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Town Council, governing body of the municipality

BRENDA KORMANDY, GARIS
KORMANDY, JANICE HOSBACH,
DAVID P. MORISETTE, and SANDRA S.
MORISETTE,

Plaintiffs,

v.

TOWN OF PHILLIPSBURG TOWN
COUNCIL, governing body of the
municipality,

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
WARREN COUNTY

Docket No.: WRN-L-248-21

Civil Action

CERTIFICATION

Defendant Town of Phillipsburg Town Council, governing body of the municipality (“Phillipsburg”) hereby sets forth its responses to Interrogatories as demanded by Plaintiffs, pursuant to Rule 4:17-(b)(i):

GENERAL OBJECTIONS AND RESERVATIONS OF RIGHTS

Phillipsburg makes the following general objections to the Interrogatories propounded by the Plaintiff. Each of these general objections is incorporated into Phillipsburg’s specific responses as though set forth verbatim therein.

1. Phillipsburg’s responses are made without waiver of, and are specifically intended to reserve and preserve until the time of trial, all objections to competency, relevance, materiality, privilege, and admissibility as evidence. Phillipsburg’s responses to Interrogatories and any other or further discovery responses by Phillipsburg should not be construed as a waiver of any right to object on the grounds of competence, relevance, materiality, privilege, and/or any other proper grounds, to the use of any response or document, for any purpose, in whole or in part, in the trial of this action or any subsequent proceeding in this or other action.

2. Phillipsburg does not represent by this response to Interrogatories that Phillipsburg has fully completed the investigation and/or analysis of the matters addressed by Plaintiff’s discovery requests. Phillipsburg anticipates that further investigation and analysis may supply additional

facts, reveal additional documents, and/or amplify the meaning of the facts presently known to Phillipsburg, all of which may lead to additions to and/or changes in the responses herein provided. Therefore, Phillipsburg reserves the right, but does not assume the obligation except as required, to amend, supplement, or modify response(s) based upon continuing investigation, analysis and/or further discovery.

3. Phillipsburg objects to each and every discovery request, the response to which may be derived or ascertained from business records or other documents that are in the possession or control of Plaintiff, or from documents that are readily available to Plaintiff. To the extent the response to a request can be ascertained or derived from documents in Plaintiff's possession, custody, or control, the development of that response is more convenient and less burdensome for Plaintiff than it is for Phillipsburg, and Plaintiff accordingly should bear that burden.

4. Phillipsburg objects to each and every discovery request that seeks disclosure of information that is not in Phillipsburg's possession or control.

5. Phillipsburg objects to each and every discovery request that seeks discovery or identification of confidential communications or information protected from disclosure by the attorney-client privilege and/or any other privilege against disclosure recognized by statute or common law including, without limitation, the protection of confidential, sensitive, proprietary business information. The inadvertent identification, disclosure or production of any document, communication or matter covered by such privilege(s) shall not be deemed a waiver thereof.

6. Phillipsburg objects to each and every discovery request that seeks disclosure or identification of confidential communications protected from disclosure by the attorney-work product doctrine and/or any other privilege against disclosure recognized by statute or common law including, without limitation, the protection of confidential, sensitive, proprietary business information. The inadvertent identification, disclosure or production of any document, communication or matter covered by such privilege(s) shall not be deemed a waiver thereof.

7. Phillipsburg objects to each and every discovery request to the extent that Plaintiff seeks information that is not limited in time or scope to the subject matter of this litigation. Phillipsburg specifically objects to any request or Interrogatory which seeks information that post-dates the allegations set forth in the Complaint.

8. Phillipsburg objects to each and every discovery request to the extent that Plaintiff seeks information that is not relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence. Phillipsburg specifically objects to any request or Interrogatory which seeks information that post-dates the allegations set forth in the Complaint.

9. Phillipsburg object to each and every discovery request to the extent that it is vague, overly broad, unduly burdensome and/or oppressive.

10. Phillipsburg objects to Plaintiff's discovery request as being unduly burdensome in number and/or unintelligible in text and meaning. Phillipsburg has made reasonable efforts to

respond to Plaintiff's Interrogatories and does so without prejudice to its right to assert that the discovery requests, as a whole are oppressive and unreasonable.

11. Phillipsburg objects to the definition of words, terms or phrases contained in any discovery request to the extent the meaning supplied purports to be a binding definition of any word, term or phrase. By responding, Phillipsburg does not admit the appropriateness or applicability of the definition.

12. Phillipsburg objects to each and every discovery request to the extent it purports to create duties or obligations upon Phillipsburg that are more extensive than, or different from, those imposed by the New Jersey Rules of Court.

13. Because of the over breadth, ambiguity, vagueness and lack of specificity of Plaintiff's discovery requests, it is not possible for Phillipsburg to anticipate all possible grounds for objection with respect to the particular Interrogatory set forth herein. Therefore, Phillipsburg reserves the right to supplement these responses and to raise any additional objection(s) deemed necessary and appropriate in light of the results of further investigation, analysis and/or continuing discovery.

14. Phillipsburg's response is made without waiver of, and is specifically intended to reserve and preserve the right to seek incorporation of responses and documents produced in connection with Plaintiff's Interrogatories within the protection and scope of a Protective Order to be agreed upon by the parties or entered by the Court in this action.

15. Phillipsburg's response is made by its Town Administrator, based upon the information that is available to his knowledge, including information that has been provided to him by appropriate parties following a reasonable inquiry. Phillipsburg contends that this means of response is in accordance with Rule 4:17-4(a), which provides that "interrogatories shall be answered in writing . . . if a . . . governmental agency, by an officer or agent who shall furnish all information available to the party."

16. Phillipsburg's responses are limited to the time period of January 1, 2015 to present (the "Subject Time Period"), as set forth in Plaintiff's instructions.

17. "You" and "Members of the Governing Body" are defined to include the five members of the Phillipsburg Town Council at the time of the adoption of Ordinance 2021-14 that is placed under review in this action: Danielle DeGerolamo, Randy S. Piazza, Jr., Frank McVey, Harry Wyant, and Robert Fulper.

18. Each of the foregoing General Objections and Reservations of Rights is continuing in nature.

19. Unless otherwise stated, the defined terms utilized in Plaintiffs' request for interrogatories are incorporated herein.

RESPONSES TO INTERROGATORIES

1. Have you in any capacity ever been provided legal advice or representation by any lawyer or other professional of the Florio firm?

If so:

a. Please describe the nature of the engagement or representation, including the reason for the need for counsel;

b. Please state whether you were engaged or represented in your personal capacity or in some official capacity;

c. If you were engaged or represented in an official capacity, please describe that capacity, including identifying the office and the time period in which you held that office;

d. If you were engaged or represented in an official capacity, please identify the public body which authorized the engagement or representation;

e. Please state the time period in which you engaged the Florio firm or were represented by it;

f. Please state the amount of legal fees, and the amount of costs and disbursements, charged by the Florio firm, and provide copies of all invoices;

g. Please state the amount of legal fees, and the amount of costs and disbursements, paid to the Florio firm, and by whom, and if the amount set forth in this answer differs from the amount in subsection f, please explain the difference;

h. Please identify all other persons represented or involved in the engagement, and identify their status (plaintiff, executor, client, etc.);

i. If the Florio firm was paid by public funds, please provide a copy of all invoices and records of payment;

j. If the matter involved representation by the Florio firm in any litigation, arbitration or other adversary proceeding, please provide a copy of the initial complaint or other pleading or notice, a copy of the pleading or notice by which you joined or were joined, the date or dates of any hearings, the date or dates of any trials, the final disposition of the proceeding, and please provide a copy of any document evidencing the final disposition.

