

TOWN OF PHILLIPSBURG
Town Council Agenda
September 20, 2016 – 7:00PM
Council Chambers, Town Hall

1. OPEN PUBLIC MEETING ACT STATEMENT

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. APPROVAL OF MINUTES

Council Mtg 09-06-2016

Exe. Session 09-06-2016

6. APPROVAL OF BILLS

THE AGENDA FOR SAID MEETING TO THE EXTENT NOW KNOWN IS AS FOLLOWS. ITEMS LISTED ON THIS AGENDA AND ANY OTHER BUSINESS THE COUNCIL MAY DEEM NECESSARY IS SUBJECT TO CHANGE. FORMAL ACTION MAY TAKE PLACE.

7. PROCLAMATIONS Domestic Abuse and Sexual Assault Crisis Center

8. MAYOR'S REPORT

9. OLD BUSINESS

10. PUBLIC DISCUSSION ON AGENDA ITEMS

11. ORDINANCE

O: 2016-19 (First Reading) Tabled 07-19-16

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO ADD A NEW CHAPTER 533 ENTITLED **SPECIAL EVENTS**, TO THE CODE OF THE TOWN OF PHILLIPSBURG

ROLL CALL

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Davis						
Fey						
Lutz						
Piazza						
Tersigni						

THE AGENDA FOR SAID MEETING TO THE EXTENT NOW KNOWN IS AS FOLLOWS. ITEMS LISTED ON THIS AGENDA AND ANY OTHER BUSINESS THE COUNCIL MAY DEEM NECESSARY IS SUBJECT TO CHANGE. FORMAL ACTION MAY TAKE PLACE.

O: 2016 – 21 A

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 222 *CLOTHING BINS* SECTION 2 *REQUIREMENTS FOR PLACEMENT, USE OF CLOTHING BINS FOR SOLICITATION PURPOSES* OF THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO ADD ADDITIONAL REQUIREMENTS FOR THE PLACEMENT OF CLOTHING BINS AND TO PROHIBIT THE PLACEMENT OF BINS ON TOWN OWNED PROPERTY

ROLL CALL

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Davis						
Fey						
Lutz						
Piazza						
Tersigni						

O:2016-22

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 625 *ZONING* ARTICLE XII *B-2 BUSINESS-HIGHWAY ZONE* OF THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO ADD A NEW SECTION 58 ENTITLED *PERMITTED ACCESSORY USES*

ROLL CALL

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Davis						
Fey						
Lutz						
Piazza						
Tersigni						

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O: 2016-23 (Second and Final Reading)

TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY
ORDINANCE OF THE TOWN OF PHILLIPSBURG
AMENDING ORDINANCE 2015-20 REGARDING 2016 SALARIES FOR UNCLASSIFIED EMPLOYEES

ROLL CALL

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Davis						
Fey						
Lutz						
Piazza						
Tersigni						

O: 2016 – 24 (Second and Final Reading)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 67-24, SCHEDULE IX, LEFT TURN PROHIBITIONS, OF THE CODE OF THE TOWN OF PHILLIPSBURG

ROLL CALL

Councilmen	First	Second	Yea	Nay	Abstain	Absent
Davis						
Fey						
Lutz						
Piazza						
Tersigni						

THE AGENDA FOR SAID MEETING TO THE EXTENT NOW KNOWN IS AS FOLLOWS. ITEMS LISTED ON THIS AGENDA AND ANY OTHER BUSINESS THE COUNCIL MAY DEEM NECESSARY IS SUBJECT TO CHANGE. FORMAL ACTION MAY TAKE PLACE.

12. RESOLUTIONS

R: 2016 -187

A RESOLUTION IMPOSING LIEN FOR MUNICIPAL SERVICES

R: 2016 - 188

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY CANCELLING TAX OVERPAYMENT DUE TO LIEN HOLDER PAYMENT ON ACCOUNT

R: 2016 – 189

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING FOR MEMBER PARTICIPATION IN A COOPERATIVE PRICING SYSTEM

R: 2016-190

A RESOLUTION AWARDDING PURCHASES UNDER NEW NATIONAL JOINT POWERS ALLIANCE CONTRACT (Tractor)

THE AGENDA FOR SAID MEETING TO THE EXTENT NOW KNOWN IS AS FOLLOWS. ITEMS LISTED ON THIS AGENDA AND ANY OTHER BUSINESS THE COUNCIL MAY DEEM NECESSARY IS SUBJECT TO CHANGE. FORMAL ACTION MAY TAKE PLACE.

R: 2016-191

A RESOLUTION AWARDDING PURCHASES UNDER NEW NATIONAL
JOINT POWERS ALLIANCE CONTRACT (Garbage Truck)

R: 2016-192

A RESOLUTION PROVIDING FOR A REFUND OF ESCROW AND
APPLICATION FEES (Howard Street – Salt Shed)

13. NEW BUSINESS

14. PUBLIC PETITIONS – this is the time the public can speak to Council
(Public Comments -*Please state your name and address prior to speaking*)

15. OPEN TIME

16. MOTIONS

**THE AGENDA FOR SAID MEETING TO THE EXTENT NOW KNOWN IS AS FOLLOWS.
ITEMS LISTED ON THIS AGENDA AND ANY OTHER BUSINESS THE COUNCIL MAY
DEEM NECESSARY IS SUBJECT TO CHANGE. FORMAL ACTION MAY TAKE PLACE.**

17. EXECUTIVE MEETING

R: 2016-

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING

18. ADJOURNMENT

THE AGENDA FOR SAID MEETING TO THE EXTENT NOW KNOWN IS AS FOLLOWS. ITEMS LISTED ON THIS AGENDA AND ANY OTHER BUSINESS THE COUNCIL MAY DEEM NECESSARY IS SUBJECT TO CHANGE. FORMAL ACTION MAY TAKE PLACE.

Bill List Summary
REGULAR BILL LIST AS OF SEPTEMBER 20, 2016

		<u>Check No</u>
1	Current Fund	99,469.16
2	State & Federal Grants	2,814.00
4	Capital Fund	17,930.86
7	Sewage Utility Fund	7,266.00
8	Sewage Capital Fund	8,372.00
12	Planning Board Trust Fund	1,537.50
12	Opus Investments	0.00
13	Dog Trust Fund	0.00
15	Public Defender Trust Fund	0.00
16	Section 8	1,717.00
17	General Trust Fund	0.00
17	Commerce Park Redevelopment	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	0.00
21	Revolving Loan Fund	0.00
Total Regular Bill List as SEPTEMBER 20, 2016		139,106.52

Section 8 Rent Payments for 2016

16	Section 8 Program	144,306.00
Total Section 8 Rent Payments Bill List as of OCTOBER, 2016		144,306.00

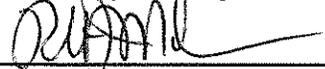
Pre-Paid Bill List as of SEPTEMBER 20, 2016

1	Current Fund	0.00
2	State & Federal Grants	20,000.00
4	Capital Fund	0.00
7	Sewer Utility Fund	0.00
8	Sewer Utility Capital	0.00
12	Planning Board Trust Fund	0.00
16	Section 8	0.00
17	General Trust Fund	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	0.00
21	Revolving Loan Fund	0.00
Total Pre-Paid Bill List for SEPTEMBER 20, 2016		20,000.00

Grand Total All Funds

303,412.52

Approved By:



 Robert J. Merio, CFO



 Stephen R. Ellis, Mayor

O: 2016-19

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO ADD A NEW CHAPTER 533 ENTITLED *SPECIAL EVENTS*, TO THE CODE OF THE TOWN OF PHILLIPSBURG

BE IT ORDAINED by the Town Council of the Town of Phillipsburg, County of Warren and State of New Jersey that the Town Code is hereby amended by adding a new Chapter 533 entitled *Special Events* as follows:

Section 1

§533-1. Purpose; applicability.

A. There is hereby established a special events ordinance authorizing and requiring the issuance of permit to regulate outdoor picnics, concerts, festivals, shows, dances, exhibitions and other public gatherings of more than 50 persons on private property within the Town of Phillipsburg. This shall not apply to any outdoor gathering by the Town of Phillipsburg itself or any agency thereof, by the school district thereof or by any police or fire company or first aid squad within the Town of Phillipsburg which receives financial support from the Town, or by any established church or any other nonprofit or charitable organization or family gathering. This chapter shall not apply to established permanent indoor structures, theaters, lounges, resorts, auditoriums, convention centers or other indoor places licensed for public occupancy, unless otherwise limited by applicable law.

