

**TOWN OF PHILLIPSBURG**  
**Town Council AMENDED Agenda**  
**October 03, 2017 – 7:00PM**  
**Phillipsburg SENIOR Center**  
310 Firth Street

1. OPEN PUBLIC MEETING ACT STATEMENT
  
2. INVOCATION
  
3. PLEDGE OF ALLEGIANCE
  
4. ROLL CALL
  
5. APPROVAL OF MINUTES                      Council Meeting              09-18-2017
  
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. MAYOR’S REPORT

Proclamations to:

Domestic Abuse and Sexual Assault Crisis Center of Warren County  
Hailey Fritsch, MSW – Response Team Manager

Knock out Opioid Abuse Day

8. OLD BUSINESS

9. PUBLIC DISCUSSION ON AGENDA ITEMS

10. ORDINANCES

O:2017-22 (Second and Final Reading)

GENERAL CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF A MULTI-SPACE PARKING KIOSK, BY, IN AND FOR THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; AND APPROPRIATING \$20,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND TO PAY FOR THE COST THEREOF

ROLL CALL

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

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O: 2017 – 23 ( First Reading)

ORDINANCE AUTHORIZING THE PURCHASE BY  
THE TOWN OF PHILLIPSBURG OF REAL PROPERTY FROM  
FANNIE MAE KNOWN AS 74 FILLMORE STREET

**ROLL CALL**

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

11. **RESOLUTIONS**

R: 2017-176 (Tabled 09-05-2017 remained tabled 09-19-17)

PAYMENT FOR TOWN SEWER BACK-UP – 740 COLUMBUS AVENUE

**ROLL CALL**

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

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***R: 2017-186 through R: 2017-198 Carried from the 09-19-2017 abruptly adjourned meeting.***

The annual salary for the following municipal positions are hereby established for the year 2017, retroactive to January 1, 2017

**R: 2017-186 Confidential Aide to the Mayor \$53,000**

**ROLL CALL**

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

**R: 2017 - 187 Deputy Emergency Mgmt. Coord. - \$3,000**

**ROLL CALL**

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

**R: 2017 – 188 Emerg. Mgmt. Coord. - \$6,500**

**ROLL CALL**

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

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**R: 2017 – 189**

Fire Chief -

\$8,000

**ROLL CALL**

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

**R: 2017 - 190**

Human Resource Mgr. - New

\$40,000

**ROLL CALL**

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

**R:2017 – 191**

Plumbing Inspector -

\$16,510

**ROLL CALL**

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

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**R: 2017 – 192**

Public Works Supervisor -

\$85,000

**ROLL CALL**

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

**R: 2017 – 193**

Municipal Clerk - statutory 1.75%

\$101,647

**ROLL CALL**

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

**R:2017 – 194**

Chief Financial Officer - statutory 1.75

\$119,047

**ROLL CALL**

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

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**R:2017 – 195**

Tax Assessor - statutory 1.75%

\$86,488

**ROLL CALL**

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

**R: 2017 – 196**

Tax Collector - statutory 1.75%

\$80,790

**ROLL CALL**

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

**R: 2017 – 196 A**

Court Administrator - statutory 1.75%

\$97,171.33

**ROLL CALL**

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

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**R: 2017 – 197**

**School Traffic Guards (Sick & Vac) \$29/day**

**ROLL CALL**

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

**R: 2017 - 198**

**School Traffic Guards (No Sick & Vaca) \$34/day**

**ROLL CALL**

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

.....  
R: 2017-208

**A RESOLUTION IMPOSING LIEN FOR MUNICIPAL SERVICES**

**ROLL CALL**

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

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R. 2017- 209

A RESOLUTION AUTHORIZING MAYOR AND MUNICIPAL CLERK TO EXECUTE INTER-LOCAL SERVICE AGREEMENT BETWEEN TOWN OF PHILIPSBURG AND PHILLIPSBURG BOARD OF EDUCATION

**ROLL CALL**

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

R: 2017-210

A RESOLUTION APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO HECKMAN STREET PHASE 3

**ROLL CALL**

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

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R: 2017-211

A RESOLUTION APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO HECKMAN STREET PHASE 4

**ROLL CALL**

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

R: 2017-212

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN, STATE OF NEW JERSEY, REGARDING VACATION AND SICK PAY FOR DONNA JOHNSON

**ROLL CALL**

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

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R: 2017 -213

RESOLUTION OF THE TOWN OF PHILLIPSBURG,  
COUNTY OF WARREN, STATE OF NEW JERSEY  
ELIMINATING LONGEVITY AWARDS FOR NEW NON-  
UNION EMPLOYEES

**ROLL CALL**

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

R: 2017- 214

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF  
WARREN, STATE OF NEW JERSEY, AWARDING CONTRACT FOR  
SEWER PIPE REPAIRS ON AN EMERGENCY BASIS

**ROLL CALL**

| Councilmen | First | Second | Yea | Nay | Abstain | Absent |
|------------|-------|--------|-----|-----|---------|--------|
| Piazza     |       |        |     |     |         |        |
| Lutz       |       |        |     |     |         |        |
| Fey        |       |        |     |     |         |        |
| Davis      |       |        |     |     |         |        |
| 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.**

R-2017 -215

RESOLUTION AUTHORIZING AWARD OF A CONTRACT  
FOR PROFESSIONAL SERVICES WITH RT  
ENVIRONMENTAL SERVICES, INC FOR PHASE I  
ENVIRONMENTAL SITE ASSESSMENTS

**ROLL CALL**

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

R. 2017- 217

A RESOLUTION APPROVING THE ISSUANCE OF A SPECIAL  
PERMIT FOR A SOCIAL AFFAIR TO MARIANNA'S PIZZA CAFÉ II,  
LLC d/b/a/ MARIANNA'S