RESPONSE:

No Member of the Governing Body has been provided legal advice or representation by any lawyer or professional of the Florio firm during the Subject Time Period, except as follows:

a. In the below-listed cases, Phillipsburg was sued for various claims, and certain Members of the Governing Body were also sued in their official capacities. Phillipsburg made an insurance

claim to its insurer, the Statewide Joint Insurance Fund, which in turn appointed the Florio Firm to defend Phillipsburg and its elected officials in the following cases and listed Members of the Governing Body represented:

- i. Corcoran v. Town of Phillipsburg et al. – WRN-L-24-20 (Fulper, DeGerolamo, McVey)
- ii. Ellis v. Town of Phillipsburg et al. – WRN-L-57-18 (Fulper)
- iii. Post-Sheedy v. Town of Phillipsburg et al. – WRN-L-59-18 (Fulper, McVey, DeGerolamo)
- iv. Cappello v. Town of Phillipsburg et al. – WRN-L-127-18 (Fulper, McVey, DeGerolamo)
- v. Thompson v. Fulper et al. – WRN-L-159-20 (Fulper)

b. In 2018, in his personal individual capacity, Frank McVey was represented by Donald Sauders, Esq. of the Florio Firm in connection with a municipal court matter. The total estimated cost of this representation was \$7,000.

c. In April 2021, in his personal individual capacity, Frank McVey was represented by Michael DeMarco, Esq. of the Florio Firm in connection with the drafting and execution of two legal instruments. The total estimated cost of this representation was less than \$1,000.

2. Have you ever had any communication with any lawyer or professional in the Florio firm in which the possibility of engagement of or representation by the firm was included, such that you would consider the communication attorney-client privileged? If the answer is yes, please provide the information in #1.

RESPONSE: None, other than the instances set forth in #1.

3. Ordinance 2021-14 purported to be based on a “Consistency Report” by Van Cleef Engineering Associates, Inc. and dated February 25, 2021. Please state whether any professional in the Florio firm had any role in commissioning, reviewing or paying for the Consistency Report. If so, please identify the professional or professionals involved, describe fully the role played by such professional(s) and any amounts paid by the firm for any part of the Consistency Report.

RESPONSE: Phillipsburg specifically objects to this interrogatory to the extent that “professional in the Florio firm” is ambiguous. The Consistency Report was prepared by Van Cleef Engineering Associates, Inc. at the request of the Phillipsburg Planning Board and was reviewed by same. The Consistency Report was paid for through a developer’s escrow that was posted by designated redeveloper Peron Development. Phillipsburg lacks sufficient information to provide any further response.

4. The Consistency Report refers to a “Concept Plan” provided to the Town. Please state whether any professional in the Florio had any role in commissioning, reviewing or paying for that Concept Plan. If so, please identify the professional or professionals involved, describe fully

the role played by such professional(s) and any amounts paid by the firm for any part of the Consistency Report.

RESPONSE: Phillipsburg specifically objects to this interrogatory to the extent that “professional in the Florio” is ambiguous. The Consistency Report was prepared by Van Cleef Engineering Associates, Inc. at the request of the Phillipsburg Planning Board and was reviewed by same. The Consistency Report was paid for through a developer’s escrow that was posted by designated redeveloper Peron Development, and a copy of the escrow audit trail is attached hereto. Phillipsburg lacks sufficient information to provide any further response.

5. Please provide a copy of that Concept Plan.

RESPONSE: Attached.

6. Please identify any role played by the Florio firm or any professional in that firm in any communications to the New Jersey Department Of Environmental Protection regarding or in connection with any request by the Town of Phillipsburg to remove Block 2102, Lot 1, from Green acres or open space protection. Provide a copy of all records evidencing or regarding that request. Please state whether the Town paid the Florio firm for any such involvement, and if so, provide a copy of any invoices and records of payment.

RESPONSE: The Municipal Clerk sent the attached letter to the New Jersey Department of Environmental Protection to “discuss the Town’s proposal and related procedural requirements for a major disposal or diversion of parkland located at Howard Street Rear, Block 2012, Lot 1, in the Delaware River Park, in the Town of Phillipsburg, Warren County, New Jersey.” The letter copied Seth R. Tipton, Esq., who is an attorney of the Florio Firm that represented the property’s designated redeveloper, Peron Development, Inc.

7. Please confirm that Michael Perucci, Esq., a partner in the Florio firm, owns or controls, directly or indirectly, Peron Construction, Inc. If the answer is “yes,” please confirm that this ownership or control, directly or indirectly, dates at least from January 1, 2020 and continues to the date of these answers.

RESPONSE: Phillipsburg lacks sufficient information to respond to this Interrogatory.

8. Please identify any other professional in the Florio firm who owns or controls, directly or indirectly, any interest in Peron Construction, Inc.

RESPONSE: Phillipsburg lacks sufficient information to respond to this Interrogatory.

9. Please identify all persons involved in reviewing or preparing or reviewing answers to these questions.

RESPONSE: These responses have been prepared in consultation with Richard Wenner, Esq., Township Attorney, and Michael L. Collins, attorney of record. The responses have been

prepared based upon information provided by Danielle DeGerolamo, Randy S. Piazza, Jr., Frank McVey, Harry Wyant, and Robert Fulper.

CERTIFICATION

I certify that the foregoing answers made by me to these Interrogatories are true. I certify that in responding to the foregoing Interrogatories I have furnished all information available to me, and to my agents, employees and attorneys. As to those answers which are not within my personal knowledge, I certify that I have provided the name and address of every person from whom such information was received, or, where the source of such information is documentary, a full description of the document including its location.

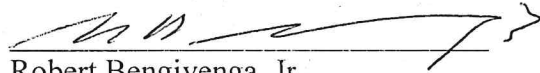
I hereby certify that the copies of the reports annexed hereto rendered by proposed expert witnesses are exact copies of the entire report or reports rendered by them; that the existence of other reports of said experts, either- written or oral are unknown to me, and if such later become known or available, I shall serve them promptly on the propounding party.

I certify that the copies of the documents annexed hereto are exact copies of the entire document and all documents in my custody or control that have been requested have been provided.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated:

3/15/2022


Robert Bengivenga, Jr.

General Ledger YTD Detail
TOWN OF PHILLIPSBURG

Date: 6/6/2008
Time: 12:16:52 PM
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Fund: 12 PLANNING BOARD ESCROW ACC

