

TOWN OF PHILLIPSBURG
REGULAR TOWN COUNCIL MEETING
Tuesday, February 18, 2020
PHA 535 Fisher Avenue
7:00 P.M. — REGULAR AMENDED SESSION

1. **CALL TO ORDER**

2. **OPEN PUBLIC MEETING ACT STATEMENT:**

THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS LAW. THIS MEETING OF February 18, 2020 WAS INCLUDED IN A NOTICE SENT TO NEWSPAPERS OF RECORD AND POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND HAS REMAINED CONTINUOUSLY POSTED AS THE REQUIRED NOTICES UNDER THE STATUTE. IN ADDITION, A COPY OF THIS NOTICE HAS BEEN AVAILABLE TO THE PUBLIC AND IS ON FILE IN THE OFFICE OF THE MUNICIPAL CLERK

3. **INVOCATION AND FLAG SALUTE**

Council Vice President McVey

4. **ROLL CALL**

Council President Piazza, Council Vice President McVey, Councilwoman DeGerolamo, Councilman Fulper, Councilman Wyant

5. **POLICE DEPARTMENT** – none

6. **DISCUSSION** -

JCPL – LED Lighting Project

Mark Peck - Phillipsburg Solar I Urban Renewal, LLC

Bridge Development - Brett Skapinetz from Dynamic and Deven Schmitt from Bridge amendments to the GDP

7. **APPROVAL OF MINUTES**

Council Meeting Minutes – October 15, 2019

Council Meeting Minutes – February 04, 2020

Work Session Minutes – February 11, 2020

8. **PAYMENT OF BILLS**

9. **PUBLIC COMMENT ON AGENDA ITEMS**

10. **ORDINANCES – SECOND READING**

11. **ORDINANCES — FIRST READING**

O: 2020-04 Bond Ordinance –#1 Read 02-18-2020

BOND ORDINANCE APPROPRIATING \$1,758,100 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,670,195 BONDS OR NOTES OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY TO PROVIDE FOR VARIOUS GENERAL IMPROVEMENTS PREVIOUSLY AUTHORIZED AND SUPERCEDING BOND ORDINANCE NUMBER 2018-15 FINALLY ADOPTED AUGUST 7, 2018 OF THE TOWN

O: 2020 – 05 - #1 Read 02-18-2020

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 464 *RENTAL PROPERTY*, ARTICLE I *REGISTRATION, INSPECTION AND ENFORCEMENT* OF THE CODE OF THE TOWN OF PHILLIPSBURG REGARDING RENTAL PROPERTY REGISTRATION STATEMENT FORM

13. **RESOLUTIONS - CONSENT AGENDA** * **Matters listed on the Consent Agenda Resolution are considered routine and will be enacted by one motion of the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item to be removed for consideration*

R: 2020-56

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING REFUND OF TAX OVER PAYMENT

R: 2020-57

RESOLUTION DECLARING THE TOWN OF PHILLIPSBURG A SECOND AMENDMENT SANCTUARY TOWN

R-2020-59

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: 2020-60

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH VAN CLEEF ENGINEERING ASSOCIATES FOR ENGINEERING SERVICES REGARDING MERCER STREET STORMWATER INVESTIGATION

R: 2020-61

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, APPOINTING DEBORAH HAY AS ALTERNATE DEPUTY REGISTRAR/CLERK I

R: 2020-62

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, APPOINTING MEMBERS TO THE OPEN SPACE ADVISORY COMMITTEE

R: 2020-63

RESOLUTION APPROVING PHILLIPSBURG NEIGHBORHOOD PRESERVATION PLAN

R: 2020-64

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

R: 2020-65

RESOLUTION AUTHORIZING THE ISSUANCE OF NON-RECOURSE REDEVELOPMENT AREA BONDS OF THE TOWN OF PHILLIPSBURG IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 (I-78 LOGISTICS PARK PROJECT) AND DETERMINING OTHER MATTERS RELATED THERETO

R: 2020-66

STATEWIDE INSURANCE FUND RESOLUTION APPOINTING FUND COMMISSIONER

14. **NEW BUSINESS**

15. **OLD BUSINESS – any tabled items from previous meeting**

Discussion was tabled to the meeting of 2-18-2020 from 02-04-2020

Motion to allow for the sale of alcohol at the Pork Roll Palooza event on October 17, 2020.

16. **MAYOR AND ADMINISTRATIVE REPORTS**

None

17. **HABITABILITY HEARING**

65 Sitgreaves St., Block 1411, Lot 63

18. **PUBLIC PETITIONS**

19. **COUNCIL OPEN TIME**

20. **MOTIONS**

21. **EXECUTIVE SESSION**

R: 2020-

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN
COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING ..
Sewer Litigation and Personnel Discussion - action may be taken

21. **ADJOURNMENT**

Bill List Summary
REGULAR BILL LIST AS OF February 18, 2020

		<u>Check No</u>
1 Current Fund	1,290,889.78	_____
2 State & Federal Grants	42.86	_____
4 Capital Fund	0.00	_____
7 Sewage Utility Fund	217,378.88	_____
8 Sewage Capital Fund	0.00	_____
12 Planning Board Trust Fund	39,648.50	_____
12 Bridge Development	540.00	_____
13 Dog Trust Fund	0.00	_____
15 Public Defender Trust Fund	0.00	_____
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	165.00	_____
Total Regular Bill List as February 18, 2020	1,548,665.02	

Section 8 Rent Payments for 2020

16 Section 8 Program	148,303.57	_____
Total Section 8 Rent Payments	148,303.57	

Prior Council Meeting	Check # 78075 Date: 1/7/20 RICHARD THOMPSON	58.50
Prior Council Meeting	Check # 78075 Date: 1/7/20 RICHARD THOMPSON	93.60
Prior Council Meeting	Check # 78337 Date: 2/4/20 STRATIX SYSTEMS	7,280.87
Prior Council Meeting	Check # 78307 Date: 2/4/20 KELSEY CHURCH CONTRACTING	6,064.00

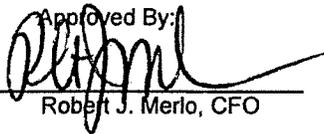
Pre-Paid Bill List as of February 18, 2020

1 Current Fund	67,925.63
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	154,166.75
21 Revolving Loan Fund	0.00
Total Pre-Paid Bill List for February 18, 2020	222,092.38

Grand Total All Funds

1,932,557.94

Approved By:


Robert J. Merlo, CFO


Todd Tersigni, Mayor

List of Bills - CLAIMS CHECKING ACCOUNT
Meeting Date: 02/18/2020 For bills from 02/04/2020 to 02/18/2020

Check#	Vandor	Description	Payment	Check Total
78348	3 - VERIZON, INC	PO 32851 1/7/20-2/12/20 Utility bills as per bill	4,819.51	4,819.51
78349	16 - J C P L	PO 32850 11/15/19-1/28/20 Services as per billing	33,196.59	33,196.59
78350	28 - NEWSBANK INC	PO 32629 F - 210 Online Databases	5,914.00	5,914.00
78351	57 - VERIZON PA	PO 32852 12/19/19-1/28/20 Services as per billing	29.31	29.31
78352	78 - AQUA NEW JERSEY, INC	PO 32853 12/27/19-2/5/20 Services as per billings	56,935.27	56,935.27
78353	86 - M.R. PURDY	PO 32570 Fire extinguishers	420.00	420.00
78354	97 - BAKER & TAYLOR BOOKS INC	PO 32145 F-201	116.43	
		PO 32281 F-201	299.51	
		PO 32388 F-202	67.71	
		PO 32389 Insurance claim for water damaged childr	4.23	
		PO 32390 Insurance claim for water damaged childr	1,507.31	
		PO 32391 Insurance claim for water damaged childr	1,535.96	
		PO 32392 F-203	797.52	4,328.67
78355	97 - BAKER & TAYLOR BOOKS INC	PO 32547 F-203	408.56	
		PO 32548 F-203	26.29	
		PO 32549 F-202	301.04	
		PO 32627 F-207	369.40	
		PO 32668 F - 201 Adult books	60.04	
		PO 32669 F-201	553.23	1,718.56
78356	114 - RELIABLE SIGN & STRIPING	PO 32644 Caution signs for Police Dept	3,490.00	
		PO 32737 Street signs	151.15	3,641.15
78357	118 - WEST GROUP PAYMENT CENTER	PO 32657 NJ TAX COURT REPORTS VOL 30	117.96	
		PO 32680 November 05, 2019 - December 04, 2019 As	388.87	
		PO 32681 NJ Statutes Dec 05, 2019 - Jan 04, 2020	388.87	895.70
78358	129 - AMERIGAS CLINTON 7510	PO 32782 Propane for Walters Park garage	173.15	173.15
78359	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 32097 Cert of Funds - Prof Svcs-Town Engineer	4,100.00	4,100.00
78360	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 32775 Professional services rendered for Decem	3,344.50	3,344.50
78361	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 32776 Professional services rendered for Decem	607.50	607.50
78362	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 32777 Professional Services Rendered - Decembe	1,080.00	1,080.00
78363	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 32800 Professional Services Rendered	35,696.50	35,696.50
78364	147 - POWERCO INC	PO 32350 Repairs for backhoe	2,835.89	2,835.89
78365	162 - BRODART CO	PO 32660 F - 200 Book Rental Plan	5,355.00	5,355.00
78366	182 - BRUCE H NOLF	PO 32713 Purchase of Carbide Chains	511.34	511.34
78367	281 - ELECTRONIC MEASUREMENT LABS INC	PO 32654 Calibration & Repair of Gas Detectors	446.61	446.61
78368	293 - POWER PLACE INC	PO 32569 Spindle for tractor	140.76	140.76
78369	345 - N J FIRE EQUIPMENT	PO 32608 Purchase of 1 Pair of Firefighting Boots	392.00	392.00
78370	452 - BOARD OF EDUCATION	PO 32848 Board of Education - General Fund	1,023,358.92	1,023,358.92
78371	499 - NATURAL SYSTEMS UTILITIES	PO 32223 Cert of Funds - Odor Control Mitigation	35,470.42	35,470.42
78372	499 - NATURAL SYSTEMS UTILITIES	PO 32745 February Service Fee	175,570.96	175,570.96
78373	546 - GRAPHIC ACTION INC	PO 32671 F - 410 Office Supplies	321.00	321.00
78374	553 - THOMAS DUGEY	PO 32811 2020 Eyecare Reimbursement	300.00	300.00
78375	606 - FEDEX CUSTOM CRITICAL	PO 32803 Fed Ex overnight January 21, 2020 (Mayo	26.78	26.78
78376	656 - VERIZON WIRELESS	PO 32849 01/02/20-02/01/20 Services as per billin	221.89	221.89
78377	661 - THE MORNING CALL	PO 32725 F 205 Newspapers	64.87	64.87
78378	677 - LAVERY, SELVAGGI & ABROMITIS PC	PO 32719 Cert of Funds - Professional Svcs - Town	1,000.00	
		PO 32796 Professional Services - January 2020	10,576.25	
		PO 32797 Professional Services Rendered - January	3,007.50	
		PO 32797 Professional Services Rendered - January	165.00	
		PO 32797 Professional Services Rendered - January	3,042.50	
		PO 32798 Professional Services Rendered - Decembe	540.00	18,331.25
78379	687 - INDUSTRIAL COMMUNICATIONS INC	PO 32693 Equipment Installation in 94-74	530.00	530.00
78380	704 - EASTON NEWS COMPANY	PO 32670 T - 205 Newspapers	276.15	276.15
78381	734 - RECORDED BOOKS LLC	PO 32724 F - 211 Online Services	5,000.00	5,000.00
78382	834 - READYREFRESH BY NESTLE	PO 32837 Water Rental	36.88	36.88
78383	843 - LAURI KAULIUS	PO 32773 TCMCAA Winter Retreat Jan 24,2020 & Trav	99.10	99.10
78384	863 - SYNCHRONY BANK	PO 32760 Heaters for offices	254.40	254.40
78385	1001 - TIAA COMMERCIAL FINANCE INC	PO 32765 COPIER LEASE AGREEMENT 3 COPIERS	313.78	313.78
78386	1005 - RICHARD THOMPSON	PO 32799 Reimbursement for Mileage	102.93	102.93
78387	1079 - JOHN MILLER & SON INC	PO 32559 Pump Service & Repairs on 94-63, 94-65,	1,564.27	1,564.27
78388	1100 - ADVANCE LOCAL HOLDINGS CORP	PO 32543 F 502 Newspapers	489.00	
		PO 32757 Public Notice and Resolutions 2020	1,924.85	2,413.85
78389	1104 - KS STATE BANK	PO 32590 Cert of Funds - Lease Police Vehicle -R:	1,572.00	1,572.00
78390	1108 - OFFICE CONCEPTS GROUP INC	PO 32781 Office Supplies	244.95	244.95
78391	1146 - H & K GROUP, INC	PO 32354 Stone for parking area - 712 South Main	919.40	919.40
78392	1255 - CLEMENS UNIFORM RENTAL INC	PO 32626 T - 502 Building Maintenance	134.55	134.55
78393	1515 - ATCO INTERNATIONAL CO	PO 32738 Industrial cleaning towels for garage	594.00	594.00
78394	1679 - CHRIN'S BROS INC	PO 32638 January Blanket Purchase Order	42,463.74	42,463.74
78395	1758 - METZ INC	PO 32568 T - 507 HVAC Mtce	452.89	452.89
78396	1797 - SERVICE TIRE TRUCK CENTER	PO 32226 Tires for sanitation trucks	2,669.82	