**ROLL CALL**

| Councilmen | First | Second | Yea | Nay | Abstain | Absent |
|------------|-------|--------|-----|-----|---------|--------|
| Piazza     |       |        |     |     |         |        |
| Lutz       |       |        |     |     |         |        |
| Fey        |       |        |     |     |         |        |
| Davis      |       |        |     |     |         |        |
| 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.**

R: 2017-218

A RESOLUTION AUTHORIZING A PURCHASE OF ONE 2017 FORD INTERCEPTOR SEDAN AND ONE 2017 FORD INTERCEPTOR UTILITY VEHICLE

**ROLL CALL**

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

R: 2017-219

A RESOLUTION AWARDING PURCHASES HOUSTON-GALVESTON CONTRACT FIRE APPARATUS

**ROLL CALL**

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

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R: 2017-220

A RESOLUTION DENYING A PERSON TO PERSON TRANSFER OF A  
PLENARY RETAIL CONSUMPTION LICENSE  
NO. 2119-33-004-005

**ROLL CALL**

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

12. NEW BUSINESS

13. PUBLIC PETITIONS  
(Public Comments)

14. OPEN TIME

**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.**

15. MOTIONS

To refund the fee for Special Events Permit for Sullivan's on the Main to host an Event at Shappell Park Saturday, September 30, 2017 a fundraiser to benefit Veterans

Approval for Raffle License No. RL: 1262 issued to the St Philip & St James for a Tricky Tray November 03, 2017 from 6:00-10:00 PM

16. EXECUTIVE MEETING

R:2017 –

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

17. 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 OCTOBER 3, 2017**

|   |                             | <u>Check No</u>     |
|---|-----------------------------|---------------------|
| 1   | Current Fund                | 1,042,766.71        |
| 2   | State & Federal Grants      | 31,889.50           |
| 4   | Capital Fund                | 9,528.30            |
| 7   | Sewage Utility Fund         | 3,614.76            |
| 8   | Sewage Capital Fund         | 0.00                |
| 12  | Planning Board Trust Fund   | 2,248.05            |
| 12  | Opus Investments            | 0.00                |
| 13  | Dog Trust Fund              | 0.00                |
| 15  | Public Defender Trust Fund  | 0.00                |
| 16  | Section 8                   | 0.00                |
| 17  | General Trust Fund          | 3,910.00            |
| 17  | Commerce Park Redevelopment | 0.00                |
| 18  | Bernards Township RCA       | 0.00                |
| 20  | Agency Fund                 | 0.00                |
| 21  | Revolving Loan Fund         | 0.00                |
| <b>Total Regular Bill List as OCTOBER 3, 2017</b> |                             | <b>1,093,957.32</b> |

**Section 8 Rent Payments for 2017**

|  |                   |             |
|--|-------------------|-------------|
| 16   | Section 8 Program | 0.00        |
| <b>Total Section 8 Rent Payments Bill List as of OCTOBER 3, 2017</b> |                   | <b>0.00</b> |

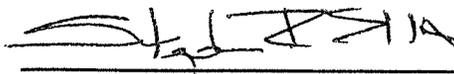
**Pre-Paid Bill List as of OCTOBER 3, 2017**

|   |                           |               |
|---|---------------------------|---------------|
| 1   | Current Fund              | 935.00        |
| 2   | State & Federal Grants    | 0.00          |
| 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          |
| <b>Total Pre-Paid Bill List for OCTOBER 3, 2017</b> |                           | <b>935.00</b> |

**Grand Total All Funds**

**1,094,892.32**

Approved By:   
Robert J. Merlo, CFO

  
Stephen R. Ellis, Mayor

**TOWN OF PHILLIPSBURG  
GENERAL CAPITAL ORDINANCE NUMBER  
2017- 22**

**GENERAL CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF A MULTI-SPACE PARKING KIOSK, BY, IN AND FOR THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; AND APPROPRIATING \$20,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND TO PAY FOR THE COST THEREOF**

**WHEREAS**, the Town of Phillipsburg, in the County of Warren, State of New Jersey (the "Town"), wishes to purchase a multi-space parking kiosk (the "Capital Improvement"), by, in and for the Town; and

**WHEREAS**, the costs of said Capital Improvement is estimated to be \$20,000; and

**WHEREAS**, the Town Council desires to authorize an appropriation from the General Capital Improvement Fund in the amount of \$20,000 to undertake the aforesaid Capital Improvement.

**BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY** (a majority of the full membership thereof affirmatively concurring), **AS FOLLOWS:**

**SECTION 1.** The general capital improvement or purpose described in Section 2 of this capital ordinance is hereby authorized as a general capital improvement to be undertaken by the Town. There is hereby appropriated the amount of \$20,000 from the General Capital Improvement Fund for said improvement or purpose stated in Section 2 hereof.

**SECTION 2.** The general capital improvement or purpose hereby authorized is the purchase a multi-space parking kiosk and also including all work, materials, equipment, labor and appurtenances, engineering and advertising costs necessary therefore or incidental thereto.

**SECTION 3.** The Mayor, Chief Financial Officer and any other official/officer of the Town are each hereby authorized and directed to execute, deliver and perform any agreement necessary to undertake the improvement of purpose set forth herein and to effectuate any transaction contemplated hereby.

**SECTION 4.** The general capital budget of the Town is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, is on file in the office of the Clerk and is available for public inspection.

**SECTION 5.** Capitalized terms used herein and not otherwise defined, shall have the meanings ascribed to such terms in the preamble to this capital ordinance.