For Period: 12 In 2005

User Id	Vendor Number	Vendor Name	Check Number	PO/VR Number	Per	Tran Type	Tran Code	Transaction Description	Ref Code	Trans Date	Entry Date	Starting Debit Balance	Starting Credit Balance	Account Balance				
Account Number - 12-286-56-853-067												Account Description - #2003-001 SLEEPLAB 10% CB	-	Account Sub Total -		.00	9,600.00	9,600.00
Account Number - 12-286-56-853-068												Account Description - #2003-002 MRI 10% CSH BD	-	Yearly Totals -		.00	10,800.00	.00
Account Number - 12-286-56-853-068												Account Description - #2003-002 MRI 10% CSH BD	-	Account Sub Total -		.00	10,800.00	10,800.00
Account Number - 12-286-56-853-069												Account Description - #2002-007 ZAPPA 10% CASH	-	Yearly Totals -		.00	1,590.00	.00
Account Number - 12-286-56-853-069												Account Description - #2002-007 ZAPPA 10% CASH	-	Account Sub Total -		.00	1,590.00	1,590.00
Account Number - 12-286-56-855-001												Account Description - WATERFRONT DEVELOPMENT	-	Yearly Totals -		.00	.00	.00
BOB						10	L	CR	CR	WATERFRONT DEVELOPMENT	11528	10/14/2005	10/14/2005	.00	10,000.00			
BOB						10	L	CR	CR	WATERFRONT DEVELOPERS FEE	11577	10/20/2005	10/20/2005	.00	5,000.00			
												Monthly Totals -	.00	15,000.00	15,000.00			
BRENDA	2087	DECOTIIS,FITZPATRICK,COLE &	32553	9123	12	L	VR			OCTOBER-RIVERFRONT	11721	11/29/2005	11/29/2005	3,937.78	.00			
BRENDA	2087	DECOTIIS,FITZPATRICK,COLE &	32553	9121	12	L	VR			8/1-8/31-RIVERFRONT	11721	11/29/2005	11/29/2005	1,062.22	.00			
												Monthly Totals -	5,000.00	.00	5,000.00-			
												Yearly Totals -	5,000.00	15,000.00	10,000.00			
Account Number - 12-286-56-855-001												Account Description - WATERFRONT DEVELOPMENT	-	Account Sub Total -		5,000.00	15,000.00	10,000.00
Account Number - 12-286-56-855-002												Account Description - PHILLIPSBURG ASSOCIATES	-	Yearly Totals -		.00	.00	.00
BRENDA	2087	DECOTIIS,FITZPATRICK,COLE &	32553	9122	12	L	VR			JUNE-INGERSOLL	11721	11/29/2005	11/29/2005	13,543.11	.00			
BOB						12	L	CR	CR	PREFERRED R/E IR	11804	12/05/2005	12/05/2005	.00	15,115.88			
BRENDA	2087	DECOTIIS,FITZPATRICK,COLE &	32691	9265	12	L	VR			REDEV.INGERSOLL	11901	12/14/2005	12/14/2005	1,572.77	.00			
												Monthly Totals -	15,115.88	15,115.88	.00			
												Yearly Totals -	15,115.88	15,115.88	.00			
Account Number - 12-286-56-855-002												Account Description - PHILLIPSBURG ASSOCIATES	-	Account Sub Total -		15,115.88	15,115.88	.00
Account Number - 12-287-56-852-052												Account Description - #586-1998 SMP	-	Yearly Totals -		.00	.00	.00
Account Number - 12-287-56-852-052												Account Description - #586-1998 SMP	-	Account Sub Total -		.00	.00	.00
Account Number - 12-287-56-852-053												Account Description - #588-1998 ROD PIANELLI	-	Yearly Totals -		.00	.00	.00
Account Number - 12-287-56-852-053												Account Description - #588-1998 ROD PIANELLI	-	Account Sub Total -		.00	.00	.00
Account Number - 12-287-56-852-054												Account Description - #593-1998 PHILIP KAYS	-	Yearly Totals -		.00	.00	.00

General Ledger YTD Detail
TOWN OF PHILLIPSBURG

Date: 6/6/2008
Time: 11:58:14 AM
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Fund: 12 PLANNING BOARD ESCROW ACC

For Period: 12 In 2006

User Id	Vendor Number	Vendor Name	Check Number	PO/VR Number	Per	Tran Type	Tran Code	Transaction Description	Ref Code	Tran Date	Entry Date	Starting Debit Balance	Starting Credit Balance	Account Balance	
												Yearly Totals -	.00	226,863.00	226,863.00
Account Number - 12-286-56-853-071												Account Sub Total -	.00	226,863.00	226,863.00
Account Description - #2006-013 120% CASH BOND															
Account Number 12-286-56-853-072												Account Sub Total -	.00	.00	
Account Description #2006-013 ENVIRONMENTAL C															
BOB					10	L	CR CR	PREFERRED R/E ENVIRONMENT	13783	10/12/2006	10/12/2006	.00	42,240.00		
												Monthly Totals -	.00	42,240.00	42,240.00
												Yearly Totals -	.00	42,240.00	42,240.00
Account Number - 12-286-56-853-072												Account Sub Total -	.00	42,240.00	42,240.00
Account Description - #2006-013 ENVIRONMENTAL C															
Account Number 12-286-56-855-001												Account Sub Total -	.00	10,000.00	
Account Description WATERFRONT DEVELOPMENT															
SANDY	271	GENERAL REFUNDS	1088		2	L	VP	ESCROW REFUND	12358	02/27/2006	02/27/2006	10,000.00	.00		
												Monthly Totals -	10,000.00	.00	10,000.00-
BOB					3	L	CR CR	WATERFRONT DEVELOPMENT	12675	03/30/2006	03/30/2006	.00	25,000.00		
												Monthly Totals -	.00	25,000.00	25,000.00
BRENDA	2087	DECOTIIS,FITZPATRICK,COLE &	34088	9942	5	L	VR	MAR.RIVERFRONT	12771	05/10/2006	05/10/2006	8,968.14	.00		
												Monthly Totals -	8,968.14	.00	8,968.14-
BRENDA	2087	DECOTIIS,FITZPATRICK,COLE &	34551	10187	7	L	VR	5/06-RIVERFRONT	13058	06/27/2006	06/27/2006	6,431.10	.00		
BRENDA	2087	DECOTIIS,FITZPATRICK,COLE &	34551	10188	7	L	VR	FEB.RIVERFRONT	13058	06/27/2006	06/27/2006	4,221.50	.00		
												Monthly Totals -	10,652.60	.00	10,652.60-
												Yearly Totals -	29,620.74	25,000.00	4,620.74-
Account Number - 12-286-56-855-001												Account Sub Total -	29,620.74	35,000.00	5,379.26
Account Description - WATERFRONT DEVELOPMENT															
Account Number 12-286-56-855-002												Account Sub Total -	.00	.00	
Account Description PHILLIPSBURG ASSOCIATES															
BOB					1	L	CR CR	PHILLIPSBURG ASSOCIATES	12187	01/23/2006	01/23/2006	.00	45,000.00		
												Monthly Totals -	.00	45,000.00	45,000.00
BOB					3	L	CR CR	PHILLIPSBURG ASSOCIATES	12478	03/16/2006	03/16/2006	.00	14,500.00		
BOB					3	L	CR CR	PHILLIPSBURG ASSOCIATES	12478	03/16/2006	03/16/2006	.00	5,281.10		
BOB					3	L	CR CR	PHILLIPSBURG ASSOCIATES	12536	03/30/2006	03/30/2006	.00	25,000.00		
BOB					3	L	CR CR	VOID	12675	03/30/2006	03/30/2006	25,000.00	.00		
												Monthly Totals -	25,000.00	44,781.10	19,781.10
BRENDA	55	EXPRESS-TIMES	34016	9892	5	L	VR	IMPACT ANALYSIS	12771	05/10/2006	05/10/2006	294.20	.00		
BRENDA	2296	TRIAD ASSOCIATES	34092	777055	5	L	VR	ENVIRO.REVIEW RECORD	12771	05/10/2006	05/10/2006	5,800.00	.00		
												Monthly Totals -	6,094.20	.00	6,094.20-
BOB					6	L	CR CR	PBURG ASSOC DEV FEES	12916	06/06/2006	06/06/2006	.00	15,750.00		
SANDY	2317	KITTATINNY ARCHAEOLOGICAL	1097	777059	6	L	VP	SERVICES	13064	06/29/2006	06/29/2006	3,934.50	.00		
												Monthly Totals -	3,934.50	15,750.00	11,815.50
BRENDA	2296	TRIAD ASSOCIATES	34558	777053	7	L	VR	MAY PROF.SVCS	13058	06/27/2006	06/27/2006	8,193.34	.00		
BRENDA	2296	TRIAD ASSOCIATES	34558	777055	7	L	VR	ENVIRON.REVIEW	13058	06/27/2006	06/27/2006	2,700.00	.00		