List of Bills - CLAIMS CHECKING ACCOUNT

Meeting Date: 02/18/2020 For bills from 02/04/2020 to 02/18/2020

Check#	Vendor	Description	Payment	Check Total
		PO 32649 Tires for police cars	501.64	
		PO 32729 Tires for public works	275.40	
		PO 32751 Tires for equipment	478.60	
		PO 32752 Tires for police	1,874.46	5,799.92
78397	1802 - PHILLIPSBURG MUNICIPAL COURT	PO 32806 PNC/Amex Fees January 2020	294.44	
		PO 32813 Check printing fees Bail & General Acct	265.42	559.86
78398	1874 - TRAVIS ZECHMAN	PO 32753 4 ct 1-1/2 in zn cnr br	42.86	42.86
78399	1923 - EAST PENN MANUFACTURING CO INC	PO 32731 Batteries for garage	1,356.13	1,356.13
78400	1942 - STATEWIDE INSURANCE FUND	PO 32844 Deductibe Recovery - S. Capello - Policy	27,699.56	27,699.56
78401	1967 - JHM COMMUNICATIONS INC	PO 32687 Cut Vinyl Sign	288.00	288.00
78402	1971 - FASTENAL CO	PO 32678 Parts for sanitation trucks	61.79	61.79
78403	2007 - ATLANTIC SALT INC	PO 32338 Road Salt	6,956.51	
		PO 32353 Road Salt	2,789.16	9,745.67
78404	2167 - VICTORIA KLEINER	PO 32812 Mileage reimbursement seminar on Domesti	84.53	84.53
78405	2315 - SPATIAL DATA LOGIC INC	PO 31865 license for 2019-2020	11,550.00	11,550.00
78406	2355 - LEXIS-NEXIS RISK DATA MGMT. C/O	PO 32674 December contract Fee	111.96	111.96
78407	6497 - FIRTHTOWN FALCONS	PO 32847 2019 Reimbursement	5,000.00	5,000.00
78408	6519 - WILLIS OF NEW JERSEY, INC	PO 32758 Medical Consulting January 2020 & Februa	1,500.00	
		PO 32758 Medical Consulting January 2020 & Februa	3,500.00	
		PO 32779 Medical Consulting March 2020 Installm	1,750.00	
		PO 32779 Medical Consulting March 2020 Installm	750.00	7,500.00
78409	6840 - MUNICIPAL MANAGEMENT PARTNERS, LLC	PO 32720 Cert of Funds - Professional Svcs - Cons	1,643.75	1,643.75
TOTAL				1,548,665.02

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-050	Business Administrator - O/E	1,643.75			
01-201-20-120-050	Municipal Clerk - O/E	2,813.90			
01-201-20-155-050	Legal Services	18,318.31			
01-201-23-220-050	Employee Group Insurance	5,550.00			
01-201-25-240-050	Police Department - O/E	558.73			
01-201-25-265-050	Fire Department - O/E	1,879.95			
01-201-26-290-050	Street & Roads - O/E	3,641.15			
01-201-26-310-050	Building & Grounds - O/E	674.40			
01-201-26-315-050	Vehicle Maintenance - O/E	4,505.74			
01-201-28-370-050	Recreation Service & Program - O/E	102.93			
01-201-31-430-050	Utility Expenses - Electricity	6,716.80			
01-201-31-440-050	Switchboard Expenses - O/E	4,288.08			
01-201-31-445-050	Utility Expenses - Water	636.02			
01-201-31-446-050	Utility Expenses - Natural Gas	173.15			
01-201-32-465-050	Landfill/Solid Waste Disposal Costs	42,463.74			
01-201-33-490-050	Municipal Court - O/E	1,441.59			
01-201-45-942-050	Capital Lease Obligations	1,572.00			
01-201-47-390-050	Maintenance of Free Public Library	1,696.11			
01-203-20-100-050	(2019) Business Administrator - O/E		36.88		
01-203-20-110-050	(2019) Mayor & Council - O/E		288.00		
01-203-20-150-050	(2019) Tax Assessment Administration OE		117.96		
01-203-20-155-050	(2019) Legal Services		24,000.00		
01-203-20-165-050	(2019) Engineering services		4,100.00		
01-203-22-195-050	(2019) Inspections Department - O/E		11,550.00		
01-203-25-240-050	(2019) Police Department - O/E		1,031.36		
01-203-25-265-050	(2019) Fire Department - O/E		1,564.27		
01-203-26-290-050	(2019) Street & Roads - O/E		9,745.67		
01-203-26-315-050	(2019) Vehicle Maintenance - O/E		6,282.75		
01-203-27-360-050	(2019) Contributions to Social Services		5,000.00		
01-203-31-430-050	(2019) Utility Expenses - Electricity		4,438.55		
01-203-31-435-050	(2019) Utility Expenses - Street Lightin		20,801.00		
01-203-31-445-050	(2019) Utility Expenses - Water		55,977.93		
01-203-47-390-050	(2019) Maintenance of Free Public Librar		6,643.04		
01-207-55-000-000	School Taxes Payable			1,023,358.92	
01-260-05-100	Current Fund - Due to Claims			0.00	1,290,889.78
01-290-55-080-000	Library Grants			17,277.10	
TOTALS FOR	CURRENT FUND	98,676.35	151,577.41	1,040,636.02	1,290,889.78

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
02-213-41-730-000	2019 Grant Expenditures			42.86	
02-260-05-100	St/Fed Grants - Due to Claims Fund			0.00	42.86
TOTALS FOR	STATE & FEDERAL GRANTS	0.00	0.00	42.86	42.86
07-194-16-602-000	Septic Billing			570.00	
07-201-55-510-050	Sewer Utility OE	180,258.46			
07-203-55-510-050	(2019) Sewer Utility OE		36,550.42		
07-260-05-100	Sewer Utility - Due to Claims Fund			0.00	217,378.88
TOTALS FOR	SEWER UTILITY	180,258.46	36,550.42	570.00	217,378.88
12-260-05-100	Planning Board - Due to Claims Fund			0.00	40,188.50
12-286-56-858-000	Engineering Escrows			39,648.50	
12-288-56-102-000	Escrow - Bridge Development			540.00	
TOTALS FOR	PLANNING BOARD ESCROW	0.00	0.00	40,188.50	40,188.50
21-260-05-100	Revolving Loan - Due to Claims Fund			0.00	165.00
21-271-55-000-000	Reserve for Revolving Loans			165.00	
TOTALS FOR	Revolving Loan Fund	0.00	0.00	165.00	165.00

Total to be paid from Fund 01 CURRENT FUND	1,290,889.78
Total to be paid from Fund 02 STATE & FEDERAL GRANTS	42.86
Total to be paid from Fund 07 SEWER UTILITY	217,378.88
Total to be paid from Fund 12 PLANNING BOARD ESCROW	40,188.50
Total to be paid from Fund 21 Revolving Loan Fund	165.00
	1,548,665.02

Checks Previously Disbursed

646989473	The Depository Trust Company	PO# 32728	General obligation bond interest	67,925.63	2/06/2020
440852	AFLAC	PO# 32727	Monthly Invoice	1,682.50	2/20/2020
3980062	St of NJ - Dept of Treasury	PO# 32726	February 2020 SHBP	152,484.25	2/14/2020
				222,092.38	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND	67,925.63	1,290,889.78	1,358,815.41
Fund 02 STATE & FEDERAL GRANTS		42.86	42.86
Fund 07 SEWER UTILITY		217,378.88	217,378.88
Fund 12 PLANNING BOARD ESCROW		40,188.50	40,188.50
Fund 20 PAYROLL AGENCY FUND	154,166.75		154,166.75
Fund 21 Revolving Loan Fund		165.00	165.00
BILLS LIST TOTALS	222,092.38	1,548,665.02	1,770,757.40

List of Bills (Department/Account Detail) - CLAIMS CHECKING ACCOUNT

Meeting Date: 02/18/2020 For bills from 02/04/2020 to 02/18/2020

Account	PO #	Vendor	Description	Payment	Account Total
CURRENT FUND					
G/L Expenditures					
01-207-55-000-000	32848	BOARD OF EDUCATION School Taxes Payable	General Fund - February	1,023,358.92	
			TOTAL FOR ACCOUNT		1,023,358.92
TOTAL for G/L Expenditures					1,023,358.92

Library Federation

	32392	BAKER & TAYLOR BOOKS INC	JUV print books	10.60	
	32390	BAKER & TAYLOR BOOKS INC	Juv. print books	59.31	
	32388	BAKER & TAYLOR BOOKS INC	YA Print books	35.12	
	32390	BAKER & TAYLOR BOOKS INC	Juv. print books-Credit	-0.15	
	32392	BAKER & TAYLOR BOOKS INC	JUV print books	757.79	
	32392	BAKER & TAYLOR BOOKS INC	JUV print books-Credit	-2.70	
	32390	BAKER & TAYLOR BOOKS INC	Juv. print books	39.39	
	32390	BAKER & TAYLOR BOOKS INC	Juv. print books	1,414.96	
	32390	BAKER & TAYLOR BOOKS INC	Juv. print books-Credit	-6.20	
	32388	BAKER & TAYLOR BOOKS INC	YA Print books	32.59	
	32281	BAKER & TAYLOR BOOKS INC	Adult print books	98.01	
	32281	BAKER & TAYLOR BOOKS INC	Adult print books	13.42	
	32281	BAKER & TAYLOR BOOKS INC	Adult print books	188.08	
	32389	BAKER & TAYLOR BOOKS INC	Juv. Print books	4.23	
	32547	BAKER & TAYLOR BOOKS INC	Juvnile print books	395.81	
	32392	BAKER & TAYLOR BOOKS INC	JUV print books	31.88	
	32627	BAKER & TAYLOR BOOKS INC	DVD's	324.44	
	32660	BRODART CO	Service for December 2019 through Novemb	5,355.00	
	32549	BAKER & TAYLOR BOOKS INC	YA Print books	31.71	
	32549	BAKER & TAYLOR BOOKS INC	YA Print books	21.65	
	32549	BAKER & TAYLOR BOOKS INC	YA Print books	247.68	
	32548	BAKER & TAYLOR BOOKS INC	Juvenile Print Books	26.29	
	32547	BAKER & TAYLOR BOOKS INC	Juvnile print books	13.75	
	32547	BAKER & TAYLOR BOOKS INC	Juvnile print books-Credit	-1.00	
	32145	BAKER & TAYLOR BOOKS INC	Adult print books	70.78	
	32145	BAKER & TAYLOR BOOKS INC	Adult print books	55.44	
	32145	BAKER & TAYLOR BOOKS INC	Adult print books-Credit	-9.79	
	32669	BAKER & TAYLOR BOOKS INC	Adult print books	553.23	
	32668	BAKER & TAYLOR BOOKS INC	Master the GED Test 2020	60.04	
	32627	BAKER & TAYLOR BOOKS INC	DVD's	22.48	
	32627	BAKER & TAYLOR BOOKS INC	DVD's	22.48	
	32671	GRAPHIC ACTION INC	2 boxes white envelopes	90.00	
	32391	BAKER & TAYLOR BOOKS INC	Juv. print books-Credit	-0.10	
	32391	BAKER & TAYLOR BOOKS INC	Juv. print books-Credit	-3.50	
	32391	BAKER & TAYLOR BOOKS INC	Juv. print books	82.75	
	32391	BAKER & TAYLOR BOOKS INC	Juv. print books	32.00	
	32391	BAKER & TAYLOR BOOKS INC	Juv. print books	1,424.81	
	32392	BAKER & TAYLOR BOOKS INC	JUV print books-Credit	-0.05	
	32543	ADVANCE LOCAL HOLDINGS CORP	Renewal Account 1010-0296154 for 52 week	489.00	
	32724	RECORDED BOOKS LLC	RB Digital eMagazine Subscription, Unlim	5,000.00	
	32725	THE MORNING CALL	renewal through 5/30/20	64.87	
	32671	GRAPHIC ACTION INC	2 boxes window envelopes	89.00	
	32671	GRAPHIC ACTION INC	Vinyl letters and decal for AV Return Bo	142.00	
01-290-55-080-001		Library Federation	TOTAL FOR ACCOUNT		17,277.10
TOTAL for Library Federation					17,277.10

Business Administrator

01-201-20-100-225	32720	MUNICIPAL MANAGEMENT PARTNERS, LLC Consultant Fees	Professional Svcs - Consultant - R:2020-	1,643.75	
			TOTAL FOR ACCOUNT		1,643.75