B. A single applicant may seek a permit for more than one outdoor event when the applicant seeking the multiple permits is the same and the assemblies are to be held at the same location for a substantially similar purpose. Where one application for multiple assemblies is filed, the permitting fees shall be payable for each event.

§533-2. Waiver of requirements.

The Town Council may waive the permit requirements if it is found that the outdoor activity will not, in any way, affect the health, welfare and safety of the Town.

§533-3. Application requirements.

An application for a permit shall be signed by the person, persons, or parties responsible and filed in triplicate with the Town Clerk accompanied by the fee payable hereunder at least 60 days prior to the planned event. The applicant shall set forth in the application for permit the following information:

A. The names and addresses of the person or persons, or in the case of a corporation, the names and addresses of the president, vice president, secretary, treasurer and director or trustees,

responsible for conducting the outdoor event or any public gathering for purposes of amusement sought to be permitted.

B. The type of event to be conducted and a statement of the purposes of the event, whether for pecuniary profit or charitable purposes, and if charitable, a statement of the charity or charities to be benefitted.

C. A description of the lands or premises sought to be approved, which shall include a description of the boundaries sought to be approved, the block and lot of the premises and proof of ownership.

D. Whether the premises is owned by the applicant, or if not owned, then the names and addresses of the lessor or permitter and the terms of the lease or permit.

E. A designation of the portion of the premises intended to be used for the parking of automobiles, including a statement in acres or square feet of the area to be devoted to this purpose.

F. A map or sketch showing the entire area sought to be approved and delineating thereon the portion to be used for the parking of automobiles, and further showing driveways or means of access to and from the premises, and the names of all adjoining owners of the premises to be approved. The effect on traffic in the area of the event as caused by the event shall be calculated. The parking and traffic effects shall be submitted 30 days prior to the planned event.

G. Plans for emergencies shall be submitted 30 days prior to the planned event. The plan shall indicate how all the attendees will be removed from the site in the event of an emergency.

H. A statement of the number of persons to be engaged in the outdoor event to be approved and, in addition, a statement of the number of spectators anticipated to watch or observe the exhibition or performance.

I. A fee of at least \$100 shall be paid upon filing the application to be applied by the Town toward its expense in investigating the applicant, which fee shall not be refunded if the application is issued or denied.

J. The specific nature of the outdoor event, together with a schedule and names and addresses of all events or acts. All advertising and public announcements concerning the outdoor event shall include a statement that no alcoholic beverages or controlled dangerous substances are permitted into or on the site.

K. The dates upon which the event will take place and the time the event will open and conclude each day.

L. Copies of all contracts and/or agreements between the applicant, the owner and all other persons or entities who have any interest or involvement in the event for whatever purpose

and/or to ensure compliance with all existing ordinances of the Town of Phillipsburg or any laws/regulations of the State of New Jersey.

M. The applicant shall state whether any permits or licenses for events issued by this or any other governmental agency have ever been revoked. The applicant shall also disclose in detail all experience of the applicant in similar events.

§533-4. Investigation; written report.

Upon filing of the application, the Clerk shall refer a copy of the application promptly to the Mayor, Chief of Police, Fire Chief, Construction Official and Town Attorney for investigation of the matters in the application. A written report shall be made to the Town Council of the result of such investigation by any such officer or agent designated by the Mayor within 30 days from the filing of the application.

§533-5. Requirements.

No permit shall be issued unless it is clearly shown that the following are provided for:

- A. Toilet facilities adequate for the capacity of the planned event. These facilities shall be so located as to be conveniently available and shall be so constructed and maintained that they will not be offensive.
- B. Adequate supply of food including provisions for sanitary storage, handling and protection of food and beverages until served or used. A showing must be made that, where food is to be prepared or consumed, there are facilities for washing, disinfecting and storing dishes and food utensils.
- C. Adequate off-street and off-road facilities for contemplated number of people attending the outdoor event. Parking space shall be provided for at least one car for every four persons in attendance.
- D. Adequate camping and housing facilities for the contemplated number of people in attendance, if it is contemplated that the event shall extend from one day to another.
- E. An adequate number of access roads to and from the site of the assembly or use.
- F. The plans shall include the illumination of the location of the event and the pedestrian walkway and parking areas, including the source, amount of power and the location of the illumination. The source of the illumination shall not create a nuisance to the neighboring residential areas.
- G. The plans for supplying sound control and sound amplification, if any, including the number, location and power of the amplifiers and speakers, together with the applicant's proposal to confine the sound to the area of the event. The sound levels shall comply with all local and state regulations, statutes and ordinances.

§533-6. Written authorization for inspections by Town.

No permit shall be issued unless the owner and his tenant or lessee, if any, shall furnish the Town with written authorization to permit the Town or its lawful agents to go upon the property for the purposes of inspecting the same and the facilities to be provided thereon.

§533-7. Comprehensive liability insurance required.

The applicant shall submit to the Clerk, with the application, written commitment from an insurance company licensed to do business in New Jersey, to insure the applicant and the Town of Phillipsburg as coinsured during the event. No permit shall be issued unless the applicant shall furnish the Town with a comprehensive liability insurance policy insuring the Town against liability for damage to person or property with limits of not less than \$500,000/\$1,000,000 for bodily injury or death and limits of not less than \$500,000 for property damage, sufficient to save the Town harmless from any liability or cause of action which might arise by reason of the granting of the permit and not cancelable without 10 days' prior written notice to the Town.

§533-8. Hearing.

If the Town Council deems that a hearing on the application should be held before issuing or denying the permit, based upon the reports received, then within five days after the thirty-day period of investigation, the Town Council shall set a time and place for hearing on the application which shall be held within 15 days thereafter. At the hearing, the applicant and the Town may offer such evidence as may be desired covering the subject matter. Within seven days after the closing of the hearing, the determination on the application shall be rendered. If the determination is favorable, a permit shall be issued. If the determination is negative, then a copy of the determination with the reasons for denying the application shall be served upon the applicant at the mailing address of the applicant designated in the application.

§533-9. Issuance of permit.

A. The permit authorized to be issued shall be issued by the Town Council, but executed by the Mayor and Clerk.

B. The permit shall be set forth and describe, with particularity, the place where the outdoor event sought to be approved hereunder shall take place and the period of time during which it may continue.

C. The permit herein authorized shall not be issued to take effect until all fees have been paid to the Town as provided herein.

D. Any permit authorized to be issued hereunder shall be issued subject to all the provisions of this chapter.

§533-10. Permit fee.

The fee to be paid upon issuance of a permit shall be \$100 for each 50 persons or any portion thereof anticipated to be involved in the event sought to be approved, including therein all personnel, all spectators or members of the audience.

§533-11. Use of Town lots for parking.

If the event seeks to utilize Town-owned grounds and/or facilities for parking, which use shall be granted in the sole and absolute discretion of the Town, there shall be a fee of \$1.00 per vehicle per hour expected, calculated on the basis of 4 persons per vehicle, or as negotiated for larger events in the sole and absolute discretion of the Town.

§533-11.a. Issuance of estimated bill.

The Town shall issue an estimated bill based upon the information provided by the applicant in requesting the issuance of the special events permit. In the event the realized cost either exceeds or is less than what was anticipated, the bill may, in the discretion of the Town, be adjusted accordingly.

§533-12. Conduct of permittees and patrons.

- A. No person or party approved for a permit hereunder shall allow, suffer or permit any event for any unlawful purpose or to be conducted in any unlawful, disorderly, obscene or lewd manner.
- B. No outdoor event shall allow any performer to perform or be displayed in the nude.
- C. No outdoor event shall be allowed which shall depict sexually suggestive acts or subjects offensive to public morals and decency.
- D. No outdoor event shall allow the use of any moving pictures or other media which is obscene, lewd, indecent or offensive to public morals and decency.
- E. Any permittee hereunder shall not permit any employees or agents of the applicant or any spectators or any persons on the approved premises during the period of time approved in the permit to completely undress or go about in a lewd, obscene or indecent manner.

§533-13. Inspection.