12-286-56-855-001 Dev Escrow - Peron Developmnt (Perrucci)

From 01/01/2007 to 09/20/2021

Date	Source	PO#	Contract#	Check #	Vendor#	Vendor/Description	Budget	Debit	Credit	PO Encumber	PO Payment	Balance (CR)*
01/01/2007	GJ 6								5,379.26			5,379.26
05/14/2007	ENC	2152				Riverfront DevelopmentRiverfront Development				234.64		5,144.62
06/05/2007	DJ 2517	2152		37846	2087	DECOTIIS,FITZPATRICK & COLE LL Riverfront Dev				(234.64)	234.64	5,144.62
06/05/2007	DJ 2603	2152		37846	2087	DECOTIIS,FITZPATRICK & COLE LL Reverse - Prin				234.64	(234.64)	5,144.62
06/05/2007	DJ 2691	2152		37846	2087	DECOTIIS,FITZPATRICK & COLE LL Riverfront Dev				(234.64)	234.64	5,144.62
06/12/2008	RJ 1030					Perron Waterfront Development			2,500.00			7,644.62
07/11/2008	ENC	5648				LegalRiverfront Development Project -Period E				2,265.30		5,379.32
08/05/2008	DJ 3680	5648		41782	2087	DECOTIIS,FITZPATRICK & COLE LL Riverfront Dev				(228.20)	228.20	5,379.32
08/05/2008	DJ 3680	5648		41782	2087	DECOTIIS,FITZPATRICK & COLE LL Riverfront Dev				(150.00)	150.00	5,379.32
08/05/2008	DJ 3680	5648		41782	2087	DECOTIIS,FITZPATRICK & COLE LL Riverfront Dev				(180.00)	180.00	5,379.32
08/05/2008	DJ 3680	5648		41782	2087	DECOTIIS,FITZPATRICK & COLE LL Riverfront Dev				(120.00)	120.00	5,379.32
08/05/2008	DJ 3680	5648		41782	2087	DECOTIIS,FITZPATRICK & COLE LL Riverfront Dev				(872.30)	872.30	5,379.32
08/05/2008	DJ 3680	5648		41782	2087	DECOTIIS,FITZPATRICK & COLE LL Riverfront Dev				(504.80)	504.80	5,379.32
08/05/2008	DJ 3680	5648		41782	2087	DECOTIIS,FITZPATRICK & COLE LL Riverfront Dev				(210.00)	210.00	5,379.32
06/01/2010	RJ 919					Perron Waterfront Development (Perrucci)			5,000.00			10,379.32
01/06/2014	RJ 11					Peron Construction Escrow			10,000.00			20,379.32
01/10/2014	ENC	18323				Riverfront RedevelopmentInv 83242 Riverfront				1,069.00		19,310.32
01/16/2014	ENC	18360	0001			Rvrfrnt Red, Gen., Labor, Auction Prop, Pburg				1,440.00		17,870.32
02/04/2014	DJ 644	18323		59183	1523	COURTER, KOBERT & COHEN PC Inv 83242 Riverfro				(1,069.00)	1,069.00	17,870.32
02/04/2014	DJ 648	18360	0001	59183	1523	COURTER, KOBERT & COHEN PC Inv 83529 Rvrfrnt				(1,440.00)	1,440.00	17,870.32
02/10/2014	ENC	18488	0001			Gen.,PBA 56, Com Prk Red, Sewer, Rem Frclsr,I				3,180.00		14,690.32
03/04/2014	DJ 1007	18488	0001	59419	1523	COURTER, KOBERT & COHEN PC Inv 83578 Riverfro				(3,180.00)	3,180.00	14,690.32
03/14/2014	ENC	18654	0001			Gen, PBA,Labor,ComPrkRed, In Rem Frclsr, Rivf				915.00		13,775.32
04/01/2014	DJ 1427	18654	0001	59660	1523	COURTER, KOBERT & COHEN PC Inv 83953 Rvrfrnt				(915.00)	915.00	13,775.32
04/04/2014	ENC	18793	0001			Gen., PBA,Labor,ComPrkRed, Rivfrnt Red, Aucti				450.00		13,325.32
04/15/2014	DJ 1596	18793	0001	59729	1523	COURTER, KOBERT & COHEN PC Inv 84106 Rvrfrnt				(450.00)	450.00	13,325.32
05/14/2014	ENC	19030	0001			Gen.,Labor,In Rem Frclsr, Com.Prk, Adv. Twp o				525.00		12,800.32
06/03/2014	DJ 2742	19030	0001	60158	1523	COURTER, KOBERT & COHEN PC Riverfront Red. th				(525.00)	525.00	12,800.32
06/18/2014	ENC	19231	0001			Gen., Vs Twp. Grnwch, In Rem Frclsr, AuctionR				270.00		12,530.32
07/01/2014	DJ 3235	19231	0001	60433	1523	COURTER, KOBERT & COHEN PC Riverfront Red.				(270.00)	270.00	12,530.32
07/10/2014	ENC	19390	0001			Gen., Habitibility, Tax Appeals, Labor, Rivrf				420.00		12,110.32
08/05/2014	DJ 3758	19390	0001	60702	1523	COURTER, KOBERT & COHEN PC Riverfront Redevel				(420.00)	420.00	12,110.32
09/05/2014	ENC	19720				Professional services rendered as Bond Counci				5,212.50		6,897.82
09/16/2014	DJ 4438	19720		61013	45	WILENTZ, GOLDMAN & SPITZER P.A Bond & redevel				(5,212.50)	5,212.50	6,897.82
10/06/2014	ENC	19875	0001			Legal Services billing thru 9/25/2014Riverfro				75.00		6,822.82
10/21/2014	DJ 5007	19875	0001	61318	1523	COURTER, KOBERT & COHEN PC Riverfront Redevel				(75.00)	75.00	6,822.82
10/21/2015	ENC	22201				Professional services renderedINVOICE 9102014				380.16		6,442.66
10/21/2015	ENC	22202				professional services renderedINVOICE 9102014				636.00		5,806.66
10/21/2015	ENC	22203				professional services renderedINVOICE 2015 -0				150.00		5,656.66
11/12/2015	ENC	22309	0001			Professional Services RenderedRiverview at De				3,188.20		2,468.46
11/16/2015	DJ 5363	22203		64782	1438	BRUCE A JONES ESQ INVOICE 2015 -09				(150.00)	150.00	2,468.46
12/15/2015	DJ 5764	22309	0001	64996	139	VAN CLEEF ENGINEERING ASSOC., Riverview at D				(3,188.20)	3,188.20	2,468.46
04/05/2016	DJ 1379	22201		66020	139	VAN CLEEF ENGINEERING ASSOC., INVOICE 910201				(380.16)	380.16	2,468.46
04/05/2016	DJ 1380	22202		66021	139	VAN CLEEF ENGINEERING ASSOC., INVOICE 910201				(636.00)	636.00	2,468.46

12-286-56-855-001 Dev Escrow - Peron Developmnt (Perrucci)