List of Bills (Department/Account Detail) - CLAIMS CHECKING ACCOUNT

Meeting Date: 02/18/2020 For bills from 02/04/2020 to 02/18/2020

Account	PO #	Vendor	Description	Payment	Account Total
Business Administrator					
01-203-20-100-106	(2019)	OFFICE EQUIPMENT OTHER	TOTAL FOR ACCOUNT		36.88
TOTAL for Business Administrator					1,680.63
Mayor & Council					
	32687	JHM COMMUNICATIONS INC	Gambello Alley	120.00	
	32687	JHM COMMUNICATIONS INC	Parking for Teddy's Diner	132.60	
	32687	JHM COMMUNICATIONS INC	Restrooms for customers only	35.40	
01-203-20-110-071	(2019)	PRINTING OTHER	TOTAL FOR ACCOUNT		288.00
TOTAL for Mayor & Council					288.00
Municipal Clerk					
	32681	WEST GROUP PAYMENT CENTER	Assured Printing Pricing Dec 05, 2019-Ja	388.87	
	32680	WEST GROUP PAYMENT CENTER	Assured Printing Price Nov 05, 2019-Dec	388.87	
01-201-20-120-073		TOWN CODE UPDATES	TOTAL FOR ACCOUNT		777.74
	32803	FEDEX CUSTOM CRITICAL	Overnight del Inv#690890816	26.78	
01-201-20-120-076		POSTAGE	TOTAL FOR ACCOUNT		26.78
	32757	ADVANCE LOCAL HOLDINGS CORP	Resolution Notice R-2020-22 Inv #0009489	406.30	
	32757	ADVANCE LOCAL HOLDINGS CORP	Resolution Notice R-2020-26 Inv #0009489	398.40	
	32757	ADVANCE LOCAL HOLDINGS CORP	Public Notice O-2020-03 Inv #0009487617	690.70	
	32757	ADVANCE LOCAL HOLDINGS CORP	Public Notice O-2020-02 Inv #0009487616	264.10	
	32757	ADVANCE LOCAL HOLDINGS CORP	Public Notice O-2020-01 Inv #0009487620	165.35	
01-201-20-120-084		ADVERTISING	TOTAL FOR ACCOUNT		1,924.85
	32812	VICTORIA KLEINER	mileage to and from seminar on February	44.28	
	32812	VICTORIA KLEINER	court appearance state vs Ellis	40.25	
01-201-20-120-090		Travel	TOTAL FOR ACCOUNT		84.53
TOTAL for Municipal Clerk					2,813.90
Tax Assessment Administration					
	32657	WEST GROUP PAYMENT CENTER	NJ TAX COURT REPORTS VOL 30	117.96	
01-203-20-150-072	(2019)	PUBLICATIONS	TOTAL FOR ACCOUNT		117.96
TOTAL for Tax Assessment Administration					117.96
Legal Services					
	32796	LAVERY, SELVAGGI & ABROMITIS PC	General Matters - January	525.00	
	32796	LAVERY, SELVAGGI & ABROMITIS PC	General Matters - January	1.25	
	32719	LAVERY, SELVAGGI & ABROMITIS PC	Professional Svcs - Town Attorney - R:20	1,000.00	
	32796	LAVERY, SELVAGGI & ABROMITIS PC	General Matters - January	10,050.00	
01-201-20-155-200		Municipal Attorney	TOTAL FOR ACCOUNT		11,576.25
	32797	LAVERY, SELVAGGI & ABROMITIS PC	Labor - January	1,815.00	
01-201-20-155-201		Labor Council	TOTAL FOR ACCOUNT		1,815.00
	32797	LAVERY, SELVAGGI & ABROMITIS PC	Tax Appeal - January	495.00	
01-201-20-155-202		Tax Appeal Council	TOTAL FOR ACCOUNT		495.00
	32797	LAVERY, SELVAGGI & ABROMITIS PC	In Rem 2019 - January	65.00	
	32797	LAVERY, SELVAGGI & ABROMITIS PC	In Rem 2020-11 - January	172.50	

List of Bills (Department/Account Detail) - CLAIMS CHECKING ACCOUNT

Meeting Date: 02/18/2020 For bills from 02/04/2020 to 02/18/2020

Account	PO #	Vendor	Description	Payment	Account Total
Legal Services					
01-201-20-155-204		<i>Foreclosures</i>	TOTAL FOR ACCOUNT		732.50
	32844	STATEWIDE INSURANCE FUND	Deductible Recovery - S.Cappello Claim#	3,699.56	
01-201-20-155-209		<i>Settlements / Court Orders</i>	TOTAL FOR ACCOUNT		3,699.56
	32844	STATEWIDE INSURANCE FUND	Deductible Recovery - S.Cappello Claim#	24,000.00	
01-203-20-155-209		<i>(2019) Settlements / Court Orders</i>	TOTAL FOR ACCOUNT		24,000.00
TOTAL for Legal Services					42,318.31
Engineering Services					
	32097	VAN CLEEF ENGINEERING ASSOC., LLC	Professional Services - Town Engineer Fe	4,100.00	
01-203-20-165-231		<i>(2019) Van Cleef</i>	TOTAL FOR ACCOUNT		4,100.00
TOTAL for Engineering Services					4,100.00
Inspections Department					
	31865	SPATIAL DATA LOGIC INC	LICENSE FOR 7 SEATS FOR SPATIAL DATA LOG	11,550.00	
01-203-22-195-060		<i>(2019) Computer Consultants/Maintenance</i>	TOTAL FOR ACCOUNT		11,550.00
TOTAL for Inspections Department					11,550.00
Employee Group Insurance					
	32758	WILLIS OF NEW JERSEY, INC	February 2020 Installment Inv #2593762	1,750.00	
	32758	WILLIS OF NEW JERSEY, INC	January 2020 Installment Inv #2593761	1,750.00	
	32779	WILLIS OF NEW JERSEY, INC	March 2020 Installment Inv#2593763	1,750.00	
01-201-23-220-201		<i>SHBP Consultant</i>	TOTAL FOR ACCOUNT		5,250.00
	32811	THOMAS DUGEY	2020 Eyecare Reimbursement	300.00	
01-201-23-220-207		<i>Vision Care - AFSOME</i>	TOTAL FOR ACCOUNT		300.00
TOTAL for Employee Group Insurance					5,550.00
Public Safety					
	32781	OFFICE CONCEPTS GROUP INC	electric stapler	54.98	
	32781	OFFICE CONCEPTS GROUP INC	dvd writable	78.92	
	32781	OFFICE CONCEPTS GROUP INC	staplers	39.87	
	32781	OFFICE CONCEPTS GROUP INC	dust mops	71.18	
01-201-25-240-051		<i>OFFICE SUPPLIES</i>	TOTAL FOR ACCOUNT		244.95
	32765	TIAA COMMERCIAL FINANCE INC	COPIER LEASE AGREEMENT 3 COPIERS	313.78	
01-201-25-240-108		<i>Office Equipment Lease</i>	TOTAL FOR ACCOUNT		313.78
	32674	LEXIS-NEXIS RISK DATA MGMT. C/O	December 2019 Contract Fee	111.96	
01-203-25-240-294		<i>(2019) ACCURINT</i>	TOTAL FOR ACCOUNT		111.96
	32354	H & K GROUP, INC	tons 2A stone for parking area - 712 Sou	919.40	
01-203-25-240-941		<i>(2019) Relocation Expenses</i>	TOTAL FOR ACCOUNT		919.40
TOTAL for Public Safety					1,590.09

List of Bills (Department/Account Detail) - CLAIMS CHECKING ACCOUNT

Meeting Date: 02/18/2020 For bills from 02/04/2020 to 02/18/2020

Account	PO #	Vendor	Description	Payment	Account Total
01-201-25-265-111	32608	N J FIRE EQUIPMENT PURCHASE TURNOUT GEAR	One (1) Pair of Globe #1201400 (NFPA/NJP TOTAL FOR ACCOUNT	392.00	392.00
01-201-25-265-116	32654	ELECTRONIC MEASUREMENT LABS INC 32654 ELECTRONIC MEASUREMENT LABS INC PEOSHA TESTING	Calibration and Repair of Hazardous Gas Calibration, Repair and Replacement of O TOTAL FOR ACCOUNT	140.93 305.68	446.61
01-201-25-265-245	32693	INDUSTRIAL COMMUNICATIONS INC INDUSTRIAL COMMUNICATIONS	Material and Labor for Wiring and Instal TOTAL FOR ACCOUNT	530.00	530.00
01-201-25-265-272	32713	BRUCE H NOLF FIRE DEPT MATERIALS/SUPPL	Two (2) #A3T782, Carbide Tipped Chains f TOTAL FOR ACCOUNT	511.34	511.34
01-203-25-265-114	32559	JOHN MILLER & SON INC (2019) VEHICLE REPARIS	Pump Service and Repairs to Engines 94-6 TOTAL FOR ACCOUNT	1,564.27	1,564.27
TOTAL for Fire Department					3,444.22
Street & Roads					
01-201-26-290-274	32644	RELIABLE SIGN & STRIPING 32737 RELIABLE SIGN & STRIPING SIGNS	30" LED caution signs for police dept - Grant St, Heckman St, & Cedar Alley stre TOTAL FOR ACCOUNT	3,490.00 151.15	3,641.15
01-203-26-290-284	32338	ATLANTIC SALT INC 32353 ATLANTIC SALT INC (2019) ROAD SALT	tons Road Salt tons Road Salt TOTAL FOR ACCOUNT	6,956.51 2,789.16	9,745.67
TOTAL for Street & Roads					13,386.82
Building & Grounds					
01-201-26-310-241	32570	M.R. PURDY 32570 M.R. PURDY MR PURDY	Fire extinguisher check for Corliss & Fi Fire extinguisher check for Garage & Arm TOTAL FOR ACCOUNT	57.00 363.00	420.00
01-201-26-310-264	32760	SYNCHRONY BANK MISC HARDWARE	Heaters for offices TOTAL FOR ACCOUNT	254.40	254.40
TOTAL for Building & Grounds					674.40
Vehicle Maintenance					
01-201-26-315-210	32752	SERVICE TIRE TRUCK CENTER TIRES - POLICE	Tires for police TOTAL FOR ACCOUNT	1,874.46	1,874.46
01-201-26-315-212	32751	SERVICE TIRE TRUCK CENTER TIRES M/S EQUIPMENT	Tires for equipment TOTAL FOR ACCOUNT	478.60	478.60
01-201-26-315-220	32569	POWER PLACE INC PARTS-PUBLIC WORKS EQUIP.	Spindle for tractor TOTAL FOR ACCOUNT	140.76	140.76
01-201-26-315-221	32731	EAST PENN MANUFACTURING CO INC PARTS-PUBLIC WORKS VEH.	Batteries for garage TOTAL FOR ACCOUNT	1,356.13	1,356.13
01-201-26-315-222	32678	FASTENAL CO 32678 FASTENAL CO PARTS OTHER VEHICLES	Parts needed for sanitation trucks Parts needed for sanitation trucks TOTAL FOR ACCOUNT	10.58 51.21	61.79
01-201-26-315-226	32738	ATCO INTERNATIONAL CO CLEANING MATERIALS	Tuffies industrial cleaning towels TOTAL FOR ACCOUNT	594.00	594.00

List of Bills (Department/Account Detail) - CLAIMS CHECKING ACCOUNT

Meeting Date: 02/18/2020 For bills from 02/04/2020 to 02/18/2020

Account	PO #	Vendor	Description	Payment	Account Total
Vehicle Maintenance					
01-203-26-315-210	(2019)	TIRES - POLICE	TOTAL FOR ACCOUNT		501.64
	32729	SERVICE TIRE TRUCK CENTER	Tires for public works	275.40	
01-203-26-315-212	(2019)	TIRES M/S EQUIPMENT	TOTAL FOR ACCOUNT		275.40
	32226	SERVICE TIRE TRUCK CENTER	Tires for sanitation trucks	2,669.82	
01-203-26-315-213	(2019)	TIRES OTHER	TOTAL FOR ACCOUNT		2,669.82
	32350	POWERCO INC	Repairs for backhoe	2,835.89	
01-203-26-315-251	(2019)	REPAIRS M/S VEHICLE	TOTAL FOR ACCOUNT		2,835.89
TOTAL for Vehicle Maintenance					10,788.49
Contributions to Social Services					
	32847	FIRHTOWN FALCONS	2019- reimbursement	5,000.00	
01-203-27-360-211	(2019)	Firhttown	TOTAL FOR ACCOUNT		5,000.00
TOTAL for Contributions to Social Services					5,000.00
Recreation Services & Programs					
	32799	RICHARD THOMPSON	Reimbursement for Mileage	102.93	
01-201-28-370-090		TRAVEL	TOTAL FOR ACCOUNT		102.93
TOTAL for Recreation Services & Programs					102.93
Maintenance of Free Public Library					
	32853	AQUA NEW JERSEY, INC	Library-6"Fire-10361650748219-12/27/19-1	321.32	
	32850	J C P L	Library-100005661556-12/28-1/27	1,240.24	
	32626	CLEMENS UNIFORM RENTAL INC	Bi-Annual Billing February 2020 - July 2	134.55	
01-201-47-390-589		Building & Utilities	TOTAL FOR ACCOUNT		1,696.11
	32670	EASTON NEWS COMPANY	Newspaper Delivery from 11/3/19 through	276.15	
	32629	NEWSBANK INC	Express Times (PA) Digital Microfilm Jan	5,914.00	
01-203-47-390-585	(2019)	Library Materials	TOTAL FOR ACCOUNT		6,190.15
	32568	METZ INC	Heating Repairs on 12-28-19	452.89	
01-203-47-390-589	(2019)	Building & Utilities	TOTAL FOR ACCOUNT		452.89
TOTAL for Maintenance of Free Public Library					8,339.15
Electricity					
	32850	J C P L	Score Board-Bieher Alley-100087337422-12	6.25	
	32850	J C P L	139 Cedar Alley-100125292795-12/28-1/27	5.56	
	32850	J C P L	Walters Park Road-100125117414-11/24-1/2	25.42	
	32850	J C P L	2 Riverside Way-100127035309-12/31-1/28	3.10	
	32850	J C P L	Control Box-S Main & Jersey-100087324339	437.21	
	32850	J C P L	Meyner Road-100114710559-12/27-1/24	729.96	
	32850	J C P L	177 South Main Street-100073164863-12/31	1,184.78	
	32850	J C P L	Jefferson/Main St-100100423969-12/27-1/2	444.17	
	32850	J C P L	Dog Pound-2 Riverside Way-10089631061-12	259.28	
	32850	J C P L	Mun Bldg-100005661630-12/28-1/27	3,621.07	
01-201-31-430-175		Electricity	TOTAL FOR ACCOUNT		6,716.80
	32850	J C P L	Street Lighting - 20000000691-11/20-12/	1,385.45	