The permittee shall allow the Phillipsburg Police Department or any other persons duly authorized by the Town to inspect the approved premises, or any part thereof, and the outdoor event at any time either prior to or during the period of time approved by the permit, to inspect the premises and observe the persons upon the premises or to detect violations of this chapter or of any other law of the federal government or the State of New Jersey or the Town of Phillipsburg.

§533-14. Traffic.

The permittee shall take all proper means to assist in the orderly conduct and presentation of its event and to maintain a flow of traffic and use of the premises without congestion of traffic. For such purposes, the permittee shall employ or obtain sufficient personnel to carry out these objectives.

§533-15. Permittee to hire personnel to maintain order.

The permittee shall maintain at its own expense one or more off-duty police officers at the established pay rate for the proper conduct of the approved event who shall remain upon the approved premises at all times during the period in which the permit shall be in effect.

§533-16. Revocation or suspension of permit.

A. Council or Mayor, through its authorized officers or agents, may terminate or suspend any permit issued hereunder. Such suspension or revocation shall be determined as follows:

(1) The Mayor or other person authorized by the Town Council shall cause a written notice of the alleged violations of this chapter or of any other laws involved to be served upon the applicant or any of the agents of the applicant on the premises, together with a notice of the time and place of hearing to be held, not less than 24 hours after service, directing the permittee to show cause before the Town Council why the permit should not be suspended or revoked.

(2) At the hearing, the Town Council shall hear all of the evidence offered by the Town and the permittee which is material to the issue and shall make a prompt determination of its findings. If the findings are in favor of the permittee, the charges shall be dismissed. If the findings are against the permittee, the permit issued may be revoked entirely or suspended upon such conditions as the Town Council may direct. In the event of a full revocation, the event approved by the permit shall be terminated immediately, and no further outdoor event shall be held upon the permits granted therefor, and any persons remaining upon the approved premises may be dispersed immediately by any peace officer of the Town and by such other persons or agents as may be properly authorized by the Town.

B. In the event that it shall reasonably appear to the Town Clerk or any other official designated by the Town Council or Mayor for such purpose that the number of persons gathered or gathering upon, or for entry upon, the approved premises for any outdoor event shall exceed 1,000 persons, the Clerk or other authorized official may give notice to the permittee immediately to withhold proceeding with the approved event and shall then inform the Mayor or Town Council promptly of the action. The permittee may then thereupon request a hearing before the Town Council forthwith and the hearing shall be held as promptly as possible.

§533-17. Permit fees not returnable after permit revocation or suspension.

No permit fee or portion thereof shall be refunded following revocation or suspension of any permit issued.

§533-18. Service of notices.

Whenever notice is required to be given to the applicant or permittee hereunder, such service of notice may be made by registered or certified mail directed to the person and address listed in the application or otherwise personally upon the applicant or any of the agents of the applicant upon the approved premises.

§533-19. Enforcement; violations and penalties.

- A. The provisions of this chapter may be enforced by injunction in any court of competent jurisdiction.
- B. The holding of any outdoor event in violation of any provision or conditions contained in this chapter shall be viewed as a public nuisance and may be abated as such.
- C. Any person who violates any section, or violates any condition upon which he is granted a permit, shall, upon conviction, be subject to the penalties included in Chapter 1, Article II, General Penalty, of the Town Code. Each day shall be deemed a separate offense in violation of any of the provisions of this chapter.
- D. The penalty or penalties provided herein shall be in addition to, and not in lieu of, the suspension or revocation of any permit issued hereunder.

§533-20. Waiver, procedure.

Any fee or fees under this Chapter may be waived by the Town Council upon petition by the applicant to the Town Council upon an affirmative vote of the majority of the Town Council constituting a quorum. .

The Town Council may also consider the provision of in-kind services by the applicant to the Town in determining whether a waiver will be granted.

Section 2:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

ATTEST:

TOWN OF PHILLIPSBURG

VICTORIA L. KLEINER,
Municipal Clerk
DATED:

STEPHEN R. ELLIS
Mayor

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their July 19, 2016 meeting.

0-2016-19 Review

Vicki Kleiner

From: Melissa A. Elias <busadmin@phillipsburgnj.org>
Sent: Friday, September 16, 2016 1:00 PM
To: 'Richard Wenner'; 'Vicki Kleiner'
Cc: sellis@phillipsburgnj.org; 'Sherry Corcoran'; 'Christopher M. Troxell';
jdavis@phillipsburgnj.org
Subject: Special Events Ordinance, Short and Long Form Permit Applications- revised 9.9.16
Attachments: SPECIAL USE PERMIT short form revisions 9.16.16.docx; SPECIAL USE PERMIT long form
revisions 9.16.16.docx; Pburg-General (00505446xA8C53)revisions 9.16.16 special
events.docx

Flag Status: Flagged

All-

Please find attached revisions to each the captioned for our 9.20.16 Council Meeting Agenda, subject to attorney review. I am awaiting a Town Map that can be attached to the Permit applications from Stan.

Ordinance is marked to show changes.

Any questions, please let me know.

Best, Melissa

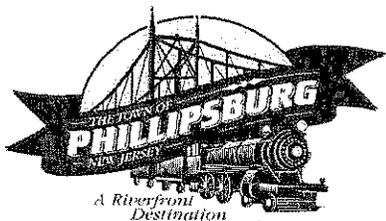
Melissa A. Elias
Business Administrator
Town of Phillipsburg, Warren County
675 Corliss Avenue
Phillipsburg, NJ 08865
(908) 454-5500 extension 389
FAX: (908) 454-6511

Notice: You are advised that copies of correspondence, including e-mail correspondence and attachments, between the public and the Town of Phillipsburg are obtainable by any person filing a request under the Open Public Records Act (OPRA) unless subject to a specific OPRA exception. There should be no expectation that the content of emails exchanged between the public and municipal officials and employees will remain private.



This email has been checked for viruses by Avast antivirus software.

www.avast.com



TOWN OF PHILLIPSBURG
675 CORLISS AVENUE
PHILLIPSBURG, NJ 08865
PHONE: 908-454-5500 FAX: 454-6511

Special Event Application Permit (short form-for 100 or less attendees):

Special Use Permit (Town of Phillipsburg) Application

*Please print/type the following application and return it with the non-refundable application fee made payable to "Town of Phillipsburg" at least 45 days prior to the requested date. *Non Commercial Application fee is \$25 for Phillipsburg residents, and \$50 for out of town residents. Commercial application fee is \$75 for Phillipsburg residents and \$100 for out of town residents. Contact the Town of Phillipsburg with any questions, pertaining to this application or process. At the Town's discretion, an additional Operations Plan may be required, depending on complexity of request. This SUP request is not fully approved until a Town authorized Special Use Permit, is issued and signed by all required parties.*

Requested Venue : _____

Type of Program/Event: _____

Date & Time of use: (Date) _____ (Start/Time) _____ (End Time) _____

Applicant(s) Name: _____

Company/Organization: _____

Street Address: _____

City/Town: _____ State: _____ Zip Code: _____

Telephone/Contact #'s: (Home, Bus.) () _____ (Cell) () _____

FAX #: _____ Email Address (Optional): _____

Estimated Attendance: _____ Estimated * of Vehicles: _____

Please Check Yes (Y) or No (N) to answer the following questions

Have you completely read and understand the SUP Application Pack? Y N

Are you familiar with the site? Y N

Will there be any fees charged? Y N

Will you offer food for sale? Y N

Will any items/goods be for sale? Y N

Does request include commercial photography? Y N

If YES: (Still Video Movie)

Will you be requesting assistance of: Maintenance: Y N Police/Security: Y N

Parking: Y N Water/Electric Connection: Y N

Early or Late Open/Close: Y N

Please make a selection and check off the appropriate box below that your classification:

_____ Individual or non-profit; Town resident [\$ 60.00] _____ Individual or non-profit; Non-resident [\$75.00]

_____ Commercial; Town resident [\$ 150.00] _____ Commercial; Non-resident [\$200.00]

In the space provided below give a brief description of your proposed special use or event and give further explanation to any questions above, in which you checked/answered Yes (Y). Also, please describe any special needs you may have.