From 01/01/2007 to 09/20/2021

Date	Source	PO#	Contract#	Check #	Vendor#	Vendor/Description	Budget	Debit	Credit	PO Encumber	PO Payment	Balance (CR)*
08/31/2016	ENC	24207				Professional Services Rendered RIVERVIEW AT DE				180.00		2,288.46
11/10/2016	ENC	24642				LEHIGH VALLEY LIVE SPECIAL MEETING NOTICE FOR				104.30		2,184.16
12/20/2016	DJ 5819	24207		68259	139	VAN CLEEF ENGINEERING ASSOC., RIVERVIEW AT D			(180.00)		180.00	2,184.16
12/20/2016	DJ 5868	24642		68298	651	INACTIVE:LEHIGH VALLEY MEDIA G SPECIAL MEETIN			(104.30)		104.30	2,184.16
12/29/2016	ENC	24993	0001			WILLIAM MANDRY INVOICE FOR RIVER VIEW AT DELA				619.16		1,565.00
12/29/2016	ENC	25000	0001			VAN CLEEF INVOICE FOR RIVER VIEW INVOICE FOR R				1,565.00		-
01/17/2017	DJ 235	25000	0001	68525	139	VAN CLEEF ENGINEERING ASSOC., INVOICE FOR RI			(1,565.00)		1,565.00	-
01/17/2017	DJ 278	24993	0001	68557	789	WILLIAM E MANDRY INVOICE FOR RIVER VIEW AT DE			(619.16)		619.16	-
02/24/2021	RJ 534					Escrow-Peron Escrow				10,000.00		10,000.00
03/17/2021	ENC	35136				Howard Street - December 2020				1,312.50		8,687.50
03/17/2021	ENC	35137				Howard Street - January 2021				120.00		8,567.50
04/06/2021	DJ 1504	35137		81866	139	VAN CLEEF ENGINEERING ASSOC., Howard Street			(120.00)		120.00	8,567.50
04/06/2021	DJ 1534	35136		81890	677	LAVERY, SELVAGGI & ABROMITIS P Howard Street			(285.00)		285.00	8,567.50
04/06/2021	DJ 1534	35136		81890	677	LAVERY, SELVAGGI & ABROMITIS P Howard Street			(270.00)		270.00	8,567.50
04/06/2021	DJ 1534	35136		81890	677	LAVERY, SELVAGGI & ABROMITIS P Howard Street			(757.50)		757.50	8,567.50
05/06/2021	ENC	35412				Howard Street - April				450.00		8,117.50
05/18/2021	DJ 2138	35412		82225	677	LAVERY, SELVAGGI & ABROMITIS P Howard Street			(450.00)		450.00	8,117.50
06/11/2021	ENC	35642				Howard Street - May				30.00		8,087.50
06/15/2021	DJ 2596	35642		82511	677	LAVERY, SELVAGGI & ABROMITIS P Howard Street			(30.00)		30.00	8,087.50
08/11/2021	ENC	35951				Howard St - July				1,590.00		6,497.50
08/17/2021	DJ 3607	35951		83093	677	LAVERY, SELVAGGI & ABROMITIS P Howard St - Ju			(1,590.00)		1,590.00	6,497.50
09/20/2021	DJ 4120			298003379	6837	Town of Phillipsburg Move Dev Escrows to Trus		6,497.50				-
							- 6,497.50		32,879.26		- 26,381.76	-

* Liability Account. (Typically Credit Balance. Debit Balances are shown as negatives.)

Moved to
12-286-56-855-263

12-286-56-855-015 Dev Escrow - Perron Riverview-21-001

From 01/01/2007 to 09/20/2021

Date	Source	PO#	Contract#	Check #	Vendor#	Vendor/Description	Budget	Debit	Credit	PO Encumber	PO Payment	Balance (CR)*
03/26/2021	RJ 776					Transfer money that was deposited into wronga			5,000.00			5,000.00
03/29/2021	ENC	35213	0001			Professional Services from 2/1/21 - 2/28/21				3,866.50		1,133.50
04/06/2021	DJ 1510	35213	0001	81872	139	VAN CLEEF ENGINEERING ASSOC., Professional S				(3,866.50)	3,866.50	1,133.50
04/30/2021	ENC	35343				Professional Services from 03/1/21 - 03/31/21				570.00		563.50
04/30/2021	ENC	35347				Professional Services through 04/15/21				229.50		334.00
05/18/2021	DJ 2124	35343		82214	139	VAN CLEEF ENGINEERING ASSOC., Professional S				(570.00)	570.00	334.00
05/18/2021	DJ 2197	35347		82263	6631	WINEGAR, WILHELM, GLYNN & Professional Servic				(229.50)	229.50	334.00
07/01/2021	ENC	35716				Professional Services rendered through 06/29/				310.50		23.50
07/07/2021	DJ 2995	35716		82768	6631	WINEGAR, WILHELM, GLYNN & Professional Servic				(310.50)	310.50	23.50
08/09/2021	RJ 2214					LU Escrow-Peron Riverview-21-001			4,200.00			4,223.50
08/26/2021	ENC	35990				Professional Services from 07/1/21 - 07/31/21				120.00		4,103.50
08/26/2021	ENC	35992				Professional Services from 6/1/21 - 6/30/21				419.75		3,683.75
08/26/2021	ENC	35993	0001			Professional Services from 04/01/21 - 04/30/2				3,523.50		160.25
09/08/2021	DJ 3949	35990		83293	139	VAN CLEEF ENGINEERING ASSOC., Professional S				(120.00)	120.00	160.25
09/08/2021	DJ 3951	35992		83295	139	VAN CLEEF ENGINEERING ASSOC., Professional S				(419.75)	419.75	160.25
09/08/2021	DJ 3952	35993	0001	83296	139	VAN CLEEF ENGINEERING ASSOC., Professional S				(3,523.50)	3,523.50	160.25
09/20/2021	RJ 2655					LU Escrow-Peron Riverview-21-001			5,000.00			5,160.25
09/20/2021	DJ 4120			298003379	6837	Town of Phillipsburg Move Dev Escrows to Trus		5,160.25				-
							=====	=====	=====	=====	=====	=====
							-	5,160.25	14,200.00	-	9,039.75	-

* Liability Account. (Typically Credit Balance. Debit Balances are shown as negatives.)

Moved to
12-286-56-855-263

12-286-56-851-263 LU Escrow-Peron Riverview

From 01/01/2007 to 10/14/2021

Date	Source	PO#	Contract#	Check #	Vendor#	Vendor/Description	Budget	Debit	Credit	PO Encumber	PO Payment	Balance (CR)*
09/24/2021	RJ 2707					Transfer from Trust to setup Peron Riverviewi			11,657.75			11,657.75
09/29/2021	ENC	36199				Professional Services from 08/01/21 to 08/31/				1,810.00		9,847.75
09/29/2021	ENC	36206				professional Services through 09/28/21				1,701.00		8,146.75
10/05/2021	DJ 4437	36199		83591	139	VAN CLEEF ENGINEERING ASSOC., Professional S				(1,810.00)	1,810.00	8,146.75
10/05/2021	DJ 4470	36206		83621	6631	WINEGAR, WILHELM, GLYNN & professional Servic				(1,701.00)	1,701.00	8,146.75
10/14/2021	ENC	36300	0001			Professional Services from 09/1/21 - 09/30/21				3,074.50		5,072.25
							=====	=====	=====	=====	=====	=====
							-	-	11,657.75	3,074.50	3,511.00	5,072.25

* Liability Account. (Typically Credit Balance. Debit Balances are shown as negatives.)

Consistency Review Report

Proposed Amendment to the Riverfront Redevelopment Plan

Angela Knowles, PP/AICP, LEED-AP
Lic.# 61250
Van Cleef Engineering Associates,
Inc.

Prepared for review by the
Phillipsburg Planning Board

February 25, 2021

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Introduction

The purpose of this report is to assess the consistency of a proposed amendment to the 2017 Riverfront Redevelopment Plan with the permitted uses, bulk standards and general intent of the Redevelopment Plan for the Riverfront and with the Town's 2004 Master Plan. This report has been prepared in accordance with the Local Redevelopment and Housing Law (LRHL) Section 40A:12A-7e. which states that:

Prior to the adoption of a redevelopment plan, or revision or amendment thereto, the planning board shall transmit to the governing body, within 45 days after referral, a report containing its recommendation concerning the redevelopment plan. This report shall include an identification of any provisions in the proposed redevelopment plan which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate.

