

TOWN OF PHILLIPSBURG
Town Council Agenda
July 05, 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 06-05-2017

6. APPROVAL OF BILLS

7. MAYOR'S REPORT

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.

8. MUNICIPAL ALLIANCE DJ KOPHAZY – *Speak about changes to the liquor license ordinance – postponed until July 18, 2017.*

9. OLD BUSINESS

10. PUBLIC DISCUSSION ON AGENDA ITEMS

11. ORDINANCE

O: 2017-07 (Second and Final)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 485 “SEWAGE DISPOSAL SYSTEMS,” SECTION 4 “SEWER FACILITIES; CONNECTIONS,” OF THE CODE OF THE TOWN OF PHILLIPSBURG TO REQUIRE THE USE OF BACKFLOW VALVES FOR BASEMENT AND CELLAR SANITARY FIXTURES

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: 2017-10 (Second and Final Reading)

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING CHAPTER 67, *VEHICLES AND TRAFFIC*, SECTION 28, *PARKING LOTS*, OF THE CODE OF THE TOWN OF PHILLIPSBURG

ROLL CALL

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

Still need to discuss this....don't un-table yet

O: 2017-12 (TABLED @ June 13, 2017 mtg. more discussion)
Historic Preservation

O: 2017-08 (Second and Final Reading) **MOTION TO TABLE UNTIL JULY 05, 2017**

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 464 "RENTAL PROPERTY," IN ORDER TO REVISE SECTIONS 464-2 "DEFINITIONS," 464-4 "RENTAL PROPERTY REGISTRATION," 464-5 "LICENSE REQUIREMENTS; SUSPENSION OR REVOCATION OF LICENSE," AND 464-7 "PREREQUISITES TO OCCUPANCY; MAXIMUM NUMBER OF OCCUPANTS"

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.

ROLL CALL

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

O: 2017 – 15 (**TABLED REWRITE June 20, 2017**)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 625, *ZONING*, ARTICLE VIII, *SIGNS*, SECTION 39, *REGARDING POLITICAL SIGNS*

O: 2017-16 (First Reading)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, REPEALING ORDINANCE 2015-20 AND ORDINANCE 2016-23 REGARDING SALARIES

12. **RESOLUTIONS**

R: 2017 – 110 (TABLED 05-23-17 remained tabled (06-05&20-2017))

A RESOLUTION EXPRESSING INTEREST IN THE DONATION OF THE FREEMAN SCHOOL TO THE TOWN

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- 2017-131

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A DISCHARGE OF MORTGAGE FOR BLOCK 1414 LOT 7 AS IDENTIFIED ON THE TAX MAPS OF THE TOWN OF PHILLIPSBURG

R: 2017-132

A RESOLUTION IMPOSING LIEN FOR MUNICIPAL SERVICES

R: 2016-133

A RESOLUTION APPROVING 2017-2018 LIQUOR LICENSES WITHIN TOWN OF PHILLIPSBURG

R: 2017-134

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, APPROVING A CHANGE ORDER FOR THE WALTER'S PARK SPLASH PAD

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-2017-135

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR CONTINUING DISCLOSURE AGENT SERVICES WITH PHOENIX ADVISORS, LLC AND APPOINTING PHOENIX ADVISORS, LLC AS THE TOWN'S INDEPENDENT REGISTERED MUNICIPAL ADVISOR

R-2017-136

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING RESOLUTION 2017-06 REGARDING THE DESIGNATION OF DEPOSITORIES FOR VARIOUS ACCOUNTS OF THE TOWN OF PHILLIPSBURG IN ORDER TO DESIGNATE PROVIDENT BANK AS THE DEPOSITORY FOR A MERCHANT'S ACCOUNT

EXECUTIVE MEETING:

R: 2017- 136A

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING . . . Contractual Matters, acquisition of property...

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 - 137

REAL ESTATE APPRAISER

R- 2017-138

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF
WARREN STATE OF NEW JERSEY AUTHORIZING A SHARED
SERVICE AGREEMENT ALPHA BOROUGH

13. NEW BUSINESS

14. PUBLIC PETITIONS
(Public Comments)

15. HABITABILITY HEARINGS (*carried from June 20, 2017 mtg.*)

Charles F. Kinney Block 905- Lot 51 143 Washington St.

Christine M. Lippincott Block 905 - Lot 52 141 Washington St.