List of Bills (Department/Account Detail) - CLAIMS CHECKING ACCOUNT

Meeting Date: 02/18/2020 For bills from 02/04/2020 to 02/18/2020

Account	PO #	Vendor	Description	Payment	Account Total
Electricity					
01-203-31-430-175	(2019)	ELectricity	TOTAL FOR ACCOUNT		4,438.55
					=====
TOTAL for Electricity					11,155.35
Street Lighting					
01-203-31-435-175	(2019)	Electricity - Street Lighting	32850 J C P L Street Lighting - 200000000691-11/20-12/	20,801.00	
			TOTAL FOR ACCOUNT		20,801.00
					=====
TOTAL for Street Lighting					20,801.00
Switchboard					
01-201-31-440-180		Telephone & Telecommunications	32851 VERIZON, INC PU Tower-Alarm - 213-8612-1/8/20-2/7/20	76.89	
			32851 VERIZON, INC Police - 454-1121-1/10/20-2/9/20	4,181.88	
			32852 VERIZON PA Switchboard-12/19/19-1/28/20	29.31	
			TOTAL FOR ACCOUNT		4,288.08
					=====
TOTAL for Switchboard					4,288.08
Water					
01-201-31-445-185		Water	32853 AQUA NEW JERSEY, INC Jersey Hose-10245560738652-1/6-2/3	22.31	
			32853 AQUA NEW JERSEY, INC # Fire Co-10244640738586-1/6-2/3	27.47	
			32853 AQUA NEW JERSEY, INC Mun Garage-Heckman Street-14893240743460	179.10	
			32853 AQUA NEW JERSEY, INC Shappell Park-10359000747999-1/6-2/3	16.50	
			32853 AQUA NEW JERSEY, INC Linocln Engine-10302740743268-1/7-2/5	121.02	
			32853 AQUA NEW JERSEY, INC Warren Chemical-10260760739831-1/6-2/3	17.79	
			32853 AQUA NEW JERSEY, INC FFire Central-10300120743050-1/7-2/5	37.79	
			32853 AQUA NEW JERSEY, INC Squad Building-10304260743384-1/7-2/5	65.54	
			32853 AQUA NEW JERSEY, INC Del Hgts Park-16531151133169-1/7-2/5	132.00	
			32853 AQUA NEW JERSEY, INC Del River Park-10368121265527-1/6-2/3	16.50	
			TOTAL FOR ACCOUNT		636.02
					=====
01-203-31-445-185	(2019)	Water	32853 AQUA NEW JERSEY, INC Mun Pool-10325060745220	55,977.93	
			TOTAL FOR ACCOUNT		55,977.93
					=====
TOTAL for Water					56,613.95
Natural Gas					
01-201-31-446-176		Natural or Propane: Natural Gas	32782 AMERIGAS CLINTON 7510 Propane for Walters Park garage	173.15	
			TOTAL FOR ACCOUNT		173.15
					=====
TOTAL for Natural Gas					173.15
Landfill / Solid Waste Diposal Costs					
01-201-32-465-236		Garbage & Recycling Dumping Fees	32638 CHRIN'S BROS INC January Blanket Purchase Order	9,043.08	
			32638 CHRIN'S BROS INC January Blanket Purchase Order	9,003.99	
			32638 CHRIN'S BROS INC January Blanket Purchase Order	8,610.60	
			32638 CHRIN'S BROS INC January Blanket Purchase Order	6,643.98	
			32638 CHRIN'S BROS INC January Blanket Purchase Order	9,162.09	
			TOTAL FOR ACCOUNT		42,463.74
					=====
TOTAL for Landfill / Solid Waste Diposal Costs					42,463.74

List of Bills (Department/Account Detail) - CLAIMS CHECKING ACCOUNT

Meeting Date: 02/18/2020 For bills from 02/04/2020 to 02/18/2020

Account	PO #	Vendor	Description	Payment	Account Total
	32813	PHILLIPSBURG MUNICIPAL COURT	Check print fees Bail Acct	206.13	
	32813	PHILLIPSBURG MUNICIPAL COURT	Check print fees General Acct	59.29	
01-201-33-490-083		<i>Service Contracts Other</i>	TOTAL FOR ACCOUNT		265.42
	32773	LAURI KAULIUS	Travel Bridgewater Mun Ct Bridgewater,NJ	39.10	
01-201-33-490-090		<i>Travel</i>	TOTAL FOR ACCOUNT		39.10
	32773	LAURI KAULIUS	TCMCAA Winter Seminar	60.00	
01-201-33-490-093		<i>Seminars & Conferences</i>	TOTAL FOR ACCOUNT		60.00
	32849	VERIZON WIRELESS	01/02/20-02/01/20-942142520-00001-Alpha	221.89	
	32851	VERIZON, INC	Mun Court - 387-6840 --1/7/20-2/12/20	560.74	
01-201-33-490-180		<i>Telephone / Telecommunications</i>	TOTAL FOR ACCOUNT		782.63
	32806	PHILLIPSBURG MUNICIPAL COURT	PNC/AMEX fees January 2020	294.44	
01-201-33-490-233		<i>Credit Card Processing Fee</i>	TOTAL FOR ACCOUNT		294.44
TOTAL for Municipal Court					1,441.59

Capital Lease Obligations

	32590	KS STATE BANK	Lease Police Vehicle - R:2019-109 2nd ye	1,572.00	
01-201-45-942-221		<i>Police Vehicles Lease</i>	TOTAL FOR ACCOUNT		1,572.00
TOTAL for Capital Lease Obligations					1,572.00

STATE & FEDERAL GRANTS

DEPARTMENT 730

	32753	TRAVIS ZECHMAN	tax	2.66	
	32753	TRAVIS ZECHMAN	4 ct 1-1/2 in zn cnr br	40.20	
02-213-41-730-005		<i>WC DHS - Station House Adjustment Prgm</i>	TOTAL FOR ACCOUNT		42.86
TOTAL for DEPARTMENT 730					42.86

SEWER UTILITY

Sewer Utility Department

	32758	WILLIS OF NEW JERSEY, INC	January 2020 Installment Inv #2593761	750.00	
	32779	WILLIS OF NEW JERSEY, INC	March 2020 Installment Inv#2593763	750.00	
	32758	WILLIS OF NEW JERSEY, INC	February 2020 Installment Inv#2593762	750.00	
07-201-55-510-200		<i>Health Benefits</i>	TOTAL FOR ACCOUNT		2,250.00
	32797	LAVERY, SELVAGGI & ABROMITIS PC	Sewer - January	2,437.50	
07-201-55-510-512		<i>Legal</i>	TOTAL FOR ACCOUNT		2,437.50
	32745	NATURAL SYSTEMS UTILITIES	February Fee - Services	167,237.63	
	32745	NATURAL SYSTEMS UTILITIES	February Fee - Maintenance & Repair	8,333.33	
07-201-55-510-517		<i>Natural Systems Utilities</i>	TOTAL FOR ACCOUNT		175,570.96
	32777	VAN CLEEF ENGINEERING ASSOC., LLC	Sewer collection system - December 2019	1,080.00	
07-203-55-510-515		<i>(2019) Sewer Engineers</i>	TOTAL FOR ACCOUNT		1,080.00
	32223	NATURAL SYSTEMS UTILITIES	Odor Control Mitigation - September R:20	35,470.42	
07-203-55-510-557		<i>(2019) Pumping and Hauling</i>	TOTAL FOR ACCOUNT		35,470.42
TOTAL for Sewer Utility Department					216,808.88

List of Bills (Department/Account Detail) - CLAIMS CHECKING ACCOUNT

Meeting Date: 02/18/2020 For bills from 02/04/2020 to 02/18/2020

Account	PO #	Vendor	Description	Payment	Account Total
07-194-16-602-001	32797	LIVERY, SELVAGGI & ABROMITIS PC WWTP Septic Billing	Warren Septic - January TOTAL FOR ACCOUNT	570.00	570.00
TOTAL for Septic Receipts					570.00

PLANNING BOARD ESCROW

DEPARTMENT 102

12-288-56-102-001	32798	LIVERY, SELVAGGI & ABROMITIS PC Bridge Development Escrow	Bridge - December TOTAL FOR ACCOUNT	540.00	540.00
TOTAL for DEPARTMENT 102					540.00

Engineering Escrows

12-286-56-858-006	32800	VAN CLEEF ENGINEERING ASSOC., LLC Eng Escrow - ETown Gas (9140001)	November - Elizabethtown Gas Road Openin October - Elizabethtown Gas Road Opening September - Elizabethtown Gas Road Openi TOTAL FOR ACCOUNT	6,051.50 14,308.00 15,337.00	35,696.50
12-286-56-858-012	32775	VAN CLEEF ENGINEERING ASSOC., LLC Del Heights Park	Pohatcong Solar Farm Easement Request - TOTAL FOR ACCOUNT	3,344.50	3,344.50
12-286-56-858-021	32776	VAN CLEEF ENGINEERING ASSOC., LLC Eng Escrow-Hampton Ridge@ Pohat	Hampton Ridge @ Pohatcong - Sanitary Sew TOTAL FOR ACCOUNT	607.50	607.50
TOTAL for Engineering Escrows					39,648.50

Revolving Loan Fund

G/L Expenditures

21-271-55-000-000	32797	LIVERY, SELVAGGI & ABROMITIS PC Reserve for Revolving Loans	Revolving Loans - January TOTAL FOR ACCOUNT	165.00	165.00
TOTAL for G/L Expenditures					165.00

**TOWN OF PHILLIPSBURG
IN THE COUNTY OF WARREN, STATE OF NEW JERSEY**

BOND ORDINANCE NUMBER 2020-04

BOND ORDINANCE APPROPRIATING \$1,758,100 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,670,195 BONDS OR NOTES OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY TO PROVIDE FOR VARIOUS GENERAL IMPROVEMENTS PREVIOUSLY AUTHORIZED AND SUPERCEDING BOND ORDINANCE NUMBER 2018-15 FINALLY ADOPTED AUGUST 7, 2018 OF THE TOWN

BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Town of Phillipsburg, in the County of Warren, State of New Jersey (the "Town"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$1,758,100, said sum being inclusive of the sum of \$87,905 as the aggregate amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Town for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,758,100 appropriation not provided for

by the \$87,905 down payment, negotiable bonds of the Town are hereby authorized to be issued in the aggregate principal amount of \$1,670,195 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Town in an aggregate principal amount not exceeding \$1,670,195 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are described in Bond Ordinance Number 2018-15 finally adopted August 7, 2018 (the "Original Ordinance") and as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Debt Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Administration: acquisition of equipment and digitization of permanent records;	\$121,000	\$114,950	\$6,050	5 years
(ii) Public Safety: acquisition of public safety equipment and non-passenger vehicles for the Police Department;	\$129,600	\$123,120	\$6,480	5 years
(iii) Fire Department: acquisition of equipment, improvements and upgrades to oxygen vehicle/equipment and acquisition of a non-passenger command vehicle;	\$156,000	\$148,090	\$7,910	5 years
(iv) Fire Department: renovations to Fire Central;	\$50,000	\$47,610	\$2,390	20 years
(v) Library: replacement of the library roof;	\$429,000	\$407,550	\$21,450	20 years
(vi) Infrastructure: improvements and upgrades to Town owned buildings and replacement of parking meters; and	\$76,000	\$72,200	\$3,800	10 years
(vii) Road Improvements: improvements to various Town roads, as on file with the Town Clerk's office.	\$796,500	\$756,675	\$39,825	10 years

<u>Description</u>	<u>Appropriation</u>	<u>Debt Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
TOTALS	\$1,758,100	\$1,670,195	\$87,905	11.66 years

(b) The above improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, surveying, construction planning, engineering and design work, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental testing and remediation and also all work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,670,195.

(d) The aggregate estimated cost of said improvements or purposes is \$1,758,100, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payments for said improvements or purposes in the aggregate amount of \$87,905.

SECTION 4. In the event the United States of America, the State of New Jersey and/or the County of Warren make a contribution or grant in aid to the Town for the improvements and purposes authorized hereby and the same shall be received by the Town prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Warren. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Warren shall be received by the Town after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be

applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Town (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of Section 40A:2-8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Town is hereby amended to conform with the provisions of this bond 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 of the Town and is available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Town may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.66 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,670,195, but that this increase equals the \$1,670,195 bonds or notes authorized by the Original Ordinance and superceded by this bond ordinance. There is, therefore, no overall increase in the gross debt of the Town, and said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) The Original Ordinance is hereby repealed to the extent of any inconsistency herewith and to the extent, if any, that it authorized the issuance hereafter of

bonds or notes for the purpose of financing such improvements or purposes or that it made an appropriation for such improvements or purposes in excess of the amounts herein stated as the appropriation therefor. Any such bonds or notes heretofore issued and now outstanding pursuant to the Original Ordinance, any moneys expended and any expenses incurred pursuant to the appropriation made by the Original Ordinance or other proceedings shall be accounted and deemed to have been issued, expended or incurred pursuant to this bond ordinance.