The Riverfront Redevelopment Area was designated an "area in need of redevelopment" pursuant to the LRHL by the Phillipsburg Town Council in August 2005. As illustrated in **Map 1**, the redevelopment area covers the length of the Delaware River waterfront from approximately Fifth Street at the northern end to Pursel Street at the southern end. It now incorporates six districts of varying uses and character.

As part of the Highlands Center planning process, Phillipsburg prepared an analysis of the 2005 redevelopment plan to determine its continued feasibility in light of evolving conditions and trends. The Riverfront Redevelopment Study – Final Report & Recommendations, which was prepared in November 2012, concluded that the 2005 redevelopment plan was still basically sound but that certain provisions of the plan should be revisited and revised. To that end, the study outlined recommendations for supporting the continued redevelopment of the riverfront, including recommendations for amending the 2005 redevelopment plan. One of the recommendations was to reconfigure and expand on the Riverfront Redevelopment Area districts to better reflect the existing and future land uses in those particular areas.

In this report, we are focusing on one lot in District 3 – Recreational Heritage and two lots in District 5 – Riverside Residential, more specifically Block 2102 Lots 1, 2, and 11 (**Map 2**). Initially this area was proposed for a several-hundred-unit apartment complex that never materialized and in the past 15 years the Town has struggled to find a suitable use for this site. We are now embarking on a similar process to what was completed in 2012, to evaluate whether a proposed amendment to the current Riverfront Redevelopment Plan (adopted in November 2017) is consistent with the goals of the Master Plan and the Riverfront Redevelopment Plan, and more specifically, if these particular parcels are suited for siting an industrial use in this District.

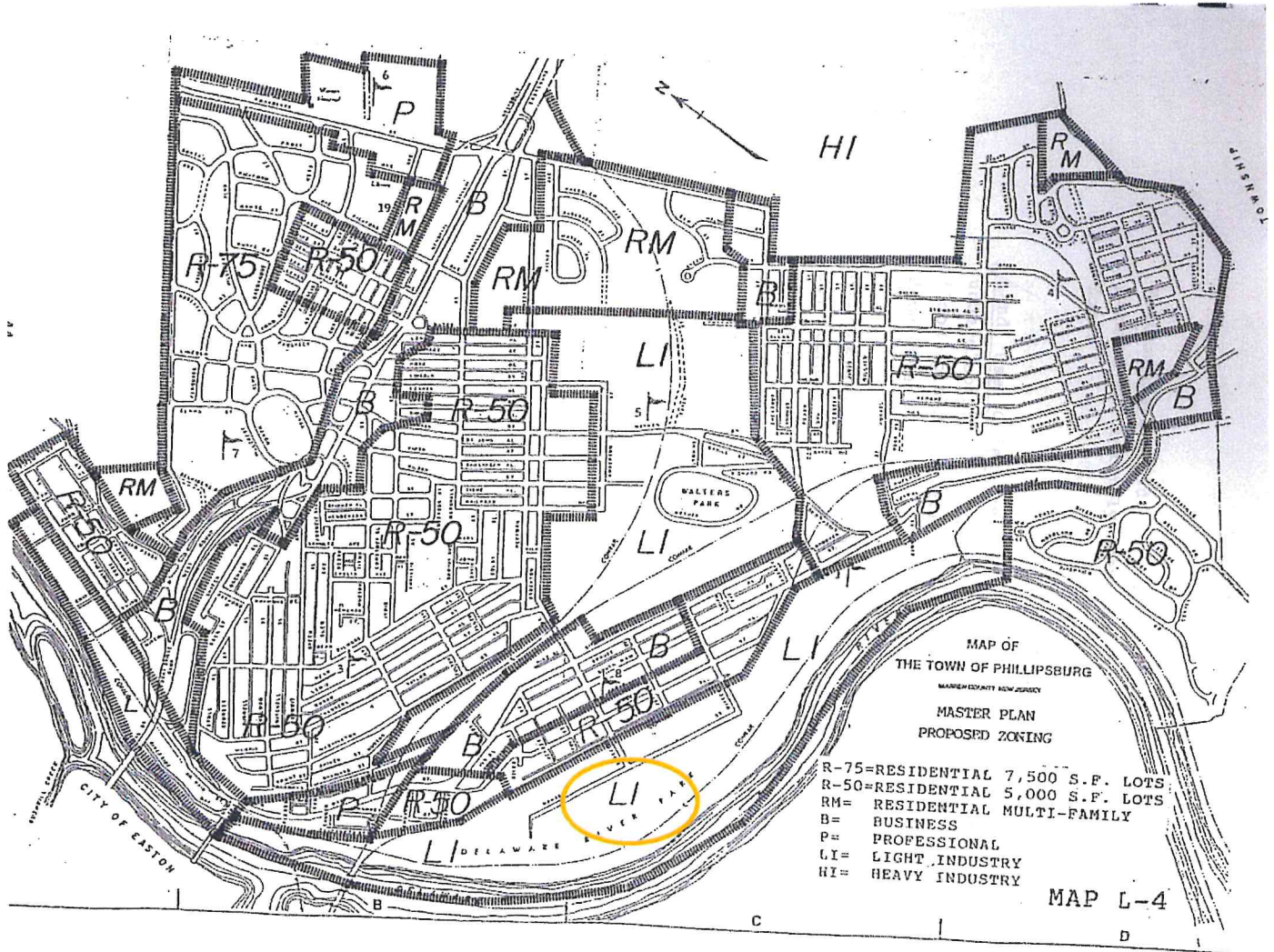
Existing Conditions

The subject parcels (Block 2102, Lots 1, 2, and 11) are located within Districts 3 & 5 and total approximately 43.6 acres in size. All three lots are currently vacant with overgrown vegetation.

- Lot 1 is 7.52 acres located within District 3 (Recreational Heritage) and is identified on the Town's Recreation and Open Space Inventory as municipal Open Space. As a part of this project, the Town is requesting a diversion from the NJDEP to remove this property from the ROSI so that it may become a part of the Redevelopment Plan for this project. The lot is an oddly shaped parcel that extends from Delaware River Park to the northwest of the site. It is surrounded by Lot 2 in District 5 and is therefore a logical parcel to include in the proposed redevelopment amendment to the redevelopment plan.
- Lot 2 is 31.3 acres located within District 5 (Riverfront Residential) with frontage on Howard Street and with rear access to the active railroad that parallels the river.
- Lot 11 is 4.89 acres located within District 5 (Riverfront Residential) and adjacent to Lot 2 with frontage on Howard Street. Lots 2 and 11 both have boundaries with the adjacent Redevelopment District 6 – Riverside Commercial.

Prior to this area being designated as part of the Riverfront Redevelopment Area, the zoning for these lots was identified as "Manufacturing" (1988 Town of Phillipsburg Master Plan). At that time, the Master Plan had recommended changing the existing zoning from a Manufacturing Zone to a Light Industrial Zone. That zone was codified on the zoning map as LI (Light Industry Zone) and has the same zoning regulations as the parcels that lie along Howard Street today. In subsequent reexamination reports, there were two separate overlays applied to these lots: The 2005 Redevelopment Plan which designated the area as an overlay zone known as the RA-3 (HR) zone and then the RRA-5 zone in the 2013 Riverfront Redevelopment Plan. These conditions are shown on the following maps, Map 3, Map 4, and Map 5.