**SECTION 6.** This ordinance shall take effect in accordance with applicable law.

**ADOPTED ON FIRST READING  
DATED: September 19, 2017**

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**VICTORIA L. KLEINER, Clerk**

**ADOPTED ON SECOND READING  
DATED: October 3, 2017**

\_\_\_\_\_  
**VICTORIA L. KLEINER, Clerk**

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

\_\_\_\_\_  
**STEPHEN R. ELLIS,  
Mayor**

**TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG  
PUBLIC NOTICE  
NOTICE OF PENDING GENERAL CAPITAL ORDINANCE AND SUMMARY**

The general capital ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Town of Phillipsburg, in the County of Warren, State of New Jersey, on September 19, 2017. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Phillipsburg Senior Center, 310 Firth Street Phillipsburg, in said County, on October 3, 2017 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Office of the Clerk for the members of the general public who shall request the same. The summary of the terms of such capital ordinance follows:

**Title:** GENERAL CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF A MULTI-SPACE PARKING KIOSK, BY, IN AND FOR THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; AND APPROPRIATING \$20,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND TO PAY FOR THE COST THEREOF

**Purpose(s):** Purchase a multi-space parking kiosk and also including all work, materials, equipment, labor and appurtenances, engineering and advertising costs necessary therefore or incidental thereto

**Appropriation:** \$20,000

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**VICTORIA L. KLEINER,  
Clerk of the Town of Phillipsburg**

**TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG  
PUBLIC NOTICE  
GENERAL CAPITAL ORDINANCE NOTICE OF FINAL PASSAGE AND SUMMARY**

The general capital ordinance, the summary terms of which are included herein, has been finally adopted by the governing body of the Town of Phillipsburg, in the County of Warren, State of New Jersey on October 3, 2017. Copies of the full ordinance are available at no cost and during regular business hours, at the Office of the Clerk of the Town for members of the general public who request the same. The summary of the terms of such capital ordinance follows:

**Title:** GENERAL CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF MULTI-SPACE PARKING KIOSK, BY, IN AND FOR THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; AND APPROPRIATING \$20,000 FROM THE GENERAL CAPITAL IMPROVEMENT FUND TO PAY FOR THE COST THEREOF

**Purpose(s):** Purchase a multi-space parking kiosk and also including all work, materials, equipment, labor and appurtenances, engineering and advertising costs necessary therefore or incidental thereto

**Appropriation:** \$20,000

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**VICTORIA L. KLEINER,  
Clerk of the Town of Phillipsburg**

## CERTIFICATE OF INTRODUCTION

I, the undersigned Clerk of the Town of Phillipsburg, in the County of Warren, State of New Jersey (the "Town"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Town duly called and held on September 19, 2017 at 7:00 p.m. at the Phillipsburg Senior Center, 310 Firth Street, Phillipsburg, in said County, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body of the Town and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town this \_\_\_\_ day of \_\_\_\_\_, 2017.

(SEAL)

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**VICTORIA L. KLEINER,**  
**Clerk of the Town of Phillipsburg**

**CERTIFICATE OF FINAL ADOPTION**

I, the undersigned Clerk of the Town of Phillipsburg, in the County of Warren, State of New Jersey (the "Town"), DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Town duly called and held on \_\_\_\_\_, 2017 at \_:\_ p.m. at the Phillipsburg Senior Center, 310 Firth St, Phillipsburg, in said County, and that the following was the roll call:

Present:

Absent:

I FURTHER CERTIFY that the foregoing extract has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body of the Town and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town this \_\_\_\_ day of \_\_\_\_\_, 2017.

(SEAL)

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**VICTORIA L. KLEINER,**  
**Clerk of the Town of Phillipsburg**

## CLERK'S CERTIFICATE

I, VICTORIA L. KLEINER, DO HEREBY CERTIFY that I am the Clerk of the Town of Phillipsburg, in the County of Warren, State of New Jersey (the "Town"), a municipal corporation organized and existing under the laws of the State of New Jersey, and that as such I am duly authorized to execute and deliver this certificate on behalf of the Town. In such capacity, I have the responsibility to maintain the minutes of the meetings of the governing body of the Town and the records relative to all resolutions and ordinances of the Town. The representations made herein are based upon the records of the Town. I DO HEREBY FURTHER CERTIFY THAT:

1. Attached hereto is the general capital ordinance introduced on September 19, 2017 and finally adopted on October 3, 2017.

2. After introduction, the capital ordinance was published as required by law in \_\_\_\_\_ (name of newspaper(s)) on \_\_\_\_\_, 2017.

3. Following the passage of the capital ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the public place in the principal municipal building of the Town at the place where public notices are customarily posted, a copy of said capital ordinance and a notice that copies of the capital ordinance would be made available to the members of the general public of the Town who requested copies, up to and including the time of further consideration of the capital ordinance by the governing body. Copies of the capital ordinance were made available to all who requested same.

4. After final passage, the capital ordinance was duly approved by the Mayor of the Town and duly published as required by law in \_\_\_\_\_ (name of newspaper(s)) on \_\_\_\_\_, 2017.

5. The capital ordinance has not been amended, added to, altered or repealed and said ordinance is now in full force and effect.

6. A certified copy of this capital ordinance and a copy of the amended capital budget form has been filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, as applicable.

7. The official seal of the Town is the seal, an impression of which is affixed opposite my signature on this Certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town this \_\_\_\_ day of \_\_\_\_\_, 2017.

(SEAL)

---

**VICTORIA L. KLEINER,**  
**Clerk of the Town of Phillipsburg**

**O: 2017 - 23**

**ORDINANCE AUTHORIZING THE PURCHASE BY  
THE TOWN OF PHILLIPSBURG OF REAL PROPERTY FROM  
FANNIE MAE KNOWN AS 74 FILLMORE STREET**

**SECTION I**

**WHEREAS**, there is within the Town of Phillipsburg (“Town”) certain real property known as Block 1401 Lot 6 on the Official Tax Map of the Town of Phillipsburg (“Property”), with a street address of 74 Fillmore Street; and

**WHEREAS**, Fannie Mae is currently in possession of the Property and has offered to donate said Property; and

**WHEREAS**, the Town is desirous of accepting the donation of the Property to the Town and converting its use to better serve the public; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-1, et. seq., the acquisition of real property by a municipality must be done by way of ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Phillipsburg, Warren County, New Jersey, that the Town is hereby authorized to accept the donation of the Property from Fannie Mae for the total sum of One Dollar (\$1.00), contingent upon the title search being deemed acceptable to the Town attorney;

**BE IT FURTHER ORDAINED**, that the Mayor and Clerk of the Town of Phillipsburg are hereby authorized to execute all necessary documents, including the Contract of Sale, to purchase said properties.