(e) An aggregate amount not exceeding \$79,500 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes herein before described.

SECTION 8. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Town for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Town reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury

Regulations §1.150-2. No reimbursement allocation will employ an “abusive arbitrage device” under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the “Code”). The proceeds of any bonds or notes authorized herein used to reimburse the Town for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of “replacement proceeds”, including “sinking funds”, “pledged funds” or funds subject to a “negative pledge” (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Town other than amounts deposited into a “bona fide debt service fund” (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Town for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$1,670,195. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is “placed in service” (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid. The Town covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance.

SECTION 10. The Town covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: February 18, 2020**

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

**ADOPTED ON SECOND READING
DATED: _____, 2020**

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

**TOWN OF PHILLIPSBURG
IN THE COUNTY OF WARREN, STATE OF NEW JERSEY**

PUBLIC NOTICE

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond 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 February 18, 2020. 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 Housing Authority, 535 Fisher Avenue, Phillipsburg, in said County on _____, 2020 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 Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE APPROPRIATING \$1,758,100 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,670,195 BONDS OR NOTES OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY TO PROVIDE FOR VARIOUS GENERAL IMPROVEMENTS PREVIOUSLY AUTHORIZED AND SUPERCEDING BOND ORDINANCE NUMBER 2018-15 FINALLY ADOPTED AUGUST 7, 2018 OF THE TOWN

Purpose(s): Various 2018 capital improvements and equipment acquisitions for Town Administration, Public Safety, Fire Department, Library, Infrastructure and Road Improvements

Appropriation: \$1,758,100

Bonds/Notes Authorized: \$1,670,195

Grants Appropriated: None

Section 20 Costs: \$79,500

Useful Life: 11.66 years

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

**TOWN OF PHILLIPSBURG
IN THE COUNTY OF WARREN, STATE OF NEW JERSEY**

PUBLIC NOTICE

NOTICE OF FINAL ADOPTION OF BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Town of Phillipsburg, in the County of Warren, State of New Jersey on _____, 2020, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE APPROPRIATING \$1,758,100 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,670,195 BONDS OR NOTES OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY TO PROVIDE FOR VARIOUS GENERAL IMPROVEMENTS PREVIOUSLY AUTHORIZED AND SUPERCEDING BOND ORDINANCE NUMBER 2018-15 FINALLY ADOPTED AUGUST 7, 2018 OF THE TOWN

Purpose(s): Various 2018 capital improvements and equipment acquisitions for Town Administration, Public Safety, Fire Department, Library, Infrastructure and Road Improvements

Appropriation: \$1,758,100

Bonds/Notes Authorized: \$1,670,195

Grants Appropriated: None

Section 20 Costs: \$79,500

Useful Life: 11.66 years

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

**TOWN OF PHILLIPSBURG
IN THE COUNTY OF WARREN, STATE OF NEW JERSEY
CERTIFICATE OF INTRODUCTION OF BOND ORDINANCE**

I, the undersigned Clerk of the Town of Phillipsburg, in the County of Warren, State of New Jersey, 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 February 18, 2020 at 7:00 p.m. at the Phillipsburg Housing Authority, 535 Fisher Avenue, 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 as of this ____ day of _____, 2020.

(SEAL)

VICTORIA L. KLEINER,
Clerk of the Town of Phillipsburg

**TOWN OF PHILLIPSBURG
IN THE COUNTY OF WARREN, STATE OF NEW JERSEY
CERTIFICATE OF FINAL ADOPTION OF BOND ORDINANCE**

I, the undersigned Clerk of the Town of Phillipsburg, in the County of Warren, State of New Jersey, 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 _____, 2020 at 7:00 p.m. at the Phillipsburg Housing Authority, 535 Fisher Avenue, Phillipsburg, in said County, and that the following was the roll call:

Present:

Absent:

I DO 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 as of this ____ day of _____, 2020.

(SEAL)

VICTORIA L. KLEINER,
Clerk of the Town of Phillipsburg

**TOWN OF PHILLIPSBURG
IN THE COUNTY OF WARREN, STATE OF NEW JERSEY**

**CLERK'S CERTIFICATE CONCERNING
BOND ORDINANCE ADOPTION PROCEDURES**

I, VICTORIA L. KLEINER, DO HEREBY CERTIFY that I am the Clerk of the Town of Phillipsburg, in the County of Warren (the "Town"), 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 bond ordinance introduced on February 18, 2020 and finally adopted on _____, 2020 and approved by the Mayor, as applicable, on _____, 2020.

2. After introduction, the bond ordinance was published as required by applicable law on _____, 2020 in The Express Times.

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

4. After final adoption, the bond ordinance was duly approved by the Mayor of the Town (if applicable) and duly published as required by law on _____, 2020 in The Express Times. No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body of the Town or to me or filed in my office within twenty (20) days after said publication or at any other time after the final adoption thereof.

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

6. A certified copy of the bond ordinance and a copy of the amended capital budget form have 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 as of this ____ day of _____, 2020.

(SEAL)

VICTORIA L. KLEINER,
Clerk of the Town of Phillipsburg

O: 2020 - 05

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 464 RENTAL PROPERTY, ARTICLE I REGISTRATION, INSPECTION AND ENFORCEMENT OF THE CODE OF THE TOWN OF PHILLIPSBURG REGARDING RENTAL PROPERTY REGISTRATION STATEMENT FORM

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

Section 1.

Chapter 464, *Rental Property*, Article I, *Registration, Inspection and Enforcement* Subsection C (2) is hereby deleted in its entirety and replaced as follows:

Section 464-4(C)(2). If the owner or a representative of same does not actually reside within the Town or a ten-mile radius thereof, or does not maintain an office in the Town for the purpose of transacting business, the owner or representative shall register the name and address of a person or persons who resides within Town or who maintains an office in the Town who will be responsible for the maintenance and operation of the dwelling or dwelling units in accordance to the provisions of this Article and who will be authorized to receive notices and process on behalf of the owner or operator in connection with the enforcement of this Article.

Section 2

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

Section 3

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

Section 4

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

ATTEST:

TOWN OF PHILLIPSBURG

VICTORIA L. KLEINER, RMC

TODD M. TERSIGNI

Municipal Clerk

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 February 18, 2020 meeting.

VICTORIA L. KLEINER, RMC

R: 2020-56

**RESOLUTION OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY,
AUTHORIZING REFUND OF TAX OVER PAYMENT**

WHEREAS, the Tax Office of the Town of Phillipsburg has certified that the following is a refund overpayment and,

WHEREAS, said payment was due to a tax overpayment refund.

ACCT	YEAR	BLOCK	LOT	NAME	AMOUNT
51622	2019	2906	14	Lereta LLC & Evans, Robert L	1,330.71

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Phillipsburg, County of Warren, that the following list received tax payments.

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 February 18, 2020.

Victoria L. Kleiner, RMC

R: 2020 - 57

**RESOLUTION DECLARING THE TOWN OF PHILLIPSBURG A SECOND
AMENDMENT SANCTUARY TOWN**

WHEREAS, the Second Amendment of the United States Constitution reads: “A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed,” an individual right affirmed by the United States Supreme Court and;

WHEREAS, the State of New Jersey was the first state to ratify the Bill of Rights, including the right to keep and bear arms, and the New Jersey Supreme Court has recognized it as a fundamental rights of its citizens; and,

WHEREAS, certain legislation introduced in the State Legislature, and certain legislation introduced in the current session of the United States Congress could have the effect of infringing on the rights of law abiding citizens to keep and bear arms, as guaranteed by the Second Amendment of the United States Constitution; and,

WHEREAS, the Warren County Board of Chosen Freeholders has expressed its deep commitment to the rights of citizens of Warren County to keep and bear Arms; and,

WHEREAS, the Town Council desires to express its intent to stand for Second Amendment rights and to support the Warren County Board of Chosen Freeholders and its efforts to oppose, within the limits of the Constitution of the United States, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the right of the citizens to keep and bear arms, including through legal action, the power of appropriation of public funds, and the right to petition for redress of grievances.

NOW, THEREFORE, BE IT RESOLVED that the Phillipsburg Town Council declares as follows:

1. The Town Council hereby express its intent to uphold the Second Amendment rights of the citizens of Phillipsburg and further express its support of the Board of Chosen Freeholders and its declaration that public funds of the County not be used to restrict Second Amendment rights or to aid in the unnecessary and unconstitutional restriction of the rights under the Second Amendment of the citizens of Warren County to bear arms; and
2. The Town Council hereby declares Phillipsburg, Warren County, New Jersey, as a “Second Amendment/Lawful Gun Owner Town.”

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 February 18, 2020.

Victoria L. Kleiner, RMC

R-2020-59

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 for the year 2020 from Phoenix Advisors, LLC, 4 West Park Street, Bordentown, NJ 08505 ("Phoenix Advisors") to continue to act as the Independent Registered Municipal Advisor and to continue to assist in the execution of CDAs; and

WHEREAS, the Town wishes to obtain the services of Phoenix Advisors, LLC through 2020.

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 to continue as the Independent Registered Municipal Advisor for the Town of Phillipsburg through 2020.

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 \$1050.00, 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, and \$200 for each new bond issue set up during the year.

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 February 18, 2020 meeting.

Victoria L. Kleiner, Municipal Clerk



**PHOENIX
ADVISORS, LLC**

December 10, 2019

Robert J. Merlo, Chief Financial Officer
Phillipsburg Town
675 Corliss Avenue
Phillipsburg, NJ 08865

Dear Mr. Merlo,

Thank you for choosing Phoenix Advisors to serve as your Continuing Disclosure Agent and Independent Registered Municipal Advisor ("IRMA"). By selecting Phoenix Advisors, you recognize the importance of sound financial practices. You can be assured of your continued compliance with disclosure requirements and of having us on-hand as your resource for any finance-related needs.

On the left-hand side of this folder, you'll find a Report detailing the posting record of documents and Event postings, if any, that we made on EMMA on your behalf.

Please take the time to confirm that this report includes every one of your securities issues for which you have executed a Continuing Disclosure Agreement. Unless you notify us to the contrary, you agree these are the only securities issues for which we are to post to EMMA on your behalf, and that the Report is complete and correct.

Also, on the left is crucial information concerning the new requirement imposed by the Securities & Exchange Commission, which necessitates posting to EMMA an "Event Notice" anytime you incur a "financial obligation." Please read this carefully; it has significant implications. Call your Bond Counsel or us if you have any questions.

On the right-hand side of the folder is our Agreement for the 2020 year. To ensure uninterrupted service, please return an executed copy of the Agreement as soon as possible. We are happy to report that we are holding our Disclosure Agent base and per issue fee at last year's level, our standard new issue "set-up" fee is also unchanged. We do, however, find it necessary, if applicable, to institute an Event Notice charge of \$250 per event. We will invoice all charges at yearend.

Monitoring, collecting, assembling, recording, and filing your documents and Event Notices is not an uncomplicated or easy task. But it is one at which Phoenix Advisors is expert. You honor us by entrusting this engagement to us. Thank you!

Very Truly Yours,

A handwritten signature in black ink, appearing to read "David Thompson".

David Thompson, CEO



**2020
AGREEMENT
for
CONTINUING DISCLOSURE and
INDEPENDENT REGISTERED MUNICIPAL ADVISOR SERVICES**

THIS AGREEMENT, valid for the calendar year noted above, (the "Agreement") by and between Phillipsburg Town, 675 Corliss Avenue, Phillipsburg, NJ 08865 (the "Issuer"), and Phoenix Advisors, LLC, 625 Farnsworth Avenue, Bordentown, New Jersey 08505 ("Phoenix Advisors") for the provision of professional services as more fully described in the accompanying Scope of Services.

WITNESSETH:

WHEREAS, the Issuer has heretofore agreed through the execution of Continuing Disclosure Agreements ("CDAs") in connection with one or more bond issuances to provide specific financial and other information and notices, within specified timeframes, to the marketplace in a manner prescribed by the regulators of the underwriter that purchased said bond issues; and

WHEREAS, Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") governs the many aspects of continuing disclosure; and

WHEREAS, Phoenix Advisors provides continuing disclosure agent services, has the expertise as Continuing Disclosure Agent ("Disclosure Agent"), and has hereunder been appointed by the Issuer to serve as its Disclosure Agent until the expiration of this Agreement, as defined in Section 4 herein; and

WHEREAS, Phoenix Advisors, being duly registered as a Municipal Advisor with the Securities and Exchange Commission (the "SEC") and the Municipal Securities Rulemaking Board (the "MSRB"), provides professional municipal advisory services and has heretofore been appointed by the Issuer to be its Independent Registered Municipal Advisor ("IRMA") and to offer such municipal advisory services as may be requested until the expiration of this Agreement, as defined in Section 4 herein; and

WHEREAS, the parties desire to set forth herein the terms and conditions under which Phoenix Advisors will provide such services to the Issuer.