Applicant agrees to provide a Certificate of Insurance naming the Town of Phillipsburg, 675 Corliss Avenue, Phillipsburg, NJ 08865 as additional insured. Applicant additionally agrees to indemnify, defend and hold harmless the Town of Phillipsburg from and against any and all liabilities, losses, claims, damages and expenses incurred in connection with the Event, including but not limited to, costs of investigation and defense, legal fees and expenses of any kind or nature whatsoever to the extent that such damages are not caused by the gross negligence, willful misconduct, fraud or misrepresentation of the Town of Phillipsburg.

The applicant by his/her signature certifies that: 1.) All information is correct. False information will result in denial or revocation of permit. 2.) All Town rules and regulations pertaining to use of area are understood and will be fully complied with by the applicant. 3.) Applicant will not discriminate on the basis of race, color, religion, sex, national origin, age, or disability.

Name of Applicant: _____

Signature of Applicant: _____ Date: _____

FOR TOWN USE ONLY

Town Approved: ___ Yes ___ No ___ Conditional Superintendent _____

Mayor Approved: Yes ___ No ___ Conditional ___ Sergeant: _____

Comments/Explanation of Conditional Approval: _____

ORDINANCE 2016-

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO ADD A NEW CHAPTER 533 ENTITLED *SPECIAL EVENTS*, TO THE CODE OF THE TOWN OF PHILLIPSBURG

BE IT ORDAINED by the Town Council of the Town of Phillipsburg, County of Warren and State of New Jersey that the Town Code is hereby amended by adding a new Chapter 533 entitled *Special Events* as follows:

Section 1

§533-1. Purpose; applicability.

A. There is hereby established a special events ordinance authorizing and requiring the issuance of permits to regulate ~~outdoor~~ picnics, concerts, festivals, shows, dances, exhibitions and other public gatherings of more than 50 persons on public ~~private~~ property within the Town of Phillipsburg. This shall not apply to any ~~outdoor~~ gathering by the Town of Phillipsburg itself or any agency thereof, by the school district thereof or by any police or fire company or first aid squad within the Town of Phillipsburg which receives financial support from the Town, or by any established church or any other nonprofit or charitable organization or family gathering. This chapter shall not apply to established permanent indoor structures, theaters, lounges, resorts, auditoriums, convention centers or other indoor places licensed for public occupancy, unless otherwise limited by applicable law.

B. A single applicant may seek a permit for more than one ~~outdoor~~ event when the applicant seeking the multiple permits is the same and the assemblies are to be held at the same location for a substantially similar purpose. Where one application for multiple assemblies is filed, the permitting fees shall be payable for each event.

§533-2. Waiver of requirements.

The Town Council may waive the permit requirements if it is found that the ~~outdoor~~ activity will not, in any way, affect the health, welfare and safety of the Town.

§533-3. Application requirements.

An application for a permit shall be signed by the person, persons, or parties responsible and filed in triplicate with the Town Clerk accompanied by the fee payable hereunder at least 45 ~~calendar~~ days prior to the planned event. The applicant shall set forth in the application for permit the following information:

A. The names and addresses of the person or persons, or in the case of a business corporation, the names and addresses of the appropriate officials ~~president, vice-president, secretary, treasurer and director or trustees~~; responsible for conducting the ~~outdoor event~~ or any public gathering for purposes of amusement sought to be permitted.

B. The type of event to be conducted and a statement of the purposes of the event, whether for pecuniary profit or charitable purposes, and if charitable, a statement of the charity or charities to be benefitted.

C. A description of the lands or premises sought to be approved, which shall include a description of the boundaries sought to be approved, the block and lot of the premises and proof of ownership.

~~D. Whether the premises is owned by the applicant, or if not owned, then the names and addresses of the lessor or permitter and the terms of the lease or permit.~~

E. A designation of the portion of the premises intended to be used for the parking of automobiles, including a statement in acres or square feet of the area to be devoted to this purpose.
of the number of parking spaces required.

F. A map or sketch showing the entire area sought to be approved and delineating thereon the portion to be used for the parking of automobiles, and further showing driveways or means of access to and from the premises, and the names of all adjoining owners of the premises to be notified ~~approved~~. The effect on traffic in the area of the event as caused by the event shall be calculated. The parking and traffic effects shall be submitted 4530 days prior to the planned event.

G. Plans for emergencies shall be submitted 4530 days prior to the planned event. The plan shall indicate how all the attendees will be removed from the site in the event of an emergency.

H. A statement of the number of persons to be engaged in the ~~outdoor~~ event to be approved and, in addition, a statement of the number of spectators anticipated to watch or observe any the exhibition or performance.

I. Alcoholic beverages will be considered subject to approval by Mayor, Chief of Police and Town Council.

~~I. A fee of at least \$100 shall be paid upon filing the application to be applied by the Town toward its expense in investigating the applicant, which fee shall not be refunded if the application is issued or denied.~~

J. The specific nature of the ~~outdoor event~~, together with a schedule and names and addresses of all events or acts. All advertising and public announcements concerning the ~~outdoor event~~ shall include a statement that no alcoholic beverages or controlled dangerous substances are permitted into or on the site.

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K. The dates upon which the event will take place and the time the event will open and conclude each day.

L. Copies of all contracts and/or agreements between the applicant, the owner and all other persons or entities who have any interest or involvement in the event for whatever purpose and/or to ensure compliance with all existing ordinances of the Town of Phillipsburg or any laws/regulations of the State of New Jersey, e.g., Department of Health, Fire Marshall's Office, NJ Department of Community Affairs.

M. The applicant shall state whether any permits or licenses for events issued by this or any other governmental agency have ever been revoked. The applicant shall also disclose in detail all experience of the applicant in similar events.

§533-4. Investigation; written report.

Upon filing of the application, the Clerk shall refer a copy of the application promptly to the Mayor, Chief of Police, Fire Chief, Construction Official and Town Attorney for investigation of the matters in the application. A written report shall be made to the Town Council of the result of such investigation by any such officer or agent designated by the Mayor within 45 calendar~~30~~ days from the filing of the application.

§533-5. Requirements.

No permit shall be issued unless it is clearly shown that the following are provided for:

A. Toilet facilities adequate for the capacity of the planned event. These facilities shall be so located as to be conveniently available and shall be so constructed and maintained that they will not be offensive.

B. Compliance with the Warren County Health Department Rules and Regulations for ~~Adequate supply of food including provisions for sanitary storage, handling and protection of food and beverages until served or used is required. A showing must be made that, where food is to be prepared or consumed, there are facilities for washing, disinfecting and storing dishes and food utensils.~~

~~C. Adequate off street and off road facilities for contemplated number of people attending the outdoor event. Parking space shall be provided for at least one car for every four persons in attendance.~~

D. Adequate camping and housing facilities for the contemplated number of people in attendance, if it is contemplated that the event shall extend from one day to another.

~~E. An adequate number of access roads to and from the site of the assembly or use.~~

F. The plans shall include the illumination of the location of the event and the pedestrian walkway and parking areas, including the source, amount of power and the location of the illumination. The source of the illumination shall not create a nuisance to the neighboring residential areas.

G. The plans for supplying sound control and sound amplification, if any, including the number, location and power of the amplifiers and speakers, together with the applicant's proposal to confine the sound to the area of the event. The sound levels shall comply with all local and state regulations, statutes and ordinances.

~~§533-6. Written authorization for inspections by Town.~~

~~No permit shall be issued unless the owner and his tenant or lessee, if any, shall furnish the Town with written authorization to permit the Town or its lawful agents to go upon the property for the purposes of inspecting the same and the facilities to be provided thereon.~~

§533-7. Comprehensive liability insurance required.

The applicant shall submit to the Clerk, with the application, written commitment from an insurance company licensed to do business in New Jersey, to insure the applicant and the Town of Phillipsburg as coinsured during the event. No permit shall be issued unless the applicant shall furnish the Town with a comprehensive liability insurance policy insuring the Town against liability for damage to person or property with limits of not less than \$500,000/\$1,000,000 for bodily injury or death and limits of not less than \$500,000 for property damage, sufficient to save the Town harmless from any liability or cause of action which might arise by reason of the granting of the permit and not cancelable without 10 days' prior written notice to the Town.