**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.**

16. OPEN TIME

17. MOTIONS

Fire Chief Rich Hay requesting a waiver of the permit use fee for Walters Park, for the flag burning / retirement ceremony for Bernadine May Legion Post on July 08, 2017

MOTIONS CONT:

Chris Cotty – Thomas the Train is requesting a waiver of the permit use fee for July 05 – July 16, 2017

Mike Muckle – of the New Jersey Youth Corps of Phillipsburg – is requesting that the members and their families get a waiver to use the Walter's Park Pool for the season.

18. 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 . . .

19. 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 JULY 5 2017

| | | <u>Check No</u> |
|--|-----------------------------|-------------------|
| 1 | Current Fund | 78,295.96 |
| 2 | State & Federal Grants | 4,120.00 |
| 4 | Capital Fund | 14,500.00 |
| 7 | Sewage Utility Fund | 159,971.52 |
| 8 | Sewage Capital Fund | 0.00 |
| 12 | Planning Board Trust Fund | 289.10 |
| 12 | Opus Investments | 6,558.00 |
| 13 | Dog Trust Fund | 0.00 |
| 15 | Public Defender Trust Fund | 95.00 |
| 16 | Section 8 | 0.00 |
| 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 JULY 5, 2017 | | 263,829.58 |

Section 8 Rent Payments for 2017

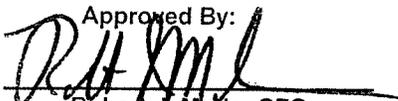
| | | |
|---|-------------------|-------------|
| 16 | Section 8 Program | 0.00 |
| Total Section 8 Rent Payments Bill List as of JULY 5, 2017 | | 0.00 |

Prior Council Meeting Check # 69752 Date: 6/5/17 2,750.50
 Worth & Company PO 25438

Pre-Paid Bill List as of JULY 5, 2017

| | | |
|--|---------------------------|-------------------|
| 1 | Current Fund | 0.00 |
| 2 | State & Federal Grants | 44,200.00 |
| 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 | 139,029.87 |
| 21 | Revolving Loan Fund | 0.00 |
| Total Pre-Paid Bill List for JULY 5, 2017 | | 183,229.87 |

Grand Total All Funds **449,809.95**

Approved By:

 Robert J. Merlo, CFO


 Stephen R Ellis, Mayor

O: 2017-07

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 485 "SEWAGE DISPOSAL SYSTEMS," SECTION 4 "SEWER FACILITIES; CONNECTIONS," OF THE CODE OF THE TOWN OF PHILLIPSBURG TO REQUIRE THE USE OF BACKFLOW VALVES FOR BASEMENT AND CELLAR SANITARY FIXTURES

WHEREAS, § 485-4 of the Code of the Town of Phillipsburg regulates the maintenance of sewer connections by property owners; and

WHEREAS, the Town finds the current code to be unworkable and in need of revision; and

WHEREAS, the Town desires to require the installation of fixtures below street level to be protected by a backwater valve; and

NOW THEREFORE BE IT ORDAINED by the Town Council, Town of Phillipsburg, County of Warren, State of New Jersey amends § 485-4 of the code as follows:

Section 1

Section § 485-4 is hereby amended as follows:

§ 485-4. Sewer Facilities; Connections; Property Owner Responsibility.

- A. Where a sanitary sewer is available, each and every property owner is required to provide and maintain a sewer connection for their improved property.
- B. Any sanitary fixture installed in a building at an elevation lower than the curb or street, whichever is higher, must include backflow prevention to eliminate potential flooding of the premises with sewage. Further, all such fixtures shall be the sole responsibility of the owner and the Town of Phillipsburg will not be responsible for the installation, operation, or damage caused by sewerage backflow.
- C. Upon a determination by the Municipal Engineer that an existing sewer connection is not properly discharging sewage flow into the sewer main, the owner shall be required to replace the existing sewer connection system. In the instance where the owner is not connected directly and separately to the sewer main, it shall be required, upon determination of improper discharge, that the owner connect separately to the sewer main.

Section 2

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 3

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 May 23, 2017 meeting.