**SECTION II**

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

**SECTION III**

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**SECTION IV**

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

**ATTEST:**

**TOWN OF PHILLIPSBURG**

\_\_\_\_\_  
VICTORIA L. KLEINER, RMC

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 October 03, 2017 meeting.

\_\_\_\_\_  
VICTORIA L. KLEINER,

Municipal Clerk

R: 2017 - 176

PAYMENT FOR TOWN SEWER BACK-UP – 740 COLUMBUS AVENUE

WHEREAS, the Town has had an established municipal sewer utility (“Utility”) in order to provide for transportation, treatment and disposal of wastewater; and

WHEREAS, the Town is the owner of said sewage system and is responsible for maintaining same; and

WHEREAS, John Burger had owned and presently owns 740 Columbus Avenue, real property in the Town of Phillipsburg, which is serviced by the Utility (Town of Phillipsburg Sewer Utility); and

WHEREAS, the said property sustained a sewage flooding event on or about February 18, 2017, that caused damage in the basement, a result of the Town’s DPW error in placement of its vac truck; and

**NOW, THEREFORE BE IT RESOLVED** that the Council of the Town of Phillipsburg hereby authorizes that the Town reimburse John Burger in the amount of \$3,125.24 for said sewer back-up caused by a Town error as referenced above.

**BE IT RESOLVED** that the Mayor, CFO and Clerk are hereby authorized to execute any and all documents to effect said payment.

**CERTIFICATION**

*I, Victoria Kleiner, Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Town Council at a meeting of said Town Council on September 05, 2017 and that said Resolution was adopted by not less than the legal vote needed of the members of the Council.*

\_\_\_\_\_  
Victoria Kleiner, RMC

**R:2017-186**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title                      | Min      | Max      | 2016     | 2017     |
|----------------------------|----------|----------|----------|----------|
| Confidential Aide to Mayor | \$45,000 | \$60,000 | \$45,000 | \$53,000 |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Lorraine Loudenberg, Deputy Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on September 5, 2017.

\_\_\_\_\_  
Lorraine Loudenberg, Deputy Clerk

Dated:

**R:2017-187**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title                         | Min     | Max     | 2016    | 2017    |
|-------------------------------|---------|---------|---------|---------|
| Deputy Emergency Mgmt. Coord. | \$2,300 | \$4,000 | \$2,300 | \$3,000 |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Lorraine Loudenberg, Deputy Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on September 19, 2017.

\_\_\_\_\_  
Lorraine Loudenberg, Deputy Clerk

Dated:

**R:2017-188**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title                  | Min     | Max      | 2016    | 2017    |
|------------------------|---------|----------|---------|---------|
| Emergency Mgmt. Coord. | \$5,000 | \$10,000 | \$5,500 | \$6,500 |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Lorraine Loudenberg, Deputy Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on September 19, 2017.

\_\_\_\_\_  
Lorraine Loudenberg, Deputy Clerk

Dated:

**R:2017-189**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title      | Min     | Max      | 2016    | 2017  |         |
|------------|---------|----------|---------|---|---------|
| Fire Chief | \$5,000 | \$12,000 | \$7,500 | <table border="1"><tr><td>\$8,000</td></tr></table> | \$8,000 |
| \$8,000    |         |          |         |   |         |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Lorraine Loudenberg, Deputy Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on September 19, 2017.

\_\_\_\_\_  
Lorraine Loudenberg, Deputy Clerk

Dated:

**R:2017-190**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title                  | Min      | Max      | 2016        | 2017     |
|------------------------|----------|----------|-------------|----------|
| Human Resource Manager | \$35,000 | \$42,000 | New in 2017 | \$40,000 |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Lorraine Loudenberry, Deputy Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on September 5, 2017.

\_\_\_\_\_  
Lorraine Loudenberry, Deputy Clerk

Dated:

**R:2017-191**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title              | Min      | Max      | 2016     | 2017     |
|--------------------|----------|----------|----------|----------|
| Plumbing Inspector | \$13,000 | \$20,000 | \$15,510 | \$16,510 |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Lorraine Loudenberry, Deputy Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on September 5, 2017.

\_\_\_\_\_  
Lorraine Loudenberry, Deputy Clerk

Dated:

**R:2017-192**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title                   | Min      | Max       | 2016     | 2017     |
|-------------------------|----------|-----------|----------|----------|
| Public Works Supervisor | \$80,000 | \$100,000 | \$81,656 | \$85,000 |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Lorraine Loudenberg, Deputy Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on September 19, 2017.

\_\_\_\_\_  
Lorraine Loudenberg, Deputy Clerk

Dated:

**R:2017-193**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title           | Min      | Max       | 2016     | 2017      |
|-----------------|----------|-----------|----------|-----------|
| Municipal Clerk | \$80,000 | \$110,000 | \$99,899 | \$101,647 |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Lorraine Loudenberg, Deputy Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on September 19, 2017.

\_\_\_\_\_  
Lorraine Loudenberg, Deputy Clerk

Dated:

**R:2017-194**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title                   | Min       | Max       | 2016      | 2017  |           |
|-------------------------|-----------|-----------|-----------|---|-----------|
| Chief Financial Officer | \$100,000 | \$120,000 | \$117,000 | <table border="1"><tr><td>\$119,047</td></tr></table> | \$119,047 |
| \$119,047               |           |           |           |   |           |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Lorraine Loudenberg, Deputy Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on September 19, 2017.