~~§533-8. Hearing.~~

~~If the Town Council deems that a hearing on the application should be held before issuing or denying the permit, based upon the reports received, then within five days after the thirty-day period of investigation, the Town Council shall set a time and place for hearing on the application which shall be held within 15 days thereafter. At the hearing, the applicant and the Town may offer such evidence as may be desired covering the subject matter. Within seven days after the closing of the hearing, the determination on the application shall be rendered. If the determination is favorable, a permit shall be issued. If the determination is negative, then a copy of the determination with the reasons for denying the application shall be served upon the applicant at the mailing address of the applicant designated in the application.~~

§533-9. Issuance of permit.

A. The permit authorized to be issued shall be issued by the Town Council, but executed by the Mayor and Clerk.

B. The permit shall be set forth and describe, with particularity, the place where the outdoor event sought to be approved hereunder shall take place and the period of time during which it may continue.

C. The permit herein authorized shall not be issued to take effect until all fees have been paid to the Town as provided herein.

D. Any permit authorized to be issued hereunder shall be issued subject to all the provisions of this chapter.

§533-10. Permit fee.

The fee to be paid upon issuance of a permit shall be as indicated in the town's Special Event Application Permit (Long or Short Form) ~~\$100 for each 50 persons or any portion thereof anticipated to be involved in the event sought to be approved, including therein all personnel, all spectators or members of the audience.~~ No fees shall be refundable.

§533-11. Use of Town lots for parking.

If the event seeks to utilize Town-owned grounds and/or facilities for parking, which use shall be granted in the sole and absolute discretion of the Town, and there will be more than 100 people in attendance, there shall be a fee of ~~\$34.00~~ \$34.00 per vehicle per ~~day~~ hour expected, calculated on the basis of 4 persons per vehicle, or as negotiated for larger events in the sole and absolute discretion of the Town.

§533-11.a. Issuance of estimated bill.

The Town shall issue an estimated bill based upon the information provided by the applicant in requesting the issuance of the special events permit. In the event the realized cost either exceeds or is less than what was anticipated, the bill may, in the discretion of the Town, be adjusted accordingly.

§533-12. Conduct of permittees and patrons.

~~A. No person or party approved for a permit hereunder shall allow, suffer or permit any event for any unlawful purpose or to be conducted in any unlawful, disorderly, obscene or lewd manner.~~

~~B. No outdoor event shall allow any performer to perform or be displayed in the nude.~~

~~C. No outdoor event shall be allowed which shall depict sexually suggestive acts or subjects offensive to public morals and decency.~~

~~D. No outdoor event shall allow the use of any moving pictures or other media which is obscene, lewd, indecent or offensive to public morals and decency.~~

~~E. Any permittee hereunder shall not permit any employees or agents of the applicant or any spectators or any persons on the approved premises during the period of time approved in the permit to completely undress or go about in a lewd, obscene or indecent manner.~~

§533-13. Inspection.

The permittee shall allow the Phillipsburg Police Department or any other persons duly authorized by the Town to inspect the approved premises, or any part thereof, and the outdoor event at any time either prior to or during the period of time approved by the permit, to inspect the premises and observe the persons upon the premises or to detect violations of this chapter or of any other law of the federal government or the State of New Jersey or the Town of Phillipsburg.

§533-14. Traffic.

The permittee shall take all proper means to assist in the orderly conduct and presentation of its event and to maintain a flow of traffic and use of the premises without congestion of traffic. For such purposes, the permittee shall employ or obtain sufficient personnel to carry out these objectives.

§533-15. Permittee to hire personnel to maintain order.

The permittee shall maintain at its own expense one or more off-duty Phillipsburg police and fire officers as required by the Town for the event in its discretion at the established pay rate for the proper conduct of the approved event who shall remain upon the approved premises at all times during the period in which the permit shall be in effect.

§533-16. Revocation or suspension of permit.

A. Council or Mayor, through its authorized officers or agents, may terminate or suspend any permit issued hereunder. Such suspension or revocation shall be determined as follows:

~~(1) The Mayor or other person authorized by the Mayor or Town Council~~Town Council shall cause a written notice of the alleged violations of this chapter or of any other laws involved to be served upon the applicant or any of the agents of the applicant on the premises, together with a notice of the time and place of hearing to be held, not less than 24 hours after service, directing the permittee to show cause before the Town Council why the permit should not be suspended or revoked.

~~(2) At the hearing, the Town Council shall hear all of the evidence offered by the Town and the permittee which is material to the issue and shall make a prompt determination of its findings. If the findings are in favor of the permittee, the charges shall be dismissed. If the findings are against the permittee, the permit issued may be revoked entirely or~~

suspended upon such conditions as the Town Council may direct. In the event of a full revocation, the event approved by the permit shall be terminated immediately, and no further outdoor event shall be held upon the permits granted therefor, and any persons remaining upon the approved premises may be dispersed immediately by any peace officer of the Town and by such other persons or agents as may be properly authorized by the Town.

~~B. In the event that it shall reasonably appear to the Town Clerk or any other official designated by the Town Council or Mayor for such purpose that the number of persons gathered or gathering upon, or for entry upon, the approved premises for any outdoor event shall exceed 1,000 persons, the Clerk or other authorized official may give notice to the permittee immediately to withhold proceeding with the approved event and shall then inform the Mayor or Town Council promptly of the action. The permittee may then thereupon request a hearing before the Town Council forthwith and the hearing shall be held as promptly as possible.~~

§533-17. Permit fees not returnable after permit revocation or suspension.

No permit fee or portion thereof shall be refunded following revocation or suspension of any permit issued.

§533-18. Service of notices.

Whenever notice is required to be given to the applicant or permittee hereunder, such service of notice may be made by registered or certified mail directed to the person and address listed in the application or otherwise personally upon the applicant or any of the agents of the applicant upon the approved premises.

§533-19. Enforcement; violations and penalties.

- A. The provisions of this chapter may be enforced by injunction in any court of competent jurisdiction.
- ~~B. The holding of any outdoor events in violation of any provision or conditions contained in this chapter shall be viewed as a public nuisance and may be abated as such.~~
- C. Any person who violates any section, or violates any condition upon which he is granted a permit, shall, upon conviction, be subject to the penalties included in Chapter 1, Article II, General Penalty, of the Town Code. Each day shall be deemed a separate offense in violation of any of the provisions of this chapter.
- D. The penalty or penalties provided herein shall be in addition to, and not in lieu of, the suspension or revocation of any permit issued hereunder.

§533-20. Waiver, procedure.

~~Any fee or fees hereunder this Chapter may be waived by the Mayor or his designee Town Council upon petition by the applicant to the Town Council upon an affirmative vote of the majority of the Town Council constituting a quorum.~~

Section 2:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

ATTEST:

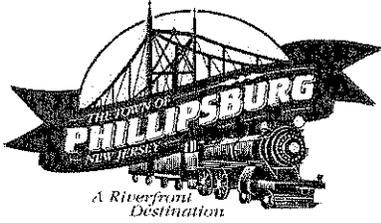
TOWN OF PHILLIPSBURG

VICTORIA L. KLEINER,
Municipal Clerk
DATED:

STEPHEN R. ELLIS
Mayor

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their _____, 2016 meeting.



TOWN OF PHILLIPSBURG
675 CORLISS AVENUE
PHILLIPSBURG, NJ 08865
PHONE: 908-454-5500 FAX: 454-6511

Special Event Application Permit (long form- for 101 or more attendees):

Special Use Permit (Town of Phillipsburg) Application

*Please print/type the following application and return it with the non-refundable application fee made payable to "Town of Phillipsburg" at least 45 days prior to the requested date. *Non Commercial Application fee is \$60 for Phillipsburg residents, and \$75 for out of town residents. Commercial application fee is \$150 for Phillipsburg residents and \$200 for out of town residents. Contact the Town of Phillipsburg with any questions, pertaining to this application or process. A parking fee of \$3/car/day will be charged if use of any Town lots are used (which shall be granted in the Town's sole discretion). At the Town's discretion, an additional Operations Plan may be required, depending on complexity of request. This SUP request is not fully approved until a Town authorized **Special Use Permit**, is issued and signed by all required parties.*

Requested Venue : _____

Type of Program/Event: _____

Date & Time of use: (Date) _____ (Start/Time) _____ (End Time) _____

Applicant(s) Name: _____

Company/Organization: _____

Street Address: _____

City/Town: _____ State: _____ Zip Code: _____

Telephone/Contact #'s: (Home, Bus.) () _____ (Cell) () _____

FAX #: _____ Email Address (Optional): _____

Estimated Attendance: _____ Estimated * of Vehicles: _____

Please Check Yes (Y) or No (N) to answer the following questions

Have you completely read and understand the SUP Application Pack? Y N

Are you familiar with the site? Y N Will there be any fees charged? Y N

Will you offer food for sale? Y N Will any items/goods be for sale? Y N

Does request include commercial photography? Y N

If YES: (Still Video Movie)

Will you be requesting assistance of: Maintenance: Y N Police/Security: Y N

Parking: Y N Water/Electric Connection: Y N

Early or Late Open/Close: Y N

Please make a selection and check off the appropriate box below that your classification:

_____ Individual or non-profit; Town resident [\$ 60.00] _____ Individual or non-profit; Non-resident [\$75.00]

_____ Commercial; Town resident [\$ 150.00] _____ Commercial; Non-resident [\$200.00]

_____ Parking [\$3.00/car/day in Town lots, subject to Town approval]

In the space provided below give a brief description of your proposed special use or event and give further explanation to any questions above, in which you checked/answered Yes (Y). Also, please describe any special needs you may have.