Map 3: Zoning Map from 1988 Master Plan



Map 4: Redevelopment Area Zoning Map from 2005 Redevelopment Plan

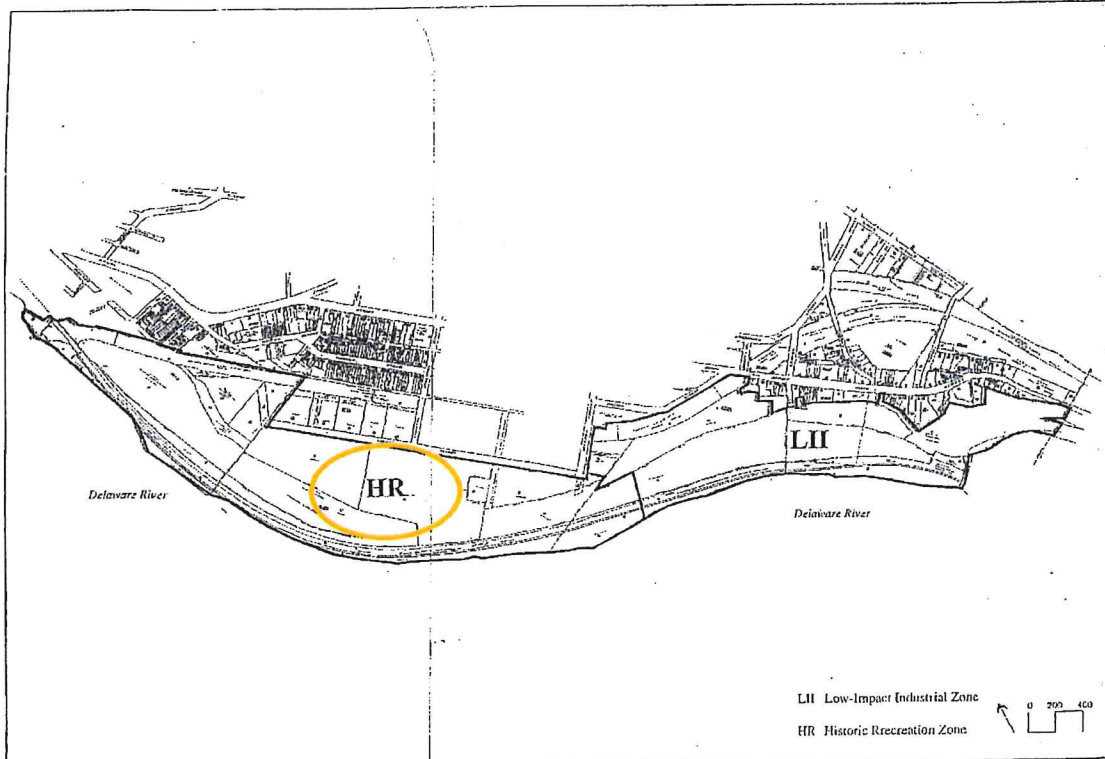
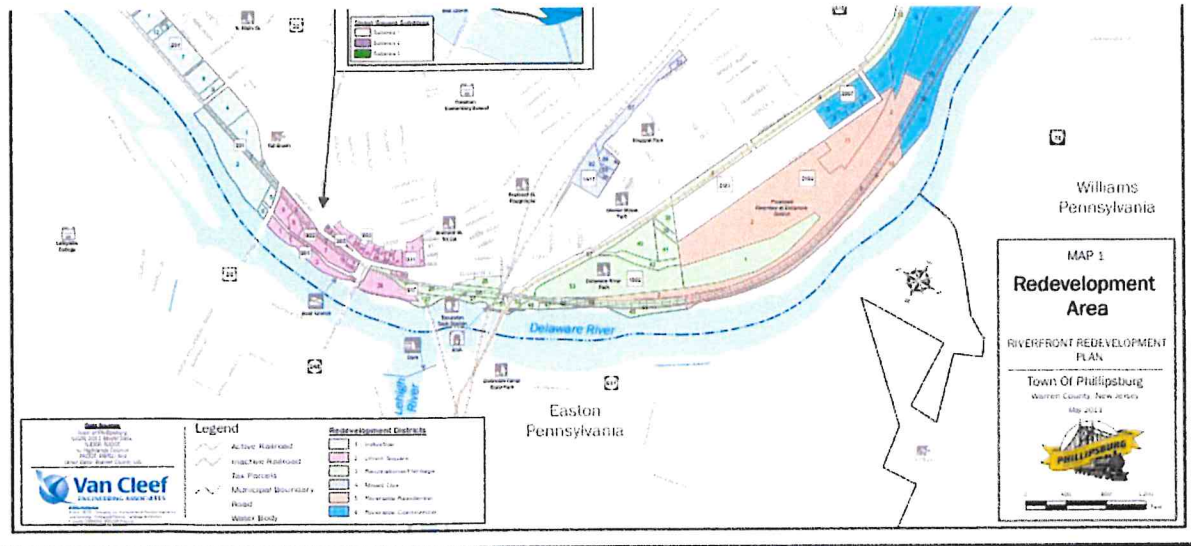


Figure 3: Redevelopment Area Zoning

Abelco Phillips Preiss & Shapiro, Inc. 1999

Map 5: Redevelopment Districts from 2013 Redevelopment Plan



In light of these historical facts, it appears the underlying zoning would be in line with that of the Industrial zone on Howard Street and with flex space for more intense uses should they be desired. Therefore should the Council move forward with the amendment, we recommend the I-2 Zone standards be applied in the amended redevelopment plan for these parcels.

Project Summary

The current owner and redeveloper proposes to acquire that portion of Lot 1 that is currently listed as Municipal Open Space and then develop one (1) “industrial building” of approximately 510,000 square feet. A conceptual plan shared with the town shows a large industrial building situated parallel to Howard Street with approximately 382 parking spaces located on the northeast side of the building between the structure and Howard Street, approximately 45 trailer parking spaces on the north side of the building, and approximately 64 trailer parking spaces on the south side of the building. There appears to be a paved area behind the building (along the riverfront) for potential truck bays / loading docks, but none are shown on the plan. The concept plan also shows three means of ingress/egress from Howard Street – one 24’ wide access from the northern end of the street, one 24’ wide access from the southern end and another 35’ wide access from the southern end of the street. The southern-most access point (the 35’ access) would connect with McKeen Street and continue on to South Main Street.

The concept plan also indicates the location of a “proposed above-ground stormwater basin” to the rear of the building, along the riverfront; and the location of an extended paved path from the adjacent Delaware River Park.

Permitted Uses in the Districts

In order to determine the consistency of the proposed project and the proposed redevelopment plan amendment with the existing zoning permitted uses, we have outlined below the existing conditions for each parcel and each zone. We have included the permitted uses for another riverfront industrial zone (I-2 Zone) for comparison (See Tables 1 and 2 below). Should the Town accept this report and move forward with an amendment to the Riverfront Redevelopment Plan, it is recommended that the amended zoning regulations reflect those of the existing I-2 District with components of the Recreational Heritage District to ensure the history and the natural assets of the area continue to be celebrated within the development of these properties. This is discussed further in the Recommendations section of this report.