\_\_\_\_\_  
Lorraine Loudenberg, Deputy Clerk

Dated:

**R:2017-195**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title        | Min      | Max      | 2016     | 2017     |
|--------------|----------|----------|----------|----------|
| Tax Assessor | \$76,000 | \$96,000 | \$85,000 | \$86,488 |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Lorraine Loudenberg, Deputy Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on September 19, 2017.

\_\_\_\_\_  
Lorraine Loudenberg, Deputy Clerk

Dated:

**R:2017-196**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title         | Min      | Max      | 2016     | 2017     |
|---------------|----------|----------|----------|----------|
| Tax Collector | \$70,000 | \$95,000 | \$79,400 | \$80,790 |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Lorraine Loudenberry, Deputy Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on September 19, 2017.

\_\_\_\_\_  
Lorraine Loudenberry, Deputy Clerk

Dated:

**R:2017-196 A**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title         | Min      | Max       | 2016     | 2017        |
|---------------|----------|-----------|----------|-------------|
| Tax Collector | \$85,000 | \$105,000 | \$95,500 | \$97,171.33 |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Victoria L. Kleiner, Registered Municipal Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on October 03, 2017.

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Victoria L. Kleiner, Municipal Clerk

**R: 2017-197**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title                              | Min | Max      | 2016        | 2017     |
|------------------------------------|-----|----------|-------------|----------|
| School Traffic Guards (sick & Vac) |     | \$29/day | \$28.50/day | \$29/day |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Lorraine Loudenberg, Deputy Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on September 19, 2017.

\_\_\_\_\_  
Lorraine Loudenberg, Deputy Clerk

Dated:

**R: 2017-198**

**RESOLUTION ESTABLISHING ANNUAL SALARY  
FOR CERTAIN EMPLOYEES OF THE TOWN OF  
PHILLIPSBURG**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the annual salary for the following municipal position is hereby established for the year 2017, retroactive to January 1, 2017:

| Title                                 | Min | Max      | 2016        | 2017     |
|---------------------------------------|-----|----------|-------------|----------|
| School Traffic Guards (No sick & Vac) |     | \$34/day | \$33.50/day | \$34/day |

Said amounts are within the guidelines as established by the salary Ordinance of the Town of Phillipsburg.

I, Lorraine Loudenberg, Deputy Clerk of the Town of Phillipsburg, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a Resolution adopted by the Town Council at a meeting held on September 19, 2017.

\_\_\_\_\_  
Lorraine Loudenberg, Deputy Clerk

Dated:

R: 2017-208

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, 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 October 03, 2017 meeting.

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Victoria L. Kleiner, RMC

**Schedule-Municipal Liens –October 3, 2017**

| Property Owner   | Block/L of/Address             | Service                                  | Lien     |
|--|--------------------------------|--|----------|
| Estate of Richard & Carol Roskilly<br>252 Heckman Street<br>Phillipsburg, NJ 08865 | 1317/1<br>110 Heckman Street   | Public Works Call Out – Invoice 2017-96  | \$250.00 |
| Rio Property Holdings LLC<br>7990 IH 10 W Ste 200<br>San Antonio, TX 78230         | 2404/5<br>706 Columbus Avenue  | Public Works Call Out – Invoice 2017-97  | \$250.00 |
| Cindy Smith<br>235 S. Main Street #405<br>Phillipsburg, NJ 08865                   | 2006/20<br>232 Mercer Street   | Public Works Call Out – Invoice 2017-98  | 450.00   |
| Alan & Robyn Siska<br>581 County Road 627<br>Bloomsbury, NJ 08804                  | 1801/18<br>411 Firth Street    | Public Works Call Out – Invoice 2017- 99 | \$337.50 |
| George Helmy<br>184 S. Livingston Ste 100<br>Livingston, NJ 07039                  | 813/16<br>113 Filmore Street   | Public Works Call Out – Invoice 2017-100 | \$362.50 |
| Thomas Lee & James Kelly<br>574 Roseberry Street<br>Phillipsburg, NJ 08865         | 1602/2<br>574 Roseberry Street | Public Works Call Out – Invoice 2017-101 | \$275.00 |
| Estate of Verna Miller<br>9 Randall Street<br>Phillipsburg, NJ 08865               | 910/2<br>11 Randall Street     | Public Works Call Out – Invoice 2017-102 | \$500.00 |
| 23 Bennett Street Trust<br>1259 Northampton Street<br>Easton, PA 18042             | 306/24<br>23 Bennett Street    | Public Works Call Out - Invoice 2017-103 | \$225.00 |
| Barbara Huff<br>912 Gate Street<br>Phillipsburg, NJ 08865                          | 2604/29<br>912 Gate Street     | Public Works Call Out – Invoice 2017-104 | \$225.00 |
| Matthew Ackerman IV<br>166 Patricia Avenue<br>Colonia, NJ 07067                    | 1221/6<br>15 Wilson Street     | Public Works Call Out – Invoice 2017-105 | \$500.00 |
| Phillip & Melissa Miller<br>3004 Revere Court<br>Hillsborough, NJ 08844            | 2422/14<br>839 Hill Street     | Public Works Call Out – Invoice 2017-106 | \$225.00 |

R. 2017- 209

A RESOLUTION AUTHORIZING MAYOR AND  
MUNICIPAL CLERK TO EXECUTE INTER-LOCAL  
SERVICE AGREEMENT BETWEEN TOWN OF PHILIPSBURG  
AND PHILLIPSBURG BOARD OF EDUCATION

**WHEREAS**, the Town of Phillipsburg wishes to enter into an Inter-Local Service Agreement with the Phillipsburg Board of Education in regard to the leasing of 215 North Main Street (former Town Garage) to the Board and 120 Filmore Street (former Freeman School) to the Town; and

**WHEREAS**, the effective date of the Agreement shall be October 1, 2017.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Phillipsburg that the Mayor and Municipal Clerk are hereby authorized to execute said Agreement as referenced above.