VICTORIA L. KLEINER,
Municipal Clerk

O: 2017-08

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 464 “RENTAL PROPERTY,” IN ORDER TO REVISE SECTIONS 464-2 “DEFINITIONS,” 464-4 “RENTAL PROPERTY REGISTRATION,” 464-5 “LICENSE REQUIREMENTS; SUSPENSION OR REVOCATION OF LICENSE,” AND 464-7 “PREREQUISITES TO OCCUPANCY; MAXIMUM NUMBER OF OCCUPANTS”

WHEREAS, § 464-2 of the Code of the Town of Phillipsburg contains definitions for Chapter 464 “Rental Property”; and

WHEREAS, § 464-4 of the Code of the Town of Phillipsburg regulates “Rental Property Regulation”; and

WHEREAS, § 464-5 of the Code of the Town of Phillipsburg regulates “License Requirements; Suspension or Revocation of License”; and

WHEREAS, § 464-7 of the Code of the Town of Phillipsburg regulates “Prerequisites to Occupancy; Maximum Number of Occupants”; and

WHEREAS, the Town finds the current code to be unworkable and in need of revision; and

WHEREAS, the Town desires to address the requirements for a Certificate of Habitability and the suspension or revocation of licenses; and

NOW THEREFORE BE IT ORDAINED by the Town Council, Town of Phillipsburg, County of Warren, State of New Jersey amends § 464-2, § 464-4, § 464-5, and § 464-7 of the code as follows:

Section 1

Section 464-2 of the Code of the Town of Phillipsburg shall be amended as follows:

§ 464-2. Definitions.

For use in this article only, the following words and phrases shall have the meanings respectively ascribed to them by this section:

CHANGE in TENANCY

The addition of any person not included in the annual registration statement, or deletion of any person on the annual registration statement.

LANDLORD and OWNER

Any person who owns any legally cognizable interest in any rental property, including, but not limited to, outright ownership or ownership through a partnership, corporation or limited liability company.

OWNER-OCCUPIED

The primary residential living unit of the owner is located within the rental property.

PEST MANAGEMENT PROFESSIONAL

A person who: i) is licensed, registered, or certified by the State of New Jersey to perform pest control services; ii) has attended courses or undergone training on the proper method for the extermination of bedbugs; and iii) follows the National Pest Management Association Best Practices for the extermination of bedbugs.

PROPERTY MAINTENANCE

The cleanliness and proper working order and upkeep of all areas and facilities of the rental unit, rental property or complex used by the tenants and the public.

RENTAL PROPERTY

Any house, structure, building or complex which contains one or more individual residential rental units other than owner-occupied houses, structures or buildings.

RENTAL UNIT

Includes that portion of a house, building or structure rented or offered for rent, for living and dwelling purposes to individuals or family units.

RESIDE

To live or dwell permanently or continuously for more than 14 days. Said days need not be consecutive, but must occur within a reasonably short period of time to evidence an intent to utilize the rental unit as the person's primary place of residence.

TENANTS

Those persons who have leased the rental unit from the owner, regardless of the type of tenancy under which they occupy the rental unit.

Section 2

Section 464-4, subsection (d) of the Code of the Town of Phillipsburg shall be amended as follows:

- D. In the event the tenancy of a rental unit changes during the year, the owner or managing agent shall, within 30 days of the change in tenancy, provide an updated rental property registration statement. This shall be in addition to the requirement to obtain a certificate of habitability for the change of tenancy. Landlords who have not had a code violation in the last four (4) years will not require a new certificate of habitability for tenants who change during the year. This does not absolve the Landlord from updating the annual registration statement the following year nor does it absolve the Landlord from having

the property inspected at least every two (2) years. Failure to provide the required information shall be deemed a violation of this article, and owners, managing agents and tenants may be held accountable for inaccurate rental property registration statements.

Section 3

Section 464-5 of the Code of the Town of Phillipsburg shall be amended as follows:

§ 464-5 License requirements; suspension or revocation of license.

- A. Following submission of a complete rental property registration statement, an owner will be granted a license for the subject rental unit so long as said unit is found to be in compliance with local, state and federal laws, regulations, ordinances and codes. No owner shall offer any rental unit for rent, or shall rent, lease or let any rental unit to any person or persons, without first obtaining a license for that rental unit and the required certificate of habitability from the Town of Phillipsburg.
- B. In the event ownership of a rental property is transferred during the license year, the new owner shall apply for a license within 20 days of the transfer.
- C. In the event conviction(s) for violations of this chapter or any other local, state or federal law, regulation, ordinance or code related in any way to a rental unit covered by this article, the governing body may temporarily suspend or revoke the license for said rental unit after notice is given and an opportunity for hearing before the governing body has been provided. A license may only be revoked upon five days' notice of the grounds for revocation, served upon the owner and following a reasonable opportunity for the owner to be heard thereon before the governing body. Nothing herein shall preclude the immediate relocation of tenants at the owner's expense where an imminent threat to human health and/or safety exists.
- D. In the event a landlord has been fined twice under Chapter 464 in the past two years, in addition to the penalties, fines and charges under § 464-11, the license for the property to be rented will be revoked for six (6) months. Three violations within two years will result in the revocation of the license to rent for twelve (12) months and will not be reinstated without a hearing before the governing body.