NOW, THEREFORE, THE PARTIES HERETO, IN CONSIDERATION OF MUTUAL COVENANTS HEREIN CONTAINED AND OTHER GOOD AND VALUABLE CONSIDERATION, EACH INTENDING TO BE LEGALLY BOUND, HEREBY AGREE AS FOLLOWS:

Section 1 - CONTINUING DISCLOSURE SERVICES

- I. The Issuer's Disclosure Agent will assist the Issuer in meeting the secondary market disclosure obligations delineated in relevant CDAs as specified under the Rule, including any required posting of material event ("Event") notice.

The Issuer understands and acknowledges that its full cooperation is requisite to the Disclosure Agent's success assisting the Issuer in maintaining compliance with its CDAs and requirements of the Rule. The Issuer agrees that it will:

- i. Supply all documents required to be filed under its CDAs to the Disclosure Agent promptly, when available.
 - ii. Notify the Disclosure Agent immediately of any Event requiring the filing of a notice under the Rule or its CDAs.
- II. This Agreement applies to bonds issued since the effective date of the secondary market disclosure requirements of the Rule unless said bonds are exempt under the Rule.
- III. Phoenix Advisors will perform such services relating to its role as the Issuer's Disclosure Agent to a professional standard. Described below is the scope of the Disclosure Agent services and methodology:

- i. **Codify Issues That Are Subject to Continuing Disclosure**

- To make timely and accurate disclosure filings on the MSRB's Electronic Municipal Market Access Data Port website ("EMMA"), the Disclosure Agent will obtain and examine the Issuer's Official Statements relating to the outstanding bond issues to research the requirements found in the CDAs.

- ii. **Security Setup**

- We enter in our proprietary database details of each outstanding issue and its filing obligations. This security setup applies our database functionality to your issues.

- iii. **Review Data contained in Official Statements**

- The Disclosure Agent reviews the Issuer's Official Statements for information concerning disclosure obligations and discusses with the Issuer its filing or reporting obligations. Our review will include other financial obligations undertaken of which we are aware.

- iv. **Monitor, React and Meet Filing Deadlines**

- The schedule of filing dates for outstanding bond issues is part of our database to ensure that required filings are made. We monitor each client's different deadlines to ensure timely filing of necessary documents. Our proprietary database produces ongoing reports that are used to alert the Issuer to approaching filing deadlines providing an essential safeguard for the timely filing of continuing disclosure information.

The Disclosure Agent endeavors to gather required documents from public sources, e.g., state and local websites, to lessen the client's burden. Phoenix Advisors takes a proactive approach to client service. When we must obtain documents from clients, we provide email reminders sufficiently well in advance of upcoming deadlines, then follow up as necessary until completed on EMMA.

- v. **File Financial and Operating Data to Meet Your Obligations**
In addition to filing Audited Financial information, CDAs require the filing of Operating Data. If the operating data is prepared with the assistance of the Disclosure Agent, the report will typically contain information consistent with the statistical data found in relevant Official Statements. This process often requires collaboration with the issuer and other of the issuer's retained professionals.

- vi. **File Documents Uniformly, Accurately, and Promptly**
EMMA is a powerful resource for investors, analysts, and, importantly, underwriters that bid on debt issues. Easy identification on EMMA of filed documents is essential. The Disclosure Agent uses consistent naming and filing conventions, applying clear descriptive titles to filings, and correctly associates them with the right CUSIP on EMMA. The result is a uniform and logical chronology of data where EMMA users can easily find what they need.

The Disclosure Agent files documents on EMMA within forty-eight (48) hours of receipt. However, we file most documents on the same business day they are received.

- vii. **Confirm Filings to Client Promptly**
The MSRB generates a submission confirmation for all disclosure filings made on EMMA. The Disclosure Agent will promptly send the Issuer an email copy of the MSRB's proof of required, voluntary, or Event filings made on the Issuer's behalf.

- viii. **Coordinate and Submit Voluntary Information**
Voluntary filings are proper because the marketplace is hungry for information. We gather documents including Budgets, Debt Statements, and unaudited financials from issuers then file them as voluntary submissions. The more information, carefully labeled, the Issuer provides, the more professional and forthcoming their appearance is to market participants.

- ix. **Monitor Need for Material Events and Timely Filing of Notices**
There is a significant list of items that regulators deem to be Events, whose incurrence, require a notice to be filed within ten (10) business days of the Event on EMMA. The occurrence of an Event is not apparent to those who are not directly involved with a transaction or with the Issuer's financial operations. It is the Issuer's responsibility to notify the Disclosure Agent of any reportable Event.

- x. **Actively Monitor Issuer Rating Changes**
Rating changes are events that require Event Notice filing on EMMA. The Disclosure Agent's staff endeavors to regularly monitor rating agency news and updates for rating changes that affect the Issuer, and we file the appropriate Event notice. However, Issuers are always notified by the rating agencies when their ratings are adjusted, and when so told, the Issuer must alert the Disclosure Agent.

- xi. **Monitor Bond Insurer and Program Rating Changes**
If a municipal bond insurer or a state program, e.g., a school bond enhancement program, is affected by a rating change, then all the bonds that carry that

insurance or participate in that program will undergo a rating change, too. We monitor these types of rating changes, determine which, if any, of our clients are affected, and file the appropriate Event notices.

xii. **Provide a Comprehensive Report Each Fiscal Year**

We know the importance of documentation and well-organized files. The Disclosure Agent prepares a continuing disclosure report ("Annual Report") each year that shows every issue on which there is a continuing disclosure obligation, every filing, and every Event notice filed on the Issuer's behalf during the year on EMMA. The Annual Report also recaps a five (5) year history of the Issuers filings. Investors, underwriters of bonds, and the Issuer want to see the record of filing history. An accurate record during this timeframe is vital to the Issuer when it prepares Official Statements since a misstatement in such a document could have serious legal consequences.

xiii. **Acceptance of Annual Report**

The Annual Report highlights any exceptions to required filings and the timeliness of filings. The Issuer must carefully review said report and relay to the Disclosure within ten (10) business days, any error, discrepancy, omission, or concern relating to the accuracy or completeness of the Annual Report.

We, the Issuer and Phoenix Advisors, agree that after ten (10) business days, absent notice from the Issuer, the Annual Report is accepted by the Issuer is accurate and complete.

Section 2 - CONTINUING DISCLOSURE SERVICES COMPENSATION

- I. The bond Issuer will compensate Phoenix Advisors for its services as Disclosure Agent, in accordance as set forth below:

i. **Disclosure Agent Service:**

\$1,050 – base fee (for up to three (3) outstanding issues), plus \$100 for each additional outstanding obligation, if filings are required.

There is a set-up charge for each new bond issuance. The setup fee is \$450 but is discounted to \$200 if Phoenix Advisors serves as Municipal Advisor.

An amendment made to the Rule, effective February 27, 2019, increases the number of Events, to be recorded on EMMA. Phoenix Advisors will charge \$250 for each Event filing made under the Rule's new Events. Phoenix Advisors will waive this fee if engaged as Municipal Advisor on a transaction that involves such Event filing.

All fees are invoiced annually.

Section 3 – INDEPENDENT REGISTERED MUNICIPAL ADVISOR

- I. Under the Dodd-Frank law, the SEC requires that any person or entity that provides advice concerning the issuance of municipal securities be licensed and regulated by the SEC and the MSRB to provide any such advice.
 - i. Professionals providing advice to the Issuer must hold a Municipal Advisor Series 50 license. Additionally, persons supervising the provision of municipal securities advice must possess a Series 54 Municipal Principal license.
 - ii. Phoenix Advisors professionals are Series 50 licensed and as appropriate a Series 54 license. Importantly, all licensees are subject to a continuing education protocol.
 - iii. Under the SEC and MSRB regulation, the Municipal Advisor owes a Fiduciary Obligation to the Issuer.
- II. There is no separate fee, financial cost, or obligation concerning the Issuer's appointment of Phoenix Advisors as the Issuer's Independent Registered Municipal Advisor ("IRMA" or "Municipal Advisor"). As the Issuer's IRMA, we will be available to answer general questions concerning outstanding debt issues, market conditions, prepare a preliminary project analysis, or preliminarily review financing proposals received by the Issuer on an as-requested basis.
 - iv. The Issuer, through designation of an IRMA, allows third parties, primarily broker-dealer underwriting firms, but also other professional disciplines to submit proposals and ideas concerning financings to the Issuer.
 - v. Failure to actively seek advice from the Municipal Advisor means there is no one on your side appropriately licensed to advise the Issuer concerning the issuance or structure of municipal obligations, including bonds, notes, leases or bank loans the Issuer may embark.
- III. When and if the Issuer requests the Municipal Advisor's involvement in a debt issuance, the undertaking of a financial obligation, an in-depth evaluation of a proposal or project, perform a consultant service, or assist with rating agency surveillance, a separate Fee Addendum to this Agreement together with a scope of service will be provided for the Issuer's acknowledgement.

Section 4 – AGREEMENT TERM AND CONDITIONS

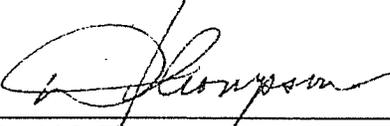
- I. Neither Phoenix Advisors nor any individual representing Phoenix Advisors possesses any authority concerning any decision of the Issuer or any official of the Issuer beyond the rendition of information or advice. Phoenix Advisors is not legal counsel nor an accountant and is not providing legal or accounting guidance. None of the services contemplated in this Agreement shall be construed as legal services or a substitute for legal services. The Issuer hereby acknowledges its responsibility concerning federal securities laws and represents its intention to comply in all respects with federal securities laws.
- II. This Agreement is subject to annual renewal and may be terminated by either the Issuer or Phoenix Advisors upon thirty (30) days' prior written notice.
- III. This Agreement shall be governed by the laws of the State of New Jersey.

IN WITNESS WHEREOF, The Issuer and Phoenix Advisors have caused this Agreement to be duly executed by its authorized representative, as of the day and year first above written.

Phillipsburg Town

By: _____
Robert J. Merlo, Chief Financial Officer

PHOENIX ADVISORS, LLC

By:  _____
David B. Thompson, Chief Exexutive Officer

Municipal Securities Rulemaking Board

REQUIRED DISCLOSURES

- The MSRB's website is www.msrb.org and the link for the Municipal Advisor Client Brochure is:
<http://msrb.org/~media/files/resources/msrb-ma-clients-brochure.ashx>
- SEC forms MA and MA-I are available for inspection on the SEC's EDGAR website at:
www.sec.gov/edgar/searchedgar/companysearch.html
- There are no legal or disciplinary events concerning Phoenix Advisors, LLC, our management or advisors filed on any Form MA or Form MA-I filed with the SEC

Phoenix Advisors, LLC, is a municipal advisor duly registered with the Securities and Exchange Commission ("SEC") and the Municipal Securities Rulemaking Board ("MSRB"). We provide municipal advisor services to clients that may be related to or overlap with other municipal issuer clients. We are aware of no conflict(s) of interest precluding us from fulfilling our fiduciary duty, on any transaction for which Phoenix Advisors is engaged. Should we become aware of any conflict, we would immediately inform the affected parties.

Phoenix Advisors, LLC, offers a variety of services, including but not limited to Municipal Advisor services, Consulting, and Post-Issuance Compliance services. There could be the appearance of a potential conflict of interest in cross-selling services. Phoenix Advisors mitigates any perceived conflict by adhering to a high standard of suitability for any service rendered to our clients. We also clearly disclose that there is no contingency requiring a client to accept multiple services.

Phoenix Advisors has a fiduciary obligation to put your interests ahead of ours, and we take this obligation seriously. We maintain policies and procedures to uphold our standards. Our internal compliance protocol dictates regular reviews of client transactions for compliance with all applicable MSRB rules. Under the same MSRB rules, all municipal advisors are required to provide to clients written documentation of their municipal advisory relationships with clients. You have received a written agreement or addendum to an agreement that includes a scope of services to be provided by Phoenix Advisors, and details the fees for these services.

The MSRB believes that certain forms of compensation may create the potential for conflicts of interest. Compensation may vary depending upon the nature of the engagement and requirements of the client. The MSRB requires that we provide information concerning forms of compensation and its potential to cause a conflict of interest. Various forms of compensation include:

Fixed fee. Under a fixed fee form of compensation, the municipal advisor is paid a fixed amount established at the outset of the transaction. The amount is typically based upon an analysis by the client and the advisor of the expected duration and complexity of a transaction and the scope of work that the advisor will perform. In the view of the MSRB, this form of compensation may present a potential conflict of interest because the advisor may recommend less time-consuming alternatives, or fail to do a thorough analysis of alternative financing options.

**Phoenix Advisors, LLC
Phillipsburg Town, Warren, NJ**



Continuing Disclosure Filing Record

2017 Series - General Obligation Bonds

Fiscal Year: 12/31
Cusip: 718643
CD Client Since: 7/5/2017

Dated Date: 8/15/2017
First Call Date: 8/1/2025
Date Called:

Required Documents: Audit/CAFR ADS Unaudited Budget Operating Data

Related Year	Document	Due Date	Posted Date	On Time	Days Late	Failed to File	Status
2018	ADS	9/30/19	5/30/19	YES			<input type="checkbox"/>
2018	Audit	9/30/19	9/19/19	YES			<input type="checkbox"/>
2018	Operating Data	9/30/19	9/19/19	YES			<input type="checkbox"/>
2017	ADS	9/30/18	3/1/18	YES			<input type="checkbox"/>
2017	Audit	9/30/18	5/25/18	YES			<input type="checkbox"/>
2017	Operating Data	9/30/18	6/20/18	YES			<input type="checkbox"/>

Material Events

Event Date:
Event Type:

Posted Date:
Re:

No Action Required

Failures Disclosed - No Additional Action Required

Action Required



IMPORTANT INFORMATION

The Securities & Exchange Commission (“SEC”) amended Rule 15c-2,12 (the “Rule”) effective February 27, 2019. Especially relevant in the expanded list is the requirement to post to EMMA an Event Notice of the incurrence of a financial obligation – if material. We have attached a copy of an alert we sent you early this past year concerning this.