CERTIFICATION

I, Victoria Kleiner, Municipal Clerk of 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 October 03, 2017 meeting.

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Victoria Kleiner, Municipal Clerk

R: 2017-210

A RESOLUTION APPROVAL TO SUBMIT A GRANT APPLICATION  
AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO  
HECKMAN STREET PHASE 3

WHEREAS, the Town of Phillipsburg would like to complete improvements to Heckman Street from Lincoln Street to the Department of Public Works Garage to improve pedestrian safety and preserve the existing roadways;

NOW, THEREFORE, BE IT RESOLVED that Council of the Town of Phillipsburg formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application to the New Jersey Department of Transportation on behalf of the Town of Phillipsburg. Said application is formally known as:

“MA-2018- Heckman St Phase 3 -00306”

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Phillipsburg and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey do hereby certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on October 03, 2017.

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Victoria L. Kleiner, RMC

R: 2017-211

A RESOLUTION APPROVAL TO SUBMIT A GRANT APPLICATION  
AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION FOR THE IMPROVEMENTS TO  
HECKMAN STREET PHASE 4

WHEREAS, the Town of Phillipsburg would like to complete improvements to Heckman Street from the Department of Public Works Garage to the terminus at Roseberry Street to improve pedestrian safety and preserve the existing roadways;

NOW, THEREFORE, BE IT RESOLVED that Council of the Town of Phillipsburg formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application to the New Jersey Department of Transportation on behalf of the Town of Phillipsburg. Said application is formally known as:

“MA-2018- Heckman St Phase 4 -00447”

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Town of Phillipsburg and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey do hereby certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on October 03, 2017.

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Victoria L. Kleiner, RMC

R: 2017-212

A RESOLUTION OF THE TOWN OF  
PHILLIPSBURG, COUNTY OF WARREN, STATE OF  
NEW JERSEY, REGARDING VACATION AND SICK  
PAY FOR DONNA JOHNSON

**WHEREAS**, Donna Johnson of the Phillipsburg Library has retired effective July 1, 2017; and

**WHEREAS**, Donna Johnson has accumulated unused vacation and sick days pursuant to the a contract entered into by and between the Town of Phillipsburg and Donna Johnson; and

**WHEREAS**, Donna Johnson accumulated a total of XX vacation days totaling XXXX, and a total of XXX sick days totaling \$XXXXXX; and

**WHEREAS**, the Chief Financial Officer of the Town of Phillipsburg has certified that there are sufficient funds in the municipal budget to pay the amount of compensated vacation and sick days due.

**NOW THEREFORE IT BE RESOLVED**, by the Council of the Town of Philipsburg, County of Warren, State of New Jersey and pursuant to N.J.A.C. 5:30-15.4, that payment for compensated vacation days totaling \$XXXXXX and sick days totaling \$XXXXXX to Donna Johnson is hereby approved.

**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 October 03, 2017 meeting.

\_\_\_\_\_  
Victoria L. Kleiner  
Municipal Clerk

R: 2017 -213

**RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY  
OF WARREN, STATE OF NEW JERSEY ELIMINATING  
LONGEVITY AWARDS FOR NON-UNION EMPLOYEES**

**WHEREAS**, the State of New Jersey's Best Practices Worksheet encourages municipalities to adopt written policies eliminating longevity awards for new non-union employees; and

**WHEREAS**, Town of Phillipsburg has no such current policy; and

**WHEREAS**, the Town of Phillipsburg desires to memorialize a policy eliminating longevity awards for new non-union employees in order to satisfy an element of the Best Practices Worksheet; and

**WHEREAS**, the Town of Phillipsburg believes it is appropriate to eliminate longevity awards for all new non-union employees hired as of January 1, 2018.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, hereby approves a policy eliminating longevity awards, bonuses, or payments for all new non-union employees hired as of January 1, 2018.

**BE IT FURTHER RESOLVED** this policy will be added to the Town Personnel Policy and Procedure Manual.

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey do hereby certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on October 03, 2017.

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Victoria L. Kleiner, Municipal Clerk

**R: 2017- 214**

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN,  
STATE OF NEW JERSEY, AWARDED CONTRACT FOR SEWER PIPE REPAIRS  
ON AN EMERGENCY BASIS**

**WHEREAS**, the Town of Phillipsburg’s professionals, Van Cleef Engineering Associates (“Town Professionals”), witnessed a video recording of the existing 24” storm sewer pipe located on Block 1003, Lot 9;

**WHEREAS**, the Town Professionals observed the pipe is in relatively poor condition with numerous cracks; and

**WHEREAS**, the video recording also revealed the presence of carbonate rock locally to the trench; and

**WHEREAS**, the condition of the cracked pipe will eventually create sinkholes; and

**WHEREAS**, the location of the pipe in need of repair is the site of the Chase Bank project; and

**WHEREAS**, in the opinion of the Town professionals, it is necessary to immediately address the Emergency so as to eliminate any concern for sinkholes and to avoid interfering with the projected completion of the Chase Bank project; and

**WHEREAS**, the Town of Phillipsburg has sought replacement equipment and repair work on an emergency basis (the “Emergency Repairs”); and

**WHEREAS**, East Coast Contracting, LLC is providing the Emergency Repairs for the price of \$67,600.00; and

**WHEREAS**, sufficient funding is available as evidenced by the attached certification of funds; and

**NOW THEREFORE IT BE RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the Town Council does hereby award the Contracts for Emergency Repairs of 120 linear feet of the 24” storm sewer pipe located on Block 1003, Lot 9, to East Coast Contracting, LLC in the amount of \$67,600.00.

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to enter into the contract on behalf of the Town of Phillipsburg.