Section 4

Section 464-7, subsection (a) shall be amended as follows:

- A. No person shall occupy any rental unit without first securing a certificate of habitability, nor shall the owner and/or managing agent permit occupancy of any rental unit unless the rental unit has been registered and licensed in compliance with the provisions of this article. A new certificate of habitability shall be obtained for changes in tenancy pursuant to the regulations set forth in § 464-4(d).

Section 5

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

Section 6

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 7

This ordinance shall take effect immediately upon final 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 June 05, 2017 meeting.

VICTORIA L. KLEINER,
Municipal Clerk

O: 2017-10

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING CHAPTER 67, VEHICLES AND TRAFFIC, SECTION 28, PARKING LOTS, OF THE CODE OF THE TOWN OF PHILLIPSBURG

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

Section One.

Chapter 67, *Vehicles and Traffic*, Section 28, *Parking Lots*, subsection I entitled *Municipal Lots, Payment Required* of the Code of the Town of Phillipsburg is hereby amended as follows:

§67-28(I) *Municipal Lots, Payment Required*

- (I) Persons parking in the following municipal lots will be required to pay a fee per vehicle.

Lot

Market Street Lot

Transit Lot (across from Joe's Steak Shop)

Riverside Way Lot

The municipal parking lots will be open from 8:00 am until 8:00 pm daily. During special events, the lot hours will be extended from 8:00 am until 10:00 pm. The rate of parking fees per vehicle will be as follows:

1. The normal rate, with the exceptions provided in paragraphs 2 and 3 below, will be \$.25 per 15 minutes, or \$1.00 per hour, per vehicle in the above mentioned municipal lots.
2. During special events, the municipal lots shall impose a flat rate of \$10.00 per vehicle for parking.
3. Parking for boats and trailers on municipal lots shall be subject to a minimum rate of \$10.00 for parking, not to exceed \$20.00 per day.

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 off 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, 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 June 05, 2017 meeting.

VICTORIA L. KLEINER,
Municipal Clerk

O: 2017 - 15

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY
OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 625,
ZONING, ARTICLE VIII, SIGNS, SECTION 39, REGARDING POLITICAL
SIGNS**

BE IT ORDAINED by the Town Council, Town of Phillipsburg that Chapter 625, *Zoning*, Article VIII, *Signs*, Section 39, *Political Signs*, is hereby deleted in its entirety and replaced as follows

Section 1

§625-39 Political Signs.

Political Signs, provided they pertain to elections or political events in which the registered voters of the Town of Phillipsburg may participate, shall be exempt from the requirements of Section 625-36B above provided they meet the following requirements:

1. Political signs shall be removed within seven (7) days after the election.
2. Political signs shall not exceed (3 X 3) nine (9) square feet in area.
3. Political signs shall be located on private property, outside the public right-of-way or any sight triangle, sight easement or sight lines for a road or driveway.

In accordance with N.J.S.A. 19:44A-22.3, temporary political signs aiding or promoting the nomination, election or defeat of any candidate or providing political information on a political candidate or aiding the passage or defeat of any public question or providing political information on any public question shall clearly state on the face thereof the name and business or residence address of the committee, group or person that financed the temporary political signs and shall contain a statement that the temporary political signs has been financed by that group, committee or person.

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

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 June 20, 2017 meeting.

VICTORIA L. KLEINER,
Municipal Clerk

O: 2017-16

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY
OF WARREN, STATE OF NEW JERSEY, REPEALING ORDINANCE
2015-20 AND ORDINANCE 2016-23 REGARDING SALARIES**

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

Section 1

Ordinance 2015-20 and Ordinance 2016-23 are hereby repealed in their entirety and replaced with the schedule of salaries as set forth on the attached Exhibit "A".

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

STEPHEN R. ELLIS

Mayor

DATED:

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify July 05, 2017 meeting.

