6. Other Benefits. Nothing in this agreement shall be construed to either enhance or diminish the amount of other benefits afforded through the Employee's initial employment agreement with the Town of Phillipsburg contained in **Resolution #2023-57**.
7. Matthew D. Noel hereby consents to the terms and conditions of employment set forth above. He may terminate his employment with the Town providing at least Thirty (30) calendar days written notice of termination delivered to the Town Clerk. In this case, he shall not be entitled to receive any of the termination pay provided for elsewhere in this agreement, and the available vacation and other leave benefits will be prorated for his final year of employment.
8. It is acknowledged by both parties to this agreement that the job of Deputy Municipal Department Head of the Division of Maintenance Services/Director of Recreation often requires more than 40 hours of work per week, and requires supervision, emergency response and various meetings at times other than the traditional workday. Therefore, the intent of this section is to allow the Employee the authority to schedule his own time rather than work in regularly scheduled eight-hour blocks of time.
9. The Employee shall be entitled to request the use of various devices such as tablets, mobile phones, laptops, town vehicles in accordance with his duties and it is understood that any and all town property will be returned upon conclusion of employment with the Town of Phillipsburg.

BE IT FURTHER AGREED that the Agreement shall continue in effect after the specified term unless specifically amended by the Town and the Employee.

BE IT FURTHER AGREED that should any portion of the agreement be found invalid by a court of competent jurisdiction, the remaining provision of the agreement shall continue in force and effect

Signed this 16 day of February, 2024

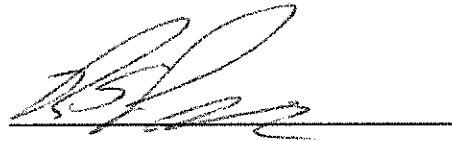


Matthew D. Noel

Deputy Municipal Department Head

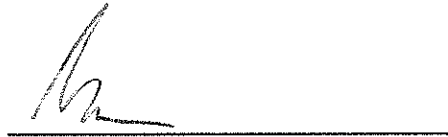
Division of Maintenance Services

Director of Recreation



Randy S. Piazza, Jr.