Under the Rule, once you have a “triggering event” (execute a Continuing Disclosure Document in connection with an issuance of bonds or notes after February of 2019), you must adhere to the amendment’s new requirements to continue in complete compliance with your Continuing Disclosure Agreements. Most annoying to you is the need to post on EMMA the incurrence of any financial obligation - if material within ten (10) days of its incurrence. But the SEC, as was the case during the MCDC initiative, gives no guidance regarding materiality. We have found that most Bond Counsels also do not opine as to materiality.

Therefore, we believe that the incurrence of any financial obligation requires the posting of an Event Notice. Among the more common financial obligations that you must post on EMMA are direct debt placements with banks of bonds or notes, issuance of BANs or Temporary Notes, lease financings, Infrastructure Bank bonds, or Short-term loans, Green Loans, a new or expanded Service Agreement, and Guarantees. Further complicating your compliance burden is that another entity that takes on a financial obligation may cause you to have to report this as your obligation via posting of an Event Notice on EMMA. You should discuss with your Bond Counsel the identity of any such other entity that might mandate a posting to EMMA by you and notify that entity to inform you if they incur any financial obligation.

The Event Notice posting relating to the incurrence requires information about the financial obligation, including its terms, interest rate maturity, etc. Phoenix Advisors prepares a Summary Form of the financial obligation, so the posting is consistent in format and is useful to the market.

As you know, we are proactive in obtaining documents from you to post to EMMA on your behalf. However, the incurrence of a financial obligation is something of which you must immediately inform us to maintain your ongoing compliance.

Call or email our Continuing Disclosure department at 609.291.0130 or compliance@muniadvisors.com with any questions.

This Notice to alert you of the SEC amendment was originally sent in December of 2018.

NOTICE



Important Amendment to SEC Rule 15c2-12

As your Continuing Disclosure Agent, Phoenix Advisors, LLC, is required to make you aware of a recent amendment to Rule 15c 2-12 adopted by the Securities and Exchange Commission (the "SEC"). The amendment adds two additional Material Events ("Events") to the current list of Events. The amendment becomes effective February 27, 2019.

What are the New Events

1. *Incurrence of a financial obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the obligated person, any of which affect security holders, if material; and*

2. *Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the obligated person, any of which reflect financial difficulties.*

What This Means to You

The SEC requires a notice to be posted within 10 days of the occurrence of any of the Events listed under the Rule. **If you are to remain compliant and provide the market with up-to-date information, you must make Phoenix Advisors aware of any financial obligation you undertake so that the appropriate posting to EMMA is made in a timely manner. The new obligations, which must be posted, include, but may not be limited to, a:**

- Bond Anticipation Note or any Short-Term Note Borrowing
- NJIB Financing
- Loan, Bond, or Lease Agreement with an Improvement Authority
- Lease Transaction
- Private or Direct Placement of Debt with a Bank or other lender
- USDA Loan



What Phoenix Advisors Will Do for You

Because we want you to be compliant Phoenix Advisors is proactive in providing your information to the marketplace. Our proactive approach distinguishes us from others offering similar services. The language included in the new Event requirements speaks to “material” obligations. However, as we all saw in 2014 during the SEC’s MCDC Initiative, the SEC would not opine on what was, or was not, “material”. Without a definition of “material” from the SEC, the market has insisted on full and complete disclosure.

Our approach will be to post an Event notice on all financial obligations undertaken by our clients, along with the appropriate and required details of any obligation incurred but issued without an Official Statement.

What We Must Do Together

If we are involved and working with you as your Municipal Advisor on your transaction, you can be assured the appropriate documents will be posted to EMMA on a timely basis.

However, if we are not serving as your Municipal Advisor of a transaction, the onus is on you and those working with you on your transaction to inform us of any borrowing or financial obligation such as those listed above. Many of the kinds of financial obligations covered by the change in the SEC regulations are not knowable to us without your cooperation, especially within the stipulated timeframe. You should consider asking your Bond Counsel to assist you by adding Phoenix Advisors to their distribution of documents. We understand that Bond Counsel may not be involved in every such transaction, so in the final analysis, if you are to remain in compliance, it will be up to you to loop us in.

Phoenix Advisors will endeavor to help you to be in full compliance with all your current and future Secondary Market Agreements. The new Events added by the SEC are burdensome, but with your cooperation we can meet the challenge.

As a result of the added work required by the changes to Rule 15c2-12 you’ll note a modest fee increase in your 2019 Continuing Disclosure Agreement for the added work needed to track, monitor, and post documents. If you have questions, or need more information, please call **609.291.0130** to speak with one of our Advisors.

R: 2020-60

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR
PROFESSIONAL SERVICES WITH VAN CLEEF ENGINEERING
ASSOCIATES FOR ENGINEERING SERVICES REGARDING
MERCER STREET STORMWATER INVESTIGATION**

WHEREAS, the Town of Phillipsburg has a need to acquire professional services relative to the renovation and rehabilitation of Mercer Street("Project"); 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, VanCleaf Engineering Associates, Inc., submitted a proposal dated February 05, 2020, to provide services relative to the Project; and

WHEREAS, the value of these services shall not exceed \$5,000.00; 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 Van Cleaf Engineering Associates, 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 February 18, 2020.

Victoria L. Kleiner, Municipal Clerk



Nell I. Van Cleef, P.E., L.S. & P.P.
Robert J. Clerico, P.E., P.P., CME, CPWM
Samuel D. Costanzo, P.E. & P.P.
Cynthia V. Norfleet, COO
Mark A. Bahnick, P.E.
Lawrence M. Diffley, P.E., PTOE
Michael K. Ford, P.E., P.P.
Jeffrey W. Munzing, P.E.
Stanley J. Schrek, P.E., A.I.A., P.P., CME, LEED AP
Herbert J. Seeburger, Jr., P.E., CME, CPWM

Since 1972 • Consulting Civil Engineers | Land Development | Municipal |
Bridges | Highways | Construction Management | Construction Inspection |
Dams | Geotechnical | Hydraulics/Hydrology | Water/Wastewater |
Stormwater Management | Surveying | Planning | Landscape Architecture

February 5, 2020

Mayor Todd M. Tersigni
Town of Phillipsburg
120 Filmore Street
Phillipsburg, New Jersey 08865

**RE: Town of Phillipsburg
Mercer Street Stormwater Investigation
Professional Services Proposal
Our Project Number 9115**

Dear Mayor Tersigni:

In accordance with your request, Van Cleef Engineering Associates is pleased to present you with our proposal for Engineering Services for bid package preparation and construction administration phases for the above-referenced project.

The project is the preliminary phase to address flooding along Mercer Street in vicinity of Ivy Alley, which was triggered by a violation meeting/inspection conducted by NJDEP on 8/26/2019 with the prior Town Administration. As a result of the NJDEP directive issued at the meeting, our office was worked with the DPW to investigate the flooding problem. The initial investigation involved the DPW utilizing their equipment to clean and inspect the line with our office providing support. The DPW inspection and cleaning was limited as the stormwater segment traverses Delaware Park section that was a former landfill and the depth of the main exceeds 30' in areas and consists of 48" diameter pipe and 3' x 3' box culvert. The configuration and condition of the line was such that confined space entry was not safe by the DPW and requires robotic camera inspection by outside contractor. Our office in coordination with the prior administration and Town CFO attempted to secure an emergency contractor to complete the work in September 2019, however in discussions with the Auditor an emergency could not be declared due to the issue being ongoing known issue to the town. As a result of the emergency not being approved, our office was authorized to solicit quotes in September 10, 2019, due to location of the work and limited duration of work permitted under the quote threshold, contractors did not submit quotes. Following, soliciting quotes, our office coordinated with the DPW to perform additional investigations and prepared a bid package. The bid package was submitted to the Town at the beginning of November and prior to publication, the project was put on hold by the prior administration. Then DEP on November 13, 2019 issued another notice requiring corrective repairs. At this time the our office estimates the outside contractor inspection and cleaning to cost \$30,000 to \$40,000 and take up to 30 working days. Our office further advises, additional repairs including replacement of portions of the line may be required to address the flooding issues.

To accomplish the above, we offer the following Scope of Services for your consideration:

VanCleefEngineering.com

Please Reply To:

PHILLIPSBURG NJ OFFICE

755 Memorial Parkway, Suite 110 • Phillipsburg NJ 08865
908.454.3080 • Fax: 908.454.1397

With Other Offices In:

Hillsborough NJ • Lebanon NJ • Mt. Arlington NJ • Freehold NJ
Toms River NJ • Hamilton NJ • Doylestown PA • Bethlehem PA
Mechanicsburg PA • Leesport PA • Newark DE

Task 1.0 Bid Package Preparation

Van Cleef Engineering Associates was previously authorized to prepare bid specifications for the above reference project and the project was shelved. Our office has already completed the needed revisions to bid project at the current time.

Task 2.0 Construction Administration/Report

Van Cleef Engineering Associates will provide onsite inspection and will coordinate with the contractor during the video inspection and cleaning. The work is bid in a manner that work may include up to 30 days of video inspection. Upon completion of the video inspection our office will provide a summary finding letter report to summarize the corrective work that will be required.

Fee Schedule

The Fee Schedule which includes all of the tasks outlined in the above-referenced Scope of Services for the project is as follows:

Task 1.0 – Bid Package Preparation	Lump sum Fee	\$1,000.00
Task 2.0 – Construction Administration/Report	Lump Sum Fee	\$4,000.00
	Total Lump Sum Fee	\$5,000.00

The above proposal does not include within the above quoted price the following:

- Any engineering studies (i.e. Traffic, Geotechnical, Drainage, Environmental, etc.) not required as part of the above Scope of Services.
- Any Cultural resource studies.
- Any permits with the exception of those included in the proposal.
- Application or Review Fees to any outside agencies.
- Test pits for utility verification or other subsurface investigation.
- As-built or record plan preparation.
- Material and laboratory testing.
- Construction layout.
- UST investigation or removal.

If any of the above additional work is required, we will prepare separate proposals upon request. Any work not specifically outlined in this proposal can be provided on a time and material basis in accordance with our current schedule of hourly billing rates, but only with your consent.

Van Cleef Engineering Associates proposes to invoice the Town of Phillipsburg, monthly, on a “percentage complete” basis. Terms & conditions will be in accordance to our standing contract with the Town of Phillipsburg.

Should you have any questions or require additional information with regard to this proposal, please do not hesitate to contact our office. We appreciate being given this opportunity to submit this proposal to you and look forward to working on this important project.

Should this proposal be acceptable, please sign and date both originals and return one (1) to our office.

Very truly yours,
Van Cleef Engineering Associates.



Stanley J. Schrek, PE, AIA, PP, CME, LEED AP
Town Engineer

cc: Council
Victoria Kleiner, RMC, Town Clerk
Robert Merlo, CFO
Richard Wenner, Esq.

Accepted:

Mayor Todd M. Tersigni

Date

R: 2020-61

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY,
APPOINTING DEBORAH HAY
AS ALTERNATE DEPUTY REGISTRAR/CLERK 1**

WHEREAS, the Town of Phillipsburg has a vacancy in the position of alternate deputy registrar/clerk 1; and

WHEREAS, the Town has a need to appoint an alternate deputy registrar/clerk 1; and

WHEREAS, Deborah Hay has ably served in the capacity of alternate deputy registrar/clerk 1; and

WHEREAS, the governing body of the Town believes that Deborah Hay is the most qualified candidate and desires to appoint Ms. Hay as alternate deputy registrar/clerk 1 for the Town; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that Deborah Hay is hereby appointed as the alternate deputy registrar/clerk 1 for 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 February 18, 2020 meeting.

Victoria L. Kleiner, RMC

R: 2020-62

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN,
STATE OF NEW JERSEY, APPOINTING MEMBERS TO THE OPEN SPACE
ADVISORY COMMITTEE**

BE IT RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the following members are hereby appointed to the Open Space Advisory Committee:

WHEREAS, The Open Space Advisory Committee shall consist of ten (10) regular members and two (2) alternate member as follows:

One (1) member of the Phillipsburg Town Council. (Council Appt.)
Councilman Fulper

Three (3) residents of the Town of Phillipsburg. (Council Appt.)
Steve Stocker; Mark Lutz; Meliss Paulus

Three (3) property owners or residents of the Town of Phillipsburg. (Mayor Appt.)
Sue Piazza; Matt Scerbo; James Campbell

One (1) representative of the Phillipsburg Historical Commission. (Mayor Appt.)
(vacant)

One (1) representative of the Phillipsburg Recreation Commission (Council Appt.)
Ann Davis

The Town of Phillipsburg Business Administrator
(vacant)

Two (2) Alternate members (1 Mayor, 1 Council Appointment)
Bill Spencer – Land Use Board;

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 February 18, 2020 meeting.