VICTORIA L. KLEINER,
Municipal Clerk

Position Salary Range

| <u>Classification Titles - Salaried</u> | <u>Minimum</u> | <u>Maximum</u> | <u>Current 2016 Salary</u> | <u>Proposed 2017 Salary</u> | |
|---|----------------|----------------|-----------------------------|-----------------------------|---|
| Animal Control Officer | \$ 20,000.00 | \$ 30,000.00 | \$ 20,500 | \$ 24,600.00 | * |
| Fire Chief (Deputy) | \$ 3,000.00 | \$ 6,000.00 | Vacant | \$ 3,000.00 | |
| Assistant Public Works Supervisor | \$ 70,000.00 | \$ 80,000.00 | Fill Vacancy thru promotion | \$ 70,000.00 | |
| Battalion Chief | \$ 1,600.00 | \$ 3,100.00 | \$ 1,600.00 | \$ 2,100.00 | * |
| Business Administrator | \$ 45,000.00 | \$ 60,000.00 | \$ 65,000.00 | Vacant | |
| Certified Recycling Coordinator | \$ 2,000.00 | \$ 3,000.00 | \$ 2,000.00 | \$ 2,000.00 | |
| Chief Financial Officer | \$ 100,000.00 | \$ 120,000.00 | \$ 117,000.00 | \$ 117,000.00 | |
| Confidential Secretary - Mayor | \$ 45,000.00 | \$ 60,000.00 | \$ 45,000.00 | \$ 53,000.00 | * |
| Construction Code Official | \$ 75,000.00 | \$ 95,000.00 | \$ 88,500.00 | \$ 88,500.00 | |
| Council President | \$ 3,500.00 | \$ 4,500.00 | \$ 3,570.00 | \$ 3,570.00 | |
| Councilmember | \$ 3,000.00 | \$ 4,000.00 | \$ 3,060.00 | \$ 3,060.00 | |
| Deputy Emergency Mgmt Coordinator | \$ 2,300.00 | \$ 4,000.00 | \$ 2,300.00 | \$ 3,000.00 | * |
| Electrical Sub-Code Official | \$ 15,000.00 | \$ 20,000.00 | \$ 18,000.00 | \$ 18,000.00 | |
| Emergency Management Coordinator | \$ 5,000.00 | \$ 10,000.00 | \$ 5,500.00 | \$ 6,500.00 | * |
| Fire Chief | \$ 5,000.00 | \$ 12,000.00 | \$ 7,500.00 | \$ 8,000.00 | * |
| Fire Inspector | \$ 2,000.00 | \$ 3,500.00 | \$ 2,500.00 | \$ 2,500.00 | |
| Fire Sub-Code Official | \$ 2,000.00 | \$ 3,500.00 | \$ 2,500.00 | \$ 2,500.00 | |
| Human Resource Manager | \$ 35,000.00 | \$ 42,000.00 | New Position 2017 | \$ 40,000.00 | * |
| Judge (Magistrate) - Alpha | \$ 2,000.00 | \$ 3,000.00 | \$ 2,000.00 | \$ 2,000.00 | |
| Judge (Magistrate) - Phillipsburg | \$ 35,000.00 | \$ 50,000.00 | \$ 39,435.00 | \$ 39,435.00 | |
| Licensed Pesticides Sprayer | \$ 1,000.00 | \$ 2,000.00 | \$ 1,000.00 | \$ 1,000.00 | |
| Mayor | | \$ 65,000.00 | \$ 65,000.00 | \$ 65,000.00 | |
| Municipal Clerk | \$ 80,000.00 | \$ 110,000.00 | \$ 99,899.00 | \$ 99,899.00 | |
| Municipal Court Administrator | \$ 85,000.00 | \$ 105,000.00 | \$ 95,500.00 | \$ 95,500.00 | |
| Plumbing Inspector | \$ 13,000.00 | \$ 20,000.00 | \$ 15,510.00 | \$ 16,510.00 | * |
| Prosecutor | \$ 35,000.00 | \$ 45,000.00 | \$ 37,000.00 | \$ 37,000.00 | |
| Public Defender | \$ 8,000.00 | \$ 13,000.00 | \$ 10,185.00 | \$ 10,185.00 | |
| Public Works Supervisor | \$ 80,000.00 | \$ 100,000.00 | \$ 81,656.38 | \$ 85,000.00 | * |
| Superintendent of Recreation | \$ 50,000.00 | \$ 75,000.00 | \$ 89,919.00 | \$ 67,000.00 | |
| Tax Assessor | \$ 76,000.00 | \$ 96,000.00 | \$ 85,000.00 | \$ 85,000.00 | |
| Tax Collector | \$ 70,000.00 | \$ 95,000.00 | \$ 79,400.00 | \$ 82,000.00 | * |