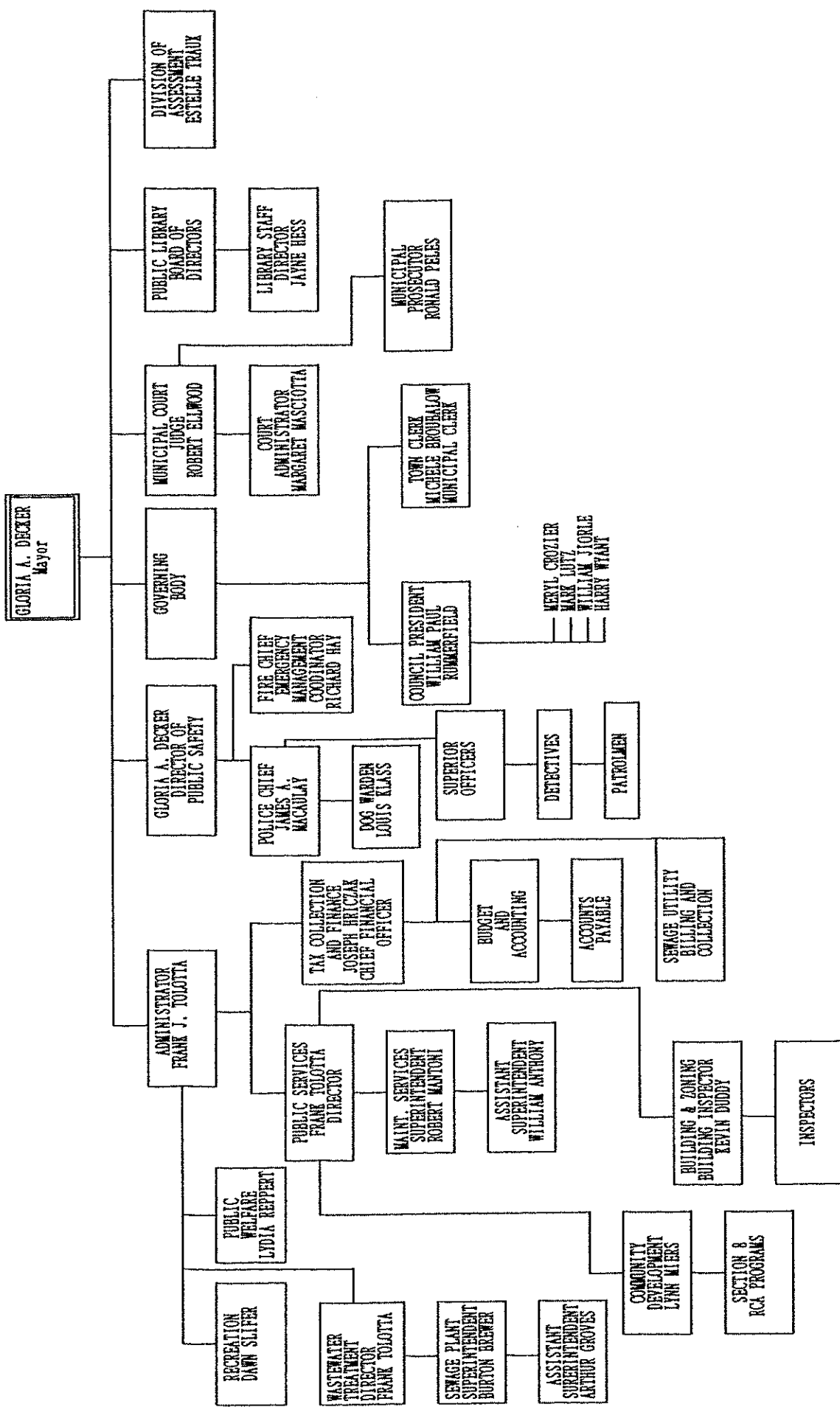
Mayor



Matthew C. Hall, MPA

Acting Municipal Clerk

TOWN OF PHILLIPSBURG



*Town of Phillipsburg, NJ
Monday, February 5, 2024*

Chapter 5. Administration of Government

Article X. Department of Municipal Services

§ 5-80. Division of Maintenance Services.

Within the Department of Municipal Services, there shall be a Division of Maintenance Services. Subject to the supervision and direction of the Director, the Division shall:

- A. Maintain, repair, construct and reconstruct all Town streets and roads.
- B. Clean, repair and maintain storm and sanitary sewers and drains and catch basins on a regular basis, plus in emergencies.
- C. Collect and remove leaves and debris from Town streets and roads and sweep and clean such streets and roads on a regular basis.
- D. Remove snow and ice from Town streets and roads and spread sand, salt and other materials as required for safe use of the streets and roads.
- E. Install, repair and maintain street traffic signs, traffic lines and markers in accordance with Town ordinances.
- F. Provide or supervise the provision for the care, storage, use and maintenance of motor vehicles and motorized equipment owned by the Town, in accordance with policies set by the Director.
- G. Collect and dispose of solid wastes as otherwise provided by ordinance.
- H. Operate and maintain such facilities for solid waste disposal as may be authorized by ordinance.
- I. Provide for custodial and janitorial services for municipal building.
- J. Operate and maintain public buildings owned by the Town, except that leases and rentals for the use of Town property shall be administered by the Department of Administration.
- K. Trim, plant and care for Town parks, trees and landscaping.
- L. Maintain and repair play fields, playgrounds and recreational areas and facilities, as requested by and pursuant to instructions of the Director of Recreation, subject to and within the budgetary appropriations of the Department of Recreation.
- M. Establish standards and procedures for the control, use and care of all Town-owned equipment, materials and supplies in the custody of the department.
- N. Supervise and enforce the Town's interest in public contracts for streetlighting.