Applicant agrees to provide a Certificate of Insurance naming the Town of Phillipsburg, 675 Corliss Avenue, Phillipsburg, NJ 08865 as additional insured. Applicant additionally agrees to indemnify, defend and hold harmless the Town of Phillipsburg from and against any and all liabilities, losses, claims, damages and expenses incurred in connection with the Event, including but not limited to, costs of investigation and defense, legal fees and expenses of any kind or nature whatsoever to the extent that such damages are not caused by the gross negligence, willful misconduct, fraud or misrepresentation of the Town of Phillipsburg.

The applicant by his/her signature certifies that: 1.) All information is correct. False information will result in denial or revocation of permit. 2.) All Town rules and regulations pertaining to use of area are understood and will be fully complied with by the applicant. 3.) Applicant will not discriminate on the basis of race, color, religion, sex, national origin, age, or disability.

Name of Applicant: _____

Signature of Applicant: _____ Date: _____

FOR TOWN USE ONLY

Town Approved: ___ Yes ___ No ___ Conditional Superintendent _____

Mayor Approved: Yes ___ No ___ Conditional ___ Sergeant: _____

Comments/Explanation of Conditional Approval: _____

SPECIAL EVENTS OPERATIONS PLAN

Directions for submitting the Special Events Operations Plan:

The Operations Plan is a planning document that organizes all of the necessary elements for managing a special event at a site in the Town of Phillipsburg. If a section or question does not apply to your event, please fill "N/A or Not Applicable". In addition to these questions, please provide as much information about your event as possible. The more information that you provide initially, the faster The Town will be able to process your application and ultimately approve your special event.

*Note: Information provided on this form may be subject to review and inspection under the **Open Public Records Act** (N.J.S.A 47:1A-1).*

The Operations Plan must be submitted electronically either as a "Word" or "PDF" document.

1. CONTACT INFORMATION

- 1.1. Primary Contact Name
- 1.2. Email Address
- 1.3. Cell Phone Number
- 1.4. Office Number
- 1.5. Fax Number

2. SUMMARY

- 2.1. Provide a brief summary of your proposed event.
- 2.2. Provide important details, such as:

Date of Event:

Time of Event:

Type of Event:

Location of Event:

Estimated Attendance:

Estimated Parking Spaces Required:

- 2.3. Will you be collecting an entrance or registration fee for your event? If yes, please provide pricing details.
- 2.4. Will you be selling any goods, food, merchandise, etc. at the event? If yes, please provide a brief description.
- 2.5. Provide the number of staff and volunteers that will be working the event.

Staff: Volunteers:

3. PROJECT SCHEDULE

- 3.1. Provide a detailed schedule (specific dates and times) of the setup, event, and breakdown. Include all drop-offs / deliveries as well as hours that staff will be onsite. (This must be submitted as a separate attachment)

Additional Attachment Required

- 3.2. Does your set-up and/or clean-up require park access before 7am or after 4pm?
- 3.3. Will there be any deliveries to a Town site for this event? The Town will not accept or direct any deliveries on your behalf.
- 3.4. Breakdown of your event will conclude on what date and time?

4. LOCATION OF EVENT AND SITE MAP

- 4.1. Submit as a separate attachment, a detailed site plan (map) depicting the layout of your event. Important details include: location of tents, staging areas, dumpsters, restroom facilities, generators, food areas, parking, transportation routes, and signage locations.

Additional Attachment Required

- 4.2. Will you need vehicular access to the site for set-up/ break-down?

Note. Vehicular access for site set-up and deliveries is limited. Remote locations in the park may necessitate the need for non-motorized alternative ways of getting equipment and staff out to the site (e.g. carts, hand trucks etc.).

5. PERMIT DOCUMENTATION

This section was developed to help identify additional permits from other agencies including, but not limited to, Phillipsburg Town Code, NJ Dept. of Community Affairs (DCA) for fire, building, code or electric (which include the Divisions of Fire Safety and Codes and Standards), NJ Division of Revenue for business registration, NJ Division of Consumer Affairs for charitable registrations, NJ Dept. of Transportation – Division of Aeronautics, as well as, Taxation, Gaming, Insurance, etc. A copy of all permits must be submitted to the Town prior to the event.

- 5.1. Is this event a non-profit or for-profit event? If non-profit, you will need to provide your Charity Registration Number and evidence of your non-profit status. If for-profit, you will need to provide a copy of your Business Registration Certificate.
- 5.2. Do you wish to dig in the ground for any reasons? If yes, please explain why.
- 5.3. Will your event be putting up tents and need to put stakes in the ground? If yes to either digging or putting stakes in the ground, it is the applicant's responsibility to contact "U Dig" and coordinate a utility mark-out before any staking or digging takes place (1-800-272-1000). Please note that depending on the location within the park, you may not be allowed to stake or dig and will be required to use weights. Stakes and digging in ground are not permitted in Town facilities.
- 5.4. Will you be building any temporary equipment or structures on the site that you are renting (for example, bleachers, stages, or platforms)? If yes, please describe the proposed structure in detail and include diagrams and building plans as separate attachments. The Town of Phillipsburg must review and approve all plans for temporary structures.
- 5.5. Will you be utilizing Unmanned Aerial Vehicles (drones)? If yes, you will need to hire a licensed and insured operator and contact the Federal Aviation Agency and provide evidence that the activity has been approved in accordance with SPS Policy 2.38 and any applicable federal law.

6. FOOD AND CONCESSIONS/ALCOHOLIC BEVERAGES:

You will need to submit a completed Warren County Department of Health (DOH) application for each food vendor, AND APPROPRIATE ALCOHOLIC BEVERAGES APPLICATION to The Town of Phillipsburg.

- 6.1. Provide a description of the food services that your event plans to offer. Please include menus and pricing as an additional attachment.

Description of food service:

Vendor Information:

Menus & Pricing: **Additional Attachment Required**

- 6.2. What will be used to cook/heat the food? (Open Flame Cooking requires a permit from the DCA Division of Fire Safety)
- 6.3. Will your event be selling non-food concessions?
- 6.4. If yes, please provide a list of concession items and cost breakdown.

7. SANITARY SEWAGE

The Town of Phillipsburg's restroom facilities are typically not available for special events; you will be required to provide adequate sanitation in the form of port-a-johns. If the use of park restrooms is approved, you will be assigned Town DPW employee(s) at the rate of \$60/hour for each employee for the duration of your event.

- 7.1. How many port-a-johns will you be providing/using? (See chart for assistance)
- 7.2. How many ADA units will you be providing/using (one ADA unit must be provided per every five units)?
- 7.3. Recommended Usage Chart for Large Events

USAGE CHART # of hours for the event										
# of People	1	2	3	4	5	6	7	8	9	10
0-500	2	3	3	4	4	4	4	4	4	5
1000	3	4	5	6	6	7	7	7	7	7
2000	5	8	10	11	12	13	13	14	14	14
3000	7	12	15	16	18	18	19	20	20	21
4000	10	16	19	22	24	25	25	27	27	28
5000	12	20	24	27	29	31	32	33	33	34
6000	14	24	28	33	35	37	37	39	41	41
7000	17	27	34	38	41	42	46	46	47	48
8000	20	32	38	44	48	49	50	51	53	54

10,000	24	39	47	54	58	62	64	66	67	68
15,000	37	57	70	81	87	92	94	99	102	104
20,000	48	77	95	107	115	120	127	131	133	136

7.4. Who is providing the units and when will they be dropped off/removed? (Please indicate location of units on your site map).