* - increased for 2017

| <u>Classification Titles - Hourly</u> | Per Hour Minimum | Per Hour Maximum | Current 2016 Hourly Rate | Proposed 2017 Hourly Rate |
|--|---------------------|---------------------|-----------------------------|------------------------------|
| Acting Plumbing Inspector | \$ 10.00 | \$ 30.00 | vacant | |
| Animal Control Officer | \$ 15.00 | \$ 20.00 | \$ 15.00 | |
| Arts & Crafts Supervisor | \$ 8.44 | \$ 15.00 | \$ 10.50 | |
| Assistant Playground Leader | \$ 8.44 | \$ 15.00 | vacant | |
| Assistant Pool Manager | \$ 11.00 | \$ 15.00 | 11.00 / 14.00 | |
| Attorney - Land Use Board | not to exceed | \$ 150.00 | Not to exceed \$150 | |
| Clean Communities Supervisor | \$ 10.00 | \$ 17.00 | vacant | |
| Clerical | \$ 8.44 | \$ 15.00 | \$ 15.00 | |
| Clerk/Typist (Seasonal) | \$ 8.44 | \$ 10.00 | \$ 9.50 | |
| Court Attendant | \$ 16.00 | \$ 18.00 | \$ 16.00 | |
| Gate Personnel | \$ 8.44 | \$ 10.00 | 8.38 - 8.75 | |
| Laborer (Seasonal) | \$ 8.44 | \$ 10.50 | \$ 10.50 | |
| Lifeguard | \$ 8.44 | \$ 18.00 | 9.00 - 10.50 | |
| Maintenance (Pool) | \$ 8.44 | \$ 15.00 | \$ 9.00 | |
| Part Time Property Maintenance Inspector | \$ 15.00 | \$ 25.00 | vacant | |
| Playground Leader | \$ 8.50 | \$ 15.00 | 8.38 - 8.50 | |
| Pool Manager | \$ 16.00 | \$ 25.00 | \$ 16.00 | |
| Special Law Enforcement Officer | \$ 15.30 | \$ 25.00 | \$ 23.00 | |
| Technician (Pool Seasonal) | \$ 15.00 | \$ 20.00 | \$ 20.00 | |
| Town Attorney | not to exceed | \$ 150.00 | Not to exceed \$150 | |
| Zoning Officer | \$ 20.00 | \$ 30.00 | \$ 28.50 | |

Per Call

| | | | | |
|-------------------------------|--|----------------|----------|----------|
| Municipal Court Administrator | | 50.00 Per Call | \$ 50.00 | \$ 50.00 |
|-------------------------------|--|----------------|----------|----------|

Crossing Guards (New)

| | Per Day | | Current 2016 Per Day Rate | Proposed 2017 Per Day Rate |
|---|---------------|---------------|---------------------------|----------------------------|
| School Traffic Guards with sick & vacation | | \$ 29.00 | \$ 28.50 | \$ 29.00 |
| School Traffic Guards no sick & vacation | | \$ 34.00 | \$ 33.50 | \$ 34.00 |
| School Traffic Guards - additional crossing | | \$ 15.00 | \$ 15.00 | \$ 15.00 |
| School Traffic Guards Hourly | 8.44 Per Hour | 9.25 Per Hour | \$ 9.25 | \$ 9.25 |
| School Traffic Gurard Coordinator | | \$ 11.00 | \$ 11.00 | \$ 11.00 |
| School Traffic Gurard Trainee | | \$ 10.00 | \$ 10.00 | \$ 10.00 |

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R: 2017 - 110

**A RESOLUTION EXPRESSING INTEREST IN THE DONATION OF THE
FREEMAN SCHOOL TO THE TOWN**

WHEREAS, the Board of Education has requested whether the Town would be interested in accepting the donation of the Freeman School subject to appropriate due diligence; and

WHEREAS, the Town Council is so interested.

NOW THEREFORE BE IT RESOLVED by the Town Council that the Town is interested in the potential acceptance of the donation of the Freeman School

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 May 23, 2017.