Table 1: Existing Redevelopment Area Districts

Subject Parcel	District
Block 2102, Lot 1	Recreational Heritage
Block 2102, Lot 2	Riverfront Residential
Block 2102, Lot 11	Riverfront Residential

Table 2: Current Permitted Uses

Primary Permitted Uses	I-2	Riverside Residential	Recreational Heritage
Manufacturing, fabrication, packaging and treatment of conversion of products	✓		
Scientific or research laboratories devoted to research, design, and/or experimentation and processing and fabricating incidental thereto.	✓		
Office buildings for business, professional, executive and administrative purposes.	✓		
Wholesale businesses	✓		
Retail sales associated with the principal use of the building	✓		
Trucking Terminal	✓		
Lumberyards and similar operations requiring bulk storage of materials, such as plumbing and building construction supplies, including the retail sale of such materials.	✓		
Mid-rise and low-rise residential buildings		✓	
Retail establishments and offices on the first floor of mid-rise building		✓	
Museums, cultural and educational facilities on the first floor of mid-rise or free-standing bldgs		✓	
Railroads and related activities			✓
Parks and outdoor recreation			✓
Tourism facilities and interpretive displays			✓

Consistency Review with the 2004 Master Plan and the 2017 Riverfront Redevelopment Plan

2004 Master Plan

The Township's 2004 Master Plan was prepared and adopted with an overarching goal to provide "guidance and aid in the process of redefining the direction of development in the Town. The Master Plan is divided into Plan Elements which each have their own set of goals, objectives and recommendations for advancing the Town's intent to provide a heightened quality of life for resident. One specific plan element is the Land Use Plan. The Land Use Plan was further broken down into goal areas: Housing, Commercial and Industrial. Relevant objectives from each of these goals areas include:

1. Reduce conflicts between residential and non-residential uses
2. Encourage the development and expansion of businesses and industries that will generate jobs and provide services for local residents.
3. Provide functional, accessible, and cost effective locations within the Town for industrial uses that enhance the economics for the individual uses and the Town as a whole.
4. Encourage and aid incompatible non-residential uses whose current location is or will negatively impact the future development/redevelopment of that area to find alternate, more appropriate and functional locations within the Town.

Additionally, the Land Use Plan made recommendations for each of the goal areas to consider in aiding with the implementation of the goals. Recommendations included:

- Review and revise standards for buffering, screening, lighting, and parking for non-residential uses adjacent to residences.
- Review the location and allowed uses in the Town's industrial zones to determine consistency with the Land Use objectives above and revise as needed.
- Provide for adaptive reuse of buildings to provide more compatible uses adjacent to residential zones/uses.
- Review design standards for industrial uses, giving proper consideration to off-site impacts, such as traffic, noise, lights, screening, landscaping, location of loading areas.
- Inventory the Town's vacant and/or underutilized industrial properties and reprioritize the list of potential redevelopment sites.
- Develop a program to encourage poorly located industries to relocate to more favorable locations within the Town.

2017 Riverfront Redevelopment Plan – Districts 3 & 5

The goals stated in the 2017 Riverfront Redevelopment Plan were created with the intent to promote new uses that would range in activities based on their locations. For instance, in District 3, the focus is on "recreation and railroad/canal heritage uses and is intended primarily for public recreational use such as parks and trails and associated tourism activities. It can also accommodate certain private tourism enterprises that complement the recreation/heritage experience such as the excursion train.

This district will also be the hub for the Riverfront Heritage Trail system". In District 5, the area was originally proposed to provide for "mid-rise residential buildings to be constructed primarily along the Howard Street frontage and low-rise residential buildings to be constructed between the mid-rise buildings and the Bel-Del right-of-way." Development in this district was also proposed to enhance and provide access to the adjoining park and recreation facilities including the proposed trail system and we would recommend these objectives to be carried forward into any amended redevelopment plan.

Conclusions & Recommendation

On the whole, it appears the proposed plan, would be consistent with the goals and objectives of the 2004 Master Plan and the intent of the 2017 Riverfront Redevelopment Plan. Since the adoption of this Redevelopment Plan, and the 2013 Plan which preceded this one, the Town has struggled to attract the desired residential development that would be appropriate for the district and the subject parcels. In that time, the Town has embarked on redevelopment activities elsewhere along the Riverfront where residential uses would be located, and are perhaps better suited. The proposed amendment speaks to the goals of the 2004 Master Plan in that it is proposing to locate industrial uses in a more favorable location in town: adjacent to an existing industrial zone and out of sight from residential and downtown uses.

There are a few concerns with the permitted uses proposed to change from residential to industrial. The proposed industrial use would increase truck traffic and potentially automobile traffic in an area that is in the midst of revitalizing to a more pedestrian-friendly area. We would caution the Town in permitting additional truck traffic to enter the downtown (South Main Street) so as to avoid conflicts with pedestrians and bicyclists and to preserve the downtown character of the neighborhood. We would recommend the Town revisit an initial proposal to this site which extended Howard Street south to bypass the downtown and intersect South Main Street somewhere around Center Street.

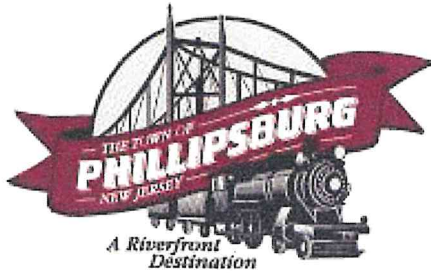
Similarly, we feel it is important to maintain some components of the existing District 3 with access to recreation and a continuation of the Heritage Trail System in this area. The proposed site plan indicates an existing paved path that enters the site from Delaware River Park and turns east toward Howard Street. It would be good to see that connection instead follow along the riverfront "behind" the proposed industrial buildings and provide an opportunity to link up with the Morris Canal Greenway further south. This would be especially important given the project's proposal to divert a portion of the Green Acres parcel on Lot 1.

Recommendation to Town Council

From these statements, and previous zoning designations over the past 30 years, it is clear that the Town envisioned this area - close to the river and railroad - as a non-residential, light industrial area. Goals and Objectives in the previous Land Use Plans provide the foundation for these uses and identify measures to ensure there is consideration for any off-site impacts and for neighboring residential uses.

Given the subject parcels are located adjacent to an existing I-1 zone, a Riverside Commercial Zone, and an established municipal park, there would appear to be little-to-no impact on the immediate neighboring properties if an amended redevelopment plan were to implement Heavy Industrial zoning standards. As with any large development, off-site impacts like traffic will need to be considered due to the project's proximity to the downtown.

It is for these reasons that the proposed amendment and concept plan appear to be consistent with the Master Plan and Riverfront Redevelopment Plan, and as long as any special conditions are met. We trust that the comments found herein are sufficient for the Council's review and consideration of the proposed amendment of the Riverfront Redevelopment Plan District 5.



OFFICE OF THE MUNICIPAL CLERK

120 Filmore Street

Phillipsburg, NJ 08865

Phone: 908-454-5500 x 309

Fax: 908-454-6511

Town Website: www.phillipsburgnj.org

Email: ykleiner@phillipsburgnj.org

Via Regular Mail and E-Mail

Kevin Appelget
Bureau of Legal Services and Stewardship
NJDEP, Green Acres Program
501 East State Street
Mail Code 501-01 PO Box 420
Trenton, NJ 08625-0420
Email: kevin.appelget@dep.nj.gov

Re: Request for Major Disposal or Diversion of Parkland Pre-Application Conference Pursuant to N.J.A.C. 7:36-26.7(a)1 and N.J.A.C. 7:36-26.9(a) for Property Located at Howard Street Rear, Block 2102, Lot 1, Phillipsburg, Warren County

Dear Mr. Appelget,

As I understand you are the County Steward for Warren County.

Please accept this letter as our request for a pre-application conference to discuss the Town's proposal and related procedural requirements for a major disposal or diversion of parkland located at Howard Street Rear, Block 2102, Lot 1, in the Delaware River Park, in the Town of Phillipsburg, Warren County, New Jersey.

If you would please contact me with a date and time and a listing of information you would like us to have prepared for such pre-application conference, it would be greatly appreciated.

Thank you in advance for your cooperation and consideration.

Sincerely,

Victoria L. Kleiner

Town of Phillipsburg, Municipal Clerk

cc: Seth R. Tipton, Esq.