Vendor information:

Delivery Date/Time:

Removal Date/Time:

7.5. Will your event need access to potable water? If yes, you will be charged to have staff hook up to hydrants in the area, and you will be required to supply a meter and pay for any water used.

8. SOLIDWASTE COLLECTION & DISPOSAL

The permittee shall, at the permittee's sole cost and expense, keep and maintain the premises in a neat, clean, and sanitary condition. The permittee shall, at the permittee's own expense, make arrangements to pick-up, remove or dispose of all garbage, rubbish, or other waste accumulated on the premises by the permittee, the permittee's contractors and subcontractors, employees, agents, and participants of permittee's event. Any refuse that is left behind will result in fees being charged to the permittee for clean-up.

8.1. The Town of Phillipsburg is not responsible for trash or litter generated at or by your event or its participants. Please describe how will you be disposing the garbage and litter that your event generates?

8.2. Who is providing your dumpster(s)? Please provide contact information and pickup/ removal dates. (Please indicate dumpster location(s) on your site map.)

Vendor information:

Delivery Date/Time:

Removal Date/Time:

9. ELECTRICAL & LIGHTING

- 9.1. Will you need electricity for your event? If yes, please note that you will need to provide your own generators.
- 9.2. Please provide the number, size and location of all generators. (Please indicate generator location(s) on your site map.)

***Note.** Permittee will make no changes to the existing electrical service without prior approval from the Town of Phillipsburg. All electrical connections to temporary service boxes must be completed by licensed electricians, approved by the Town of Phillipsburg or its designee at the applicant's expense. Permittee is responsible for obtaining all required permits.*

10. SIGNAGE

Directional, informational and advertisement signage is the responsibility of the permittee. No signs or advertisements of any kind shall be painted or posted on the premises other than those approved in writing by the Town of Phillipsburg. All signage must be freestanding. No tape, staples, nails, tacks etc. are to be used to affix signs to Town structures. Failure to remove signage after the event will result in a clean-up fee of \$25.00 per sign, payable by the permittee.

- 10.1. Will you be posting any signs for this event? If yes, please indicate the location of all signs on your site map(s) and provide a visual representation of each sign as a separate attachment.

Additional Attachment Required

11. SECURITY

All security plans must be coordinated and reviewed by the Town of Phillipsburg and its police department. A security plan will be a required as part of any large event planning.

- 11.1. Please describe your security needs in detail.
- 11.2. Will you hire private unarmed security personnel? If yes, please provide evidence that the security company is licensed and bonded in New Jersey.
- 11.3. Will you have any overnight storage or security needs?

***Note.** Event conditions may require Town personnel to be assigned to your event to provide for public safety and resource protection at the expense of the applicant for \$60/hr. The Town of Phillipsburg has jurisdiction. All security must be unarmed and licensed /bonded in NJ. Due to safety reasons, neither on-duty nor off-duty police officers from outside jurisdictions are permitted to work as security, and no armed security is permitted.*

12. COMMUNICATIONS

The permittee is responsible for providing proper communication between itself and Town officials. The permittee must provide one on-site contact (including cell phone number) for each day you are on Town premises. This agent will be the only authorized liaison between the event and Town staff. If the event has Town staff assigned, this person will be the primary contact on the day of the event.

- 12.1. Will your event be communicating with the use of portable radios? If yes, your Town contact must be provided with a radio for the duration of the event.

13. TRANSPORTATION & PARKING

Parking is extremely limited at some Town sites. The transportation and parking plan will be heavily scrutinized during the review of this operations plan. The transportation plan must include diagrams of all traffic routes that will be used by the event. This includes but is not limited to shuttle routes, routes for walk-a-thons or runs, and drop-off and loading areas. Prior permission is required from the Town for the use of any non-public roads. Town staff will not make changes to the permit on the day of the event.

- 13.1. Please include the Transportation and Parking Plan diagram as a separate attachment or indicate all routes on your site map.

Additional Attachment Required

- 13.2. Will you have a need to use any non-public roads (this includes but is not limited to paths, service roads, sidewalks, etc.)? If so please indicate all routes on the Transportation and Parking Map.
- 13.3. Will your event utilize off-site parking? If yes, please include the locations of each off- parking lot, number of parking spaces available for your event, and describe how you plan to get attendees to and from these lots.
- 13.4. Will there be a shuttle? If yes, describe the size of the bus and capacity and provide vendor information. (Please include the shuttle route on your Transportation map)?

Vendor information:

Number of shuttles:

Capacity of shuttles:

- 13.5. Will you provide a shuttle to move public other patrons who are affected by the parking demands of your event?
- 13.6. Will you be contracting with a transportation/parking company? If yes, please provide their contact information and describe in detail the type of work they will be performing?
- Contact information:
- Description:
- 13.7. Where will your event staff park?
- 13.8. Are there any other transportation parking concerns that the Town should be aware of?
- 13.9. How will your attendees be advised of the transportation route and parking locations?

Note. Applicant may be required to hire a professional parking company and bus/shuttle service at their expense. Professional parking company may not direct traffic on park roads. Only Town police may direct traffic on Town roads.

14. MEDICAL & EMERGENCY

- 14.1. Will your event have emergency medical staff on site? (Please indicate location on site map)
- 14.2. If yes, please provide contact information and hours that medical staff will be onsite.

Contact Information:

EMS Schedule:

Note. The event site shall provide a network of access points and paths that will be kept clear at all times for service and emergency vehicles.

15. FIRE SAFETY

If there will be cooking, heating or storing flammable/volatile liquids on site or adjacent to the event, the applicant will be responsible for acquiring all needed DCA - Division of Fire Safety and health department permits for cooking, temporary heating, etc.

- 15.1. Have you made/taken the proper precautions to ensure that no flammable or volatile liquids or materials shall be stored in or adjacent to the area of the event, and that adequate firefighting

equipment is available to protect the life and health of the people attending the event? If yes, please describe.

16. SITE RESTORATION

The applicant will submit detailed plans for site restoration and final clean-up of the event site. The site will be restored to the condition or better condition as the site was found. A final site inspection is required at completion of site restoration. If you fail to restore the site to its previous condition or better, you will be responsible for the labor and materials used to restore the site after you leave, and the permittee shall be charged a fee(s).

16.1. Will your event leave a physical impact on the Town property that will require restoration?

If yes, what are the anticipated impacts?

What is your plan to remedy these impacts?

What is the anticipated timeline to restore the site?

16.2. On what date and time will a final site inspection take place with a representative from the Town?

17. SPECIAL REQUESTS

17.1. Please use this section to outline any special requests that fall outside the suggestions of this document.

Dated: _____

Permittee (Print Name of Authorized Agent)

O: 2016 – 21 A

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 222 CLOTHING BINS SECTION 2 REQUIREMENTS FOR PLACEMENT, USE OF CLOTHING BINS FOR SOLICITATION PURPOSES OF THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO ADD ADDITIONAL REQUIREMENTS FOR THE PLACEMENT OF CLOTHING BINS AND TO PROHIBIT THE PLACEMENT OF BINS ON TOWN OWNED PROPERTY

BE IT ORDAINED, by the Town Council, Town of Phillipsburg, County of Warren, State of New Jersey, as follows:

Section 1

Chapter 222 *Clothing Bins Section 2 Requirements for Placement, Use of Clothing Bins for Solicitation Purposes* A(1) is hereby amended by adding a new Subsection (e) as follows:

Chapter 222-2(A)(1)(e) A zoning permit issued by the Phillipsburg Zoning Officer pursuant to the Phillipsburg Zoning Ordinance.

Chapter 222 *Clothing Bins Section 2 Requirements for Placement, Use of Clothing Bins for Solicitation Purposes* A(5)(b) is hereby amended by adding a new Subsection 5 as follows:

Chapter 222-2(A)(5)(b)(5) All clothing bins shall have displayed in a conspicuous place on each individual clothing bin a sign advising that the bins are for clothing only and that illegal dumping is prohibited.