Victoria L. Kleiner, Municipal Clerk

R- 2017-131

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN
STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A DISCHARGE
OF MORTGAGE FOR BLOCK 1414 LOT 7 AS IDENTIFIED ON THE TAX MAPS
OF THE TOWN OF PHILLIPSBURG**

WHEREAS, the Town of Phillipsburg, through its Division of Community Development Home Rehabilitation Program, gave a loan in the amount of \$12,396.00 to be used to rehabilitate the property situated on Block 1414, Lot 7, in the Town of Phillipsburg, more commonly known as 172 Lewis Street; and

WHEREAS, said loan was secured by a mortgage dated January 7, 2002 and recorded April 23, 2002 in Book 2684, Page 127 and given to the Town of Phillipsburg for the property located at Block 1414, Lot 7, in the Town of Phillipsburg; and

WHEREAS, in accordance with the Mortgage Note dated January 7, 2002, the Mortgage Note shall be due and payable at the time within the six-year term that the Borrower vacates or transfers title to the property. The Mortgage Note amount will be forgiven at the end of the six-year term; and

WHEREAS, the six-year term has expired as of January 7, 2008; therefore the Mortgage Note amount shall be forgiven.

NOW THEREFORE BE IT RESOLVED by the Town of Phillipsburg, County of Warren, State of New Jersey that the Mortgage in favor of the Town dated January 7, 2002 and recorded on April 23, 2002 in Book 2684, Page 127 is hereby authorized and directed to be discharged.

BE IT FURTHER RESOLVED that the Mayor and Clerk of the Town of Phillipsburg are hereby authorized and directed to execute any Agreements necessary to accomplish the foregoing.

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 July 05, 2017 meeting.

Victoria L. Kleiner
Registered Municipal Clerk

R: 2017-132

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 July 05, 2017 meeting.

Victoria L. Kleiner, RMC

R: 2017-133

A RESOLUTION APPROVING 2017-2018 LIQUOR LICENSES
WITHIN TOWN OF PHILLIPSBURG

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

WHEREAS, application for renewal of licenses in accordance with the provisions of law has been received and no remonstrance's, protests or complaints having been filed by any person with the Council on below listed licensees, and the said Council having investigated the applicant and premises, and

WHEREAS, the 12:39 ruling has been met for the 2017-2018 license year, and

WHEREAS, Tax Clearance Certificates for below listed establishments have been received from Division of Taxation,

NOW, THEREFORE, BE IT RESOLVED that the following license be renewed: (Attached hereto and made a part hereof);

PLENARY RETAIL CONSUMPTION EFFECTIVE: July 1, 2017 FEE: \$14000.00

2119-33-017-006

Fuzzy's Brass Rail II

Pocket License

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 July 05, 2017 meeting.

Victoria L. Kleiner, RMC

R: 2017-134

**A RESOLUTION OF THE
TOWN OF PHILLIPSBURG, COUNTY OF WARREN,
STATE OF NEW JERSEY, APPROVING A
CHANGE ORDER FOR THE WALTER'S PARK SPLASH PAD**

WHEREAS, the Town of Phillipsburg is under contract for the Walter's Park Splash Pad project; and

WHEREAS, the Municipal Engineer has recommended approval of the following change order:

- 1) Change Order #1, with an increase in the contract amount to \$271,242.95, which represents a total increase of 15.52% over the course of contract.

NOW THEREFORE IT BE RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the above-mentioned Change Order # 1 is hereby approved increasing the Contract amount previously awarded to JCM Landscape Construction & Management Company for the Walter's Park Splash Pad project to \$271,242.95.

BE IT FURTHER RESOLVED that final payment to JCM Landscape Construction & Management Company is hereby authorized to be made based upon the recommendation of the Municipal Engineer.

BE IT FURTHER RESOLVED that sufficient funding is available based upon certification of availability of funds by the Town's Chief Financial Officer.

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 July 05, 2017 meeting.

Victoria L. Kleiner
Municipal Clerk

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR CONTINUING DISCLOSURE AGENT SERVICES WITH PHOENIX ADVISORS, LLC AND APPOINTING PHOENIX ADVISORS, LLC AS THE TOWN'S INDEPENDENT REGISTERED MUNICIPAL ADVISOR

WHEREAS, the Town of Phillipsburg has issued, and will continue to issue, bonds which are subject to rules and regulations promulgated by the Securities & Exchange Commission; and

WHEREAS, said regulations provide, in part, that Continuing Disclosure Agreements ("CDAs") be executed in connection with the issuance of bonds; and

WHEREAS, the Town has a need to obtain services in connection with the execution of CDAs and further has a need to appoint an Independent Registered Municipal Advisor to advise the Town on matters connected with the issuance of said bonds; and

WHEREAS, the Town is in receipt of a proposal for services from Phoenix Advisors, LLC, 4 West Park Street, Bordentown, NJ 08505 ("Phoenix Advisors") to act as the Independent Registered Municipal Advisor and to further assist in the execution of CDAs; and

WHEREAS, the Town wishes to obtain the services of Phoenix Advisors, LLC.