**BE IT FURTHER RESOLVED** that this Resolution shall be incorporated into, and form a part of, the contract documents.

#### **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 October 03, 2017 meeting.

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Victoria L. Kleiner  
Municipal Clerk

**R-2017 -215**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR  
PROFESSIONAL SERVICES WITH RT ENVIRONMENTAL  
SERVICES, INC FOR PHASE I ENVIRONMENTAL SITE  
ASSESSMENT**

**WHEREAS**, the Town of Phillipsburg has a need to acquire professional services relative to an environmental site assessment (“Project”) of the Office Building located at 73 Mercer Street, Phillipsburg, NJ 08865; and

**WHEREAS**, the Town of Phillipsburg is requesting the Project be performed to determine whether there are any potential environmental concerns affecting the property; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5(1)(a)(i), a contract for such services may be awarded without competitive bidding by reason that such services constitute "professional services" which are services rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship; and

**WHEREAS**, RT Environmental Services, Inc. submitted a proposal dated July 18, 2017, to provide said services on behalf of the Town; and

**WHEREAS**, RT Environmental Services, Inc. proposes to present its assessment findings in a report detailing areas of potential concern, identify any data gaps, and provide recommendations if appropriate; and

**WHEREAS**, the estimated value of these services will be the sum of \$2,685; and

**WHEREAS**, the Town Council finds it to be in the best interest of the Town of Phillipsburg to authorize said work, which is not subject to public bidding.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the Mayor and Registered Municipal Clerk are authorized to enter into a Contract with RT Environmental Services, Inc. as described therein.

**BE IT FURTHER RESOLVED** that the Clerk is hereby authorized and directed to cause a notice to be published in the manner provided by law setting forth the nature, duration, service and amount of the Contract and that the resolution and Contract are on file in the Office of the Clerk and are available for public inspection.

## 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 October 03, 2017 meeting.

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Victoria L. Kleiner  
Registered Municipal Clerk

**R: 2017-216**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR  
PROFESSIONAL SERVICES WITH RT ENVIRONMENTAL  
SERVICES, INC FOR A THIRD ROUND INDOOR AIR QUALITY  
MOLD SURVEY FOR THE FIRST FLOOR OF PHILLIPSBURG  
TOWN HALL**

**WHEREAS**, the Town of Phillipsburg has a need to acquire professional services relative to the conducting of a third round of an indoor air quality mold survey("Project") for the purposes of monitoring whether indoor air on the first floor of Phillipsburg Town Hall is impacted from mold; and

**WHEREAS**, the Town of Phillipsburg previously had remediation work performed in the building relating to mold; and

**WHEREAS**, mold is still present in the building and a third round of testing is requested to determine whether the quality of indoor air is impacted from mold due to the HVAC air conditioning system; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5(1)(a)(i), a contract for such services may be awarded without competitive bidding by reason that such services constitute "professional services" which are services rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship; and

**WHEREAS**, RT Environmental Services, Inc., submitted a proposal dated June 14, 2017, to provide engineering services relative to the Project; and

**WHEREAS**, the value of these services shall not exceed the sum of \$3,963; and

**WHEREAS**, the Town Council finds it to be in the best interest of the Town of Phillipsburg to authorize said work, which work is not subject to public bidding.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the Mayor and Municipal Clerk are authorized to enter into a Contract with RT Environmental Services, Inc., as described therein, subject to the certification of funds.

**BE IT FURTHER RESOLVED** that the Clerk is hereby authorized and directed to cause a notice to be published in the manner provided by law setting forth the nature, duration, service and amount of the Contract and that the resolution and Contract are on file in the Office of the Clerk and are available for public inspection.

## **CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey do hereby certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on October 03, 2017.

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Victoria L. Kleiner, Municipal Clerk

R: 2017-217

A RESOLUTION APPROVING THE ISSUANCE OF A SPECIAL PERMIT FOR A SOCIAL AFFAIR TO MARIANNA'S PIZZA CAFÉ II, LLC d/b/a/ MARIANNA'S

BE IT RESOLVED by the Council of the Town of Phillipsburg that:

The said Council has no objection to the issuance of a SPECIAL PERMIT for SOCIAL AFFAIR applied for by:

Marianna's Pizza Café II, LLC, T/A Marianna's, 224 Stockton Street, Phillipsburg, New Jersey, for:

October 14, 2017 from 12:00 P.M. to 8:00 P.M. also in accordance with all local ordinances.

The above stated Special Permit is for premises known as Riverside Way, "Pork Roll Pallooza", Phillipsburg, New Jersey.

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 October 03, 2017 meeting.

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Victoria L. Kleiner, RMC

R: 2017-218

A RESOLUTION AUTHORIZING A PURCHASE OF ONE 2017 FORD  
INTERCEPTOR SEDAN AND ONE 2017 FORD INTERCEPTOR  
UTILITY VEHICLE

WHEREAS, the Town of Phillipsburg has a need to acquire one (1) police Interceptor sedan and one (1) police Interceptor utility vehicle and it is in the Town's best interest to acquire this vehicle through a the Morris County CO-OP, and

WHEREAS, The Town of Phillipsburg can use the Morris County CO-OP (Contract # 15A Item# 3 & 4) from Beyer Ford, so there is no need to have a public bid,

WHEREAS, the Town of Phillipsburg's CFO has certified funds available through a Capital Purchase, in the amount of \$64,469.00.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg, State of New Jersey, and County of Warren is authorizing a purchase agreement between Town of Phillipsburg and with Ford Motor Credit through the Morris County CO-OP and Beyer Ford.

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 October 03, 2017 meeting.

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Victoria L. Kleiner, RMC

R: 2017-219

A RESOLUTION AWARDED PURCHASES  
HOUSTON-GALVESTON CONTRACT

WHEREAS, the State of New Jersey adopted legislation which requires all municipalities who purchase under Houston-Galveston 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 Houston-Galveston are hereby authorized:

Purchase of:

A new Pumper Truck – 200GPM Pump, Class B Foam system, with a 50 ft. telescoping waterway.