Chapter 222 *Clothing Bins Section 2 Requirements for Placement, Use of Clothing Bins for Solicitation Purposes* is hereby amended by adding a new provision as follows:

Chapter 222-2(A)(6) The applicant has submitted a plan for the monitoring of the area where the bin is proposed to be located to the Town detailing what steps will be taken to ensure that the area will be kept free from refuse, debris and any item not intended to be collected at the site.

Chapter 222 *Clothing Bins* is hereby amended by adding a new Section 6 as follows:

Chapter 222-6 *Placement on Town Property Prohibited*

Nothing set forth in this Chapter shall be construed to permit the placement of clothing bins on property owned by the Town. Placement of clothing bins on Town-owned property is prohibited.

Section 2

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

Section 3

If any article, section, subsection, paragraph, phrase or sentence of this ordinance is, for any reason, declared to be unconstitutional or invalid, such article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section 4

This ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

TOWN OF PHILLIPSBURG

VICTORIA L. KLEINER,
Municipal Clerk
DATED:

STEPHEN R. ELLIS
Mayor

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their September 20, 2016 meeting.

VICTORIA L. KLEINER,
Municipal Clerk

O:2016-22

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 625 ZONING ARTICLE XII B-2 BUSINESS-HIGHWAY ZONE OF THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO ADD A NEW SECTION 58 ENTITLED *PERMITTED ACCESSORY USES*

BE IT ORDAINED by the Town Council of the Town of Phillipsburg, County of Warren and State of New Jersey that Chapter 625, *Zoning*, Article XII, *B-2 Business-Highway Zone* is hereby amended by adding a new Section 58 entitled *Permitted Accessory Uses* as follows:

Section One.

Chapter 625-58. *Permitted Accessory Uses*

Permitted accessory uses shall be as follows:

- A. Off-street parking in accordance with Article VII.
- B. Signs in accordance with Article VIII.
- C. Used Clothing Bins.
- D. Other accessory uses customarily incident to the uses listed in Section 625-54 through Section 652-57 above.

Section Two.

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section Three.

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section Four.

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

ATTEST:

TOWN OF PHILLIPSBURG

VICTORIA L. KLEINER,
Municipal Clerk
DATED:

STEPHEN R. ELLIS
Mayor

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their August 16, 2016 meeting.

VICTORIA L. KLEINER,
Municipal Clerk

O-2016-23

**TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY
ORDINANCE OF THE TOWN OF PHILLIPSBURG
AMENDING ORDINANCE 2015-20 REGARDING 2016 SALARIES FOR
UNCLASSIFIED EMPLOYEES**

NOW, THEREFORE, BE IT ORDANIED that Ordinance 2015-20 is hereby amended as follows:

<u>Title</u>	<u>Minimum</u>	<u>Maximum</u>
Animal Control Officer	\$15.00 per hour	\$20.00 per hour
Public Works Supervisor	\$80,000.00 yearly	\$100,000.00 yearly
Tax Assessor	\$76,000.00 yearly	\$ 96,000.00 yearly

ATTEST:

TOWN OF PHILLIPSBURG

By: _____
Victoria L. Kleiner, RMC

By: _____
Hon. Stephen R. Ellis, Mayor

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their September 06, 2016 meeting.

Victoria L. Kleiner, RMC
Municipal Clerk

O: 2016-24

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 67-24, SCHEDULE IX, LEFT TURN PROHIBITIONS, OF THE CODE OF THE TOWN OF PHILLIPSBURG

BE IT ORDAINED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey as follows:

Section 1:

Chapter 67 entitled, "Vehicles and Traffic, Section 24, *Schedule IX, Left Turn Prohibitions*, is hereby amended by adding the following:

Name of Street	Direction of Travel	Prohibited Hours	Intersection of
Warren	South	Mon-Fri 7am - 9am 2pm - 4pm	Phillipsburg Middle School

Section 2:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

ATTEST:

TOWN OF PHILLIPSBURG

VICTORIA L. KLEINER,
Municipal Clerk

STEPHEN R. ELLIS
Mayor

DATED:

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their September 06, 2016 meeting.

VICTORIA L. KLEINER,
Municipal Clerk

R: 2016 -187

A RESOLUTION IMPOSING LIEN FOR
MUNICIPAL SERVICES

WHEREAS, the attached schedule lists the owner of a Block and Lot located in the Town of Phillipsburg, and

WHEREAS, there are unpaid charges in the amount listed outstanding on said Block and Lot, representing the costs incurred by the Town of Phillipsburg to remedy violations occurring on said property, according to the certification and cost annexed hereto, which the Town Council has examined and found to be proper,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg that it does hereby place a lien on the premises listed in the amount listed for the purpose of collecting unpaid charges due to the Town of Phillipsburg.

CERTIFICATION

I, Victoria L. Kleiner, Registered Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their September 20, 2016 meeting.

Victoria L. Kleiner, RMC

R: 2016 - 188

**A RESOLUTION OF THE
TOWN OF PHILLIPSBURG, COUNTY OF WARREN,
STATE OF NEW JERSEY CANCELLING TAX OVERPAYMENT DUE TO LIEN
HOLDER PAYMENT ON ACCOUNT**

BE IT RESOLVED that Account 42184, Block 2404 Lot 03 tax overpayment in the amount of \$2020.99 is hereby cancelled due to an overpayment due to the lien holder on the account.

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their September 20, 2016 meeting.

Victoria L. Kleiner
Municipal Clerk

R: 2016 - 189

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF
WARREN, STATE OF NEW JERSEY AUTHORIZING FOR MEMBER
PARTICIPATION
IN A COOPERATIVE PRICING SYSTEM**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the National Joint Powers Alliance hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on (September 20, 2016 the governing body of the Town of Phillipsburg, County of Warren, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the National Joint Powers Alliance (NJPA)

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor Stephen R. Ellis is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage

CERTIFICATION

I, Victoria L. Kleiner, Registered Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their September 20, 2016 meeting.

Victoria L. Kleiner, RMC

R: 2016-190

A RESOLUTION AWARDING PURCHASES
UNDER NEW NATIONAL JOINT POWERS ALLIANCE CONTRACT

WHEREAS, the State of New Jersey adopted legislation which requires all municipalities who purchase under National Joint Powers Alliance to award said purchases by resolution and contract,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg that the following purchases under National Joint Powers Alliance are hereby authorized:

Deer County Farm and Lawn
6670 Ruppssville Road
Allentown, PA 18106

Contract # 28888

Purchase of a John Deere 6120M Cab Tractor

Price \$122,936.91

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of resolution duly adopted by the Town Council at their September 20, 2016 meeting.

Victoria L. Kleiner, RMC

R: 2016-191

A RESOLUTION AWARDDING PURCHASES
UNDER NEW NATIONAL JOINT POWERS ALLIANCE CONTRACT

WHEREAS, the State of New Jersey adopted legislation which requires all municipalities who purchase under National Joint Powers Alliance to award said purchases by resolution and contract,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg that the following purchases under National Joint Powers Alliance are hereby authorized:

Vasso Systems, Inc.,
159 Cook Street
Brooklyn, NY 11206

Contract # 112014-THC

Purchase of a 25 Yard Heil DP5000 rear load packer, and 1 Freightliner 114SD Heavy Duty Chassis, plus extended Chassis Warrenty

Price \$219,733.74

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of resolution duly adopted by the Town Council at their September 20, 2016 meeting.

Victoria L. Kleiner, RMC

R: 2016-192

A RESOLUTION PROVIDING FOR A REFUND OF ESCROW AND APPLICATION FEES (Howard Street)

WHEREAS, the Warren County Planning office Case # 16-003 has been given an approved refund from the Phillipsburg Planning Board at their April 29, 2016 meeting in the Town; and

WHEREAS, pursuant to the Town's ordinances, Warren County Case # 16-003 established an escrow account to pay for the services rendered by said permits, and professional services; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg the escrow account established in the Town by Warren County Case #16-003 for purposes of payment for site plan, property lists, and zoning permits and services shall be and hereby is closed in the Town's general ledger.

BE IT FURTHER RESOLVED that a refund shall be returned to the applicant upon final adoption of this resolution and the appropriate Town employee is authorized to issue a refund check to Warren County Planning Board in the amount set forth below.

Warren County Planning Board

\$1185.00

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their September 20, 2016 meeting.

Victoria L. Kleiner, RMC