NOW THEREFORE BE IT RESOLVED by the Town Council, Town of Phillipsburg, County of Warren, State of New Jersey that Phoenix Advisors is hereby appointed as the Independent Registered Municipal Advisor for the Town of Phillipsburg at an inclusive rate of \$13,000.00 for all bonds issued.

BE IT FURTHER RESOLVED that Phoenix Advisors is hereby appointed as the Continuing Disclosure Agent to provide services related to the execution of CDAs for a one year fee of \$950.00, which fee includes up to three outstanding issues with a \$100.00 fee for each additional outstanding issue, if any, for which filings may be required.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized and directed to execute the Agreement in the form attached hereto with Phoenix Advisors setting forth the same.

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 its July 05, 2017 meeting.

Victoria L. Kleiner, Municipal Clerk

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING RESOLUTION 2017-06 REGARDING THE DESIGNATION OF DEPOSITORIES FOR VARIOUS ACCOUNTS OF THE TOWN OF PHILLIPSBURG IN ORDER TO DESIGNATE PROVIDENT BANK AS THE DEPOSITORY FOR A MERCHANT'S ACCOUNT

WHEREAS, the Town of Phillipsburg will begin the process of collecting monies for the use of certain parking lots within the Town of Phillipsburg; and

WHEREAS, the monies collected will need to be deposited in a financial institution; and

WHEREAS, the Town must designate a financial institution and further designate the name of the account and authorized signers; and

WHEREAS, the Town Council previously adopted Resolution 2017-06 designating depositories for the Town of Phillipsburg; and

WHEREAS, the Town Council desires to amend Resolution 2017-06 in order to add Provident Bank as the depository for a merchant's account for the collection of monies related to the collection of parking fees and to designate the Mayor and CFO as the authorized signatories of checks and withdrawal of funds

NOW THEREFORE BE IT RESOLVED by the Town Council, Town of Phillipsburg, County of Warren, State of New Jersey that Resolution 2017-06 is hereby amended in order to add Provident Bank as the depository for a merchant's account and is further amended to designate the Mayor and CFO as the authorized signatories of checks and withdrawal of funds.

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 its July 05, 2017 meeting.

Victoria L. Kleiner, Municipal Clerk

R: 2017 - 137

REAL ESTATE APPRAISER

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

1. Robert Heffernan is hereby retained as a licensed or certified general real estate appraiser in the State of New Jersey to act on the Town of Phillipsburg's behalf in regard to appraising a specific piece or pieces of real property in the Town, chiefly the properties known as Block 902, Lot 8; Block 1503, Lot 11; and Block 1204, Lot 1.
2. This retainer is awarded without competitive bidding as a "Professional Service" under provisions of the Local Public Contracts Law as provided by *NJSA 40A:11-5* because it requires service performed by a person authorized by law to practice a recognized profession and it is not possible to obtain competitive bids. It is also below the bid threshold and quote threshold, although three quotes were obtained.
3. The fee shall be \$ _____ .00 for these specific appraisal and/or valuation services.
4. These appraisals are being done for the future redevelopment of the Town and the new Municipal Complex."

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 Common Council at a meeting of said Common Council on July 05, 2017 and that said Resolution was adopted by not less than the legal vote needed of the members of the Council.

Witness my hand and seal of the Town of Phillipsburg this _____ day of _____, 2017.

VICTORIA L. KLEINER, RMC

R- 2017-138

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN
STATE OF NEW JERSEY AUTHORIZING A SHARED SERVICE AGREEMENT
ALPHA BOROUGH**

WHEREAS, Alpha is in need of clerical assistance on a temporary basis; and

WHEREAS, Phillipsburg is capable of providing and does so desire to provide an employee to assist Alpha;

WHEREAS, the Governing Bodies of both Phillipsburg and Alpha find that it would be in the best interest of the Parties to enter into a Shared Services Agreement; and

WHEREAS, Alpha shall pay \$654.64 per week to Phillipsburg; and

WHEREAS, a Shared Service Agreement has been drafted in the form attached hereto.

NOW THEREFORE BE IT RESOLVED by the Town of Phillipsburg, County of Warren, State of New Jersey that Shared Service Agreement between the Town of Phillipsburg and the Borough of Alpha is hereby authorized to be executed containing the terms set forth above.

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 July 05, 2017 meeting.

Victoria L. Kleiner
Registered Municipal Clerk