Best quoted price from HGAC Cooperative, vendor is Pierce manufacturing \$715,023.43.

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 October 03, 2017 meeting.

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Victoria L. Kleiner, RMC

R: 2017-220

A RESOLUTION DENYING A PERSON TO PERSON TRANSFER  
OF A PLENARY RETAIL CONSUMPTION LICENSE  
NO. 2119-33-004-005

**WHEREAS**, application has been filed for a Person-to-Person transfer of the Plenary Retail Consumption License 2119-33-004-005, issued to Marz Bar and Grille, LLC., to The Empire Equity Holdings, LLC., and

**WHEREAS**, the submitted application form is not in compliance with rules and regulations of the State of NJ and the Division of ABC, and the license has been properly reviewed and denied for the current term; and

**WHEREAS**, the applicant is not qualified to be licensed according to all standards established by Title 13 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**NOW THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Phillipsburg, Warren County, does hereby approve the denial of this transfer,

**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 a meeting held October 03, 2017

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Victoria L. Kleiner, Municipal Clerk

In accordance with Article 5-35 K. Rule 11 of the Phillipsburg Town Code, *Addressing the Council*, upon recognition by the Chair, the general public may address Council during “Public Comments”.

No person shall address any remark or question to any specific member of Council, or the Mayor. Remarks are limited to five **(5)** minutes and at no time, shall you engage in any personally offensive or abusive remark. The Chair shall call any speaker to order who violates any provision of this rule.

Chapt. 5. Administration and Government  
Rules : 5-35 Rules for procedure for meetings

Rule 11: Addressing the Council.

(1)

Persons other than Councilmen may be permitted to address the Council in the proper order of business. A person present may, upon recognition by the Chair, be heard in the order of communications and petitions and at such other times as the Council may by the affirmative vote of 2/3 of those present specifically permit. No person shall address any remark or question to any specific Councilman, nor shall any person be permitted to address the Chair while a motion is pending. A Councilman may, through the Chair, respond to any communication or address received pursuant to this section.

(2)

Except upon consent of the Council by the affirmative vote of 2/3 of those present, each person addressing the Council pursuant to this section shall be required to limit his remarks to five minutes and shall at no time engage in any personally offensive or abusive remarks. The Chair shall call any speaker to order who violates any provision of this rule.

L.

Rule 12: Decorum.

(1)

Each member of the Council shall cooperate with the chair in preserving order and decorum, and no member shall by conversation or otherwise delay or interrupt the proceedings of the Council, nor disturb any member while speaking, or fail to abide by the orders of the Council or its President, except as specifically permitted by these rules.

(2)

Any person who shall disturb the peace of the Council, make impertinent or slanderous remarks or conduct himself in a boisterous manner while addressing the Council shall be forthwith barred by the presiding officer from further audience before the Council, except that if the speaker shall submit to proper order under these rules, permission for him to continue may be granted by a majority vote of the Council.

(3)

The Police Chief shall, upon request of the Chair, designate a member of the Department to serve as Sergeant-at-Arms at Council meetings. He shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at such meetings.

M.

Rule 13: Filing of reports and resolutions. The Committee of the Whole shall file with the Clerk all petitions, resolutions or other papers considered by it on each matter referred to the Committee. All reports to the Council and all resolutions shall be filed with the Clerk and entered in the minutes of the Council.

N.

Rule 14: Suspension. Any of these rules of Council may be suspended by an affirmative vote of 2/3 of the members of the Council, except as otherwise provided by the Charter.

O.

Rule 15: Videotaping.

[Added 8-7-2012 by Ord. No. O:2012-16; amended 10-2-2012 by Ord. No. O:2012-18]

(1)

Videotaping utilizing equipment mounted on tripods or stands.

(a)

No more than two video recording devices at a time shall be permitted at a Town Council meeting, exclusive of any video recording device utilized by the Town.

(b)

If more than two persons desire to set up their video recording devices, there shall be a drawing by the Clerk, or Acting Clerk, to determine who can set up their devices. The Town Council may vote to relax the two video recording device limitation if, in its sole discretion, it finds that same can be accomplished without disrupting the meeting.

(c)

The video recording device shall not make noise that could disrupt the meeting. Additional light sources are not permitted.

(d)

Video recording devices must be positioned in the back of the meeting room behind the audience seating; the operator of the video recording device must remain with the equipment at all times, unless otherwise addressing Council.

(e)

Video recording equipment must be set up prior to the start of the meeting and may not be repositioned during the meeting.

(f)

Video recording equipment may not be broken down and/or put away until the meeting has been adjourned or is in recess.

(g)

Video recording is not permitted to commence until the meeting has been called to order and must cease at the adjournment of the meeting.

(2)

Videotaping utilizing handheld equipment.

(a)

Use of handheld video or recording equipment is permitted in the audience seating area only.

(b)

Operators of handheld video or recording equipment must remain seated and shall not move about the meeting room. Additional light sources are not permitted.

(c)

Use of a monopod to support a handheld camera shall be accepted for the purposes of this Subsection O to be within the definition of a handheld camera and will be permitted from the seating area. Monopods shall be extended no higher than the eye level of the seated camera operator.

(d)

Video recording is not permitted to commence until the meeting has been called to order and must cease at the adjournment of the meeting.

(3)

Other provisions.

(a)

Members of the press are free to conduct interviews of Town officials, or any other person, in the hall prior to, or at the conclusion of, the meeting.

(b)

Any person observed violating the foregoing provisions by the Council President, or Acting Council President, shall be ordered to abate the offending activity and comply immediately with the provisions of this Subsection O.

(c)

If the offending activity is not abated, the Council President, or Acting Council President, may order the offender to remove the video equipment from the room.