Victoria L. Kleiner
Municipal Clerk

R: 2020-63

**RESOLUTION APPROVING PHILLIPSBURG NEIGHBORHOOD PRESERVATION
PLAN**

WHEREAS, a New Jersey Department of Community Affairs Neighborhood Preservation Program grant has been awarded to the Town of Phillipsburg and its community partner, Norwescap, for the implementation of revitalization improvements along the South Main Corridor in the City of Phillipsburg, and

WHEREAS, pursuant to the Neighborhood Preservation Program guidelines, an extensive community engagement effort helped guide the creation of a comprehensive one-year implementation plan drafted by and established NPP Planning Team, and

WHEREAS, Norwescap and New Jersey Community Capital wrote a detailed plan utilizing data from the US census, information from the Town of Phillipsburg's Riverfront Redevelopment and the Riverfront Heritage Trail plans, and feedback from more than 360 community stakeholders providing support on the aforesaid project, and the State of New Jersey has officially approved said plan; and

WHEREAS, this resolution authorizes the Town, in partnership with Norwescap, to carry out all items within the plan with a total one-year budget of \$125,000 inclusive of \$25,000 in Town matching funds, and additional in-kind support from community partners in the amount of \$33,000 for the aforesaid Neighborhood Preservation Program project.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Phillipsburg hereby endorses and approves the Phillipsburg Neighborhood Preservation one-year implementation plan, and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the New Jersey Department of Community Affairs so that implementation of the aforesaid project may be expedited.

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 February 18, 2020 meeting.

Victoria L. Kleiner
Municipal Clerk

R: 2020-64

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

WHEREAS, the Town of Phillipsburg (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the "Fund" has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of "Local Unit", in the County of Warren and State of New Jersey, as follows:

1. The Town of Phillipsburg hereby appoints Ryan Graham of Fairview Insurance Agency Associates, Inc. its local Risk Management Consultant.
2. The Mayor and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2020 in the form attached hereto.

Attest:

Name of Entity: Town of Phillipsburg

Todd M. Tersigni, Mayor

Certification

I, Victoria L. Kleiner, Clerk of the, Town of Phillipsburg, County of Warren, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on February 18, 2020.

Clerk

**2020 FUND YEAR
STATEWIDE INSURANCE FUND**

RISK MANAGEMENT CONSULTANT'S AGREEMENT

THIS AGREEMENT entered into this 18th day of February 2020, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, County of Warren ("MEMBER") and Ryan Graham, Fairview Insurance Agency Associates, Inc. ("CONSULTANT") through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4.

WHEREAS, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

WHEREAS, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

WHEREAS, the MEMBER desires these professional services from the CONSULTANT; and

WHEREAS, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

WHEREAS, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - (a) assist in evaluating the MEMBER'S exposures and advise on matters relating to the Member's operation and coverage.
 - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
 - (c) explain to the MEMBER, or its representatives, the terms of the member's commitment and obligations to the FUND.
 - (d) explain to the MEMBER, or its representatives the operation of the FUND.
 - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
 - (f) review the MEMBER'S assessment and assist in the preparation of the MEMBER'S insurance budget.
 - (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.

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- (h) assist in the claims settlement process, if required, by MEMBER or FUND.
- (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
- (j) comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
- (k) act in good faith and fair dealing to the FUND.
- (l) perform other duties for the FUND as may be required from time to time by the FUND.

2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:

- (a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of non WC assessment (excluding any fees, PLIGA, and loss ratio apportionment);
- (b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.
- (c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee set forth in 2(a).
- (d) If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.

3. The term of this Agreement shall be from **January 1, 2020** to **January 1, 2021**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.

4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.

5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance

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with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

ATTEST:

Member Representative

ATTEST:

Risk Management Consultant Corporate Officer

ATTEST:

Statewide Insurance Fund Chairperson

**EXHIBIT A
STATEWIDE INSURANCE FUND**

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE
(N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.)

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

This form is a summary of the successful professional service entity's requirement to comply with the requirements of **N.J.S.A. 10:5-31 et seq.** and **N.J.A.C. 17:27 et seq.**

The successful professional service entity shall submit to the Statewide Insurance Fund, after notification of award but prior to execution of this contract, one of the following three documents as forms of evidence:

(a) A photocopy of a valid letter that the vendor is operating under an existing Federally approved or sanctioned affirmative action program (good for one year from the date of the letter);

OR

(b) A photocopy of a Certificate of Employee Information Report approval, issued in accordance with N.J.A.C. 17:27-1.1 et seq.;

OR

(c) A photocopy of a completed Employee Information Report (Form AA302) provided by the Division of Contract Compliance and completed by the vendor in accordance with N.J.A.C. 17:27-1.1 et seq.

The successful professional service entity may obtain the Employee Information Report (AA302) from the Statewide Insurance Fund during normal business hours.

The undersigned professional service entity certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. and agrees to furnish the required forms of evidence.

The undersigned professional service entity further understands that his/her submission shall be rejected as non-responsive if said professional service entity fails to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq.

COMPANY: _____
Risk Management Consultant

SIGNATURE: _____

PRINT NAME: _____

TITLE: _____ DATE: _____

RESOLUTION AUTHORIZING THE ISSUANCE OF NON-RECORSE REDEVELOPMENT AREA BONDS OF THE TOWN OF PHILLIPSBURG IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 (I-78 LOGISTICS PARK PROJECT) AND DETERMINING OTHER MATTERS RELATED THERETO

WHEREAS, pursuant to the Local Redevelopment and Housing Law, as amended and supplemented, *N.J.S.A. 40A:12A-1 et seq.* (the “**Act**”), the Town of Phillipsburg in the County of Warren, New Jersey (the “**Town**”) has designated the former Ingersoll Rand site, commonly known as Block 3401, Lots 1, 3, 4, 5, 6, 7, 8, and 9 on the tax map of the Town as an “area in need of redevelopment” (the “**Redevelopment Area**,” such Redevelopment Area having been previously designated as Block 3201, Lots 7.01, 7.02, 7.03, 7.04, 7.05, 7.06, 7.07, 7.08, 7.09, 7.10, 7.11, 7.12 and 7.13 and Block 3301, Lots 1, 2, 4, 4.01, 5 and 6) and adopted a redevelopment plan for the Redevelopment Area entitled the “Revised Phillipsburg Commerce Park Redevelopment Plan,” as the same may be further amended and supplemented from time to time (the “**Redevelopment Plan**”); and

WHEREAS, pursuant to the Act, the Town and Opus Investments Limited Liability Company (“**Opus**”) entered into that certain Redevelopment Agreement dated September 2, 2015 (the “**Original Redevelopment Agreement**”); and

WHEREAS, pursuant to the terms of the Original Redevelopment Agreement, Opus intended to construct an approximately 3,400,000 square foot logistics and distribution center on the Redevelopment Area (the “**Project**”), with additional development on adjacent parcels located in the Township of Lopatcong; and

WHEREAS, the Project now consists of two phases (the “**Phase 1 Project**” and the “**Phase 2 Project**,” each as hereinafter described); and

WHEREAS, the Phase 1 Project includes the construction of three (3) warehouse/ light industrial buildings totaling approximately 1,202,243 square feet, consisting of “Building 3” (approximately 607,729 square feet), “Building 5” (approximately 175,055 square feet), and “Building 6” (approximately 419,459 square feet), and all on-site and off-site infrastructure required therefor, all to be constructed on the following parcels: Block 3401, Lots 5, 6, 7, 8, and 9 (collectively, the “**Phase 1 Land**”); and

WHEREAS, the Phase 2 Project includes the construction of two (2) warehouse/ light industrial building totaling approximately 1,670,700 square feet, consisting of “Building 1” (approximately 1,408,200 square feet) and “Building 4” (approximately 262,500 square feet), and all on-site and off-site infrastructure required therefor, all to be constructed on Block 3401, Lots 1, 3, and 4 (the “**Phase 2 Land**”); and

WHEREAS, in furtherance of the development of the Redevelopment Area, Phillipsburg Commerce Park Urban Renewal Entity, LLC (the “**Initial Entity**”), an affiliate of Opus, applied

to the Town for a tax exemption pursuant to Long Term Tax Exemption Law of 1992, as amended and supplemented, *N.J.S.A. 40A:20-1 et seq.* (the “**Tax Exemption Law**”) and via Ordinance 0: 2015-23 adopted on December 15, 2015 (the “**Financial Agreement Ordinance**”) the Town approved the execution of a financial agreement governing the payment by the Initial Entity of payments in lieu of real estate taxes in connection with the Project, which financial agreement was executed on December 18, 2015 (the “**Original Financial Agreement**”); and

WHEREAS, in furtherance of the development of the Project within the Redevelopment Area, certain improvements to the roadways, stormwater system, curbing, lighting and other infrastructure improvements are to be constructed within, and adjacent to, the Redevelopment Area (collectively, the “**Infrastructure Improvements**”); and

WHEREAS, the Infrastructure Improvements will be, and are intended to be, improvements for which special assessments may be imposed pursuant to the Local and Other Improvements Law, *N.J.S.A. 40:56-1 et seq.*, as amended and supplemented (the “**Local Improvements Law**”) and/or *N.J.S.A. 40A:12A-66(c)* and such improvements will benefit the Redevelopment Area; and

WHEREAS, to defray some of the costs of the Infrastructure Improvements, thereby making the Project viable, the Town intends to issue one or more series of bonds, not to exceed \$2,500,000 (the “**Bonds**”) pursuant to the Redevelopment Area Bond Financing Law, *N.J.S.A. 40A:12A-64 et seq.* (the “**RAB Law**”) and that certain Indenture of Trust (the “**Master Indenture**,” as same may be amended and supplemented from time to time, included by the hereinafter defined First Supplemental Indenture and Second Supplemental Indenture, the “**Indenture**”), to be dated as of the first day of the month of issuance of the first series of Bonds, by and between the Town and a bank named therein (the “**Trustee**”) (any series of Bonds allocable to the Phase 1 Project, not to exceed \$1,000,000, the “**Phase 1 Bonds**,” and any series of Bonds allocable to the Phase 2 Project, not to exceed \$1,500,000, the “**Phase 2 Bonds**”); and

WHEREAS, the Bonds shall be NON-RECOURSE to the Town; and

WHEREAS, in order to effect the mechanism for the payment of a special assessment to secure the Bonds, the Town adopted on December 15, 2015 that certain ordinance entitled “AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY, PROVIDING FOR THE SPECIAL ASSESSMENT OF THE COST OF CERTAIN ROADWAY AND OTHER INFRASTRUCTURE IMPROVEMENTS IN THE REDEVELOPMENT AREA CONSISTING OF BLOCK 3201, LOTS 7.01 - 7.13 AND BLOCK 3301, LOTS 1, 2, 4, 4.01, 5 AND 6 ON THE TAX MAP OF THE TOWN AND APPROVING AGREEMENTS IN CONNECTION THEREWITH” (the “**Special Assessment Ordinance**”), and the Town and the Initial Entity executed that certain Special Assessment Agreement, dated as of December 18, 2015 (the “**Original Special Assessment Agreement**,” and together with the Original Redevelopment Agreement and the Original Financial Agreement, the “**Original Town Documents**”); and

WHEREAS, pursuant to that certain “Assignment and Assumption of Redevelopment Agreement, Financial Agreement and Special Assessment Agreement,” dated January 31, 2018,

the Original Redevelopment Agreement, Original Financial Agreement, and the Original Special Assessment Agreement were assigned by Opus and the Initial Entity, respectively, to 1-78 Logistics Park Phillipsburg Urban Renewal, LLC (the “**Phase 2 Entity**”); and

WHEREAS, each of the Original Town Documents, provided that each such agreement may be separated into separate agreements on a phase by phase basis; and

WHEREAS, the Phase 2 Entity applied to the Town to separate each of the Original Town Documents on a phase by phase basis, such that each of the Phase 1 Project and Phase 2 Project shall be governed by its own redevelopment agreement, financial agreement, and special assessment agreement (the “**Phase 1 Redevelopment Agreement**,” “**Phase 2 Redevelopment Agreement**,” “**Phase 1 Financial Agreement**,” “**Phase 2 Financial Agreement**,” “**Phase 1 Special Assessment Agreement**,” and “**Phase 2 Special Assessment Agreement**,” respectively); and

WHEREAS, the Phase 2 Entity requested that it be the redeveloper of the Phase 2 Project and party to the Phase 2 Redevelopment Agreement, Phase 2 Financial Agreement, and Phase 2 Special Assessment Agreement, respectively; and

WHEREAS, the Phase 2 Entity requested that 1-78 Logistics Park II Phillipsburg Urban Renewal, LLC (the “**Phase 1 Entity**,” an affiliate of the Phase 2 Entity) be the redeveloper of the Phase 1 Project and party to the Phase 1 Redevelopment Agreement, Phase 1 Financial Agreement, and Phase 1 Special Assessment Agreement, respectively; and

WHEREAS, on September 17, 2019, the Town Council adopted a resolution authorizing the Phase 1 Redevelopment Agreement, Phase 1 Financial Agreement, and Phase 1 Special Assessment Agreement by and between the Town and the Phase 1 Entity, and the Phase 2 Redevelopment Agreement, Phase 2 Financial Agreement, and Phase 2 Special Assessment Agreement by and between the Town and the Phase 2 Entity; and

WHEREAS, on November 26, 2019, the Town Council adopted on second reading ordinances ratifying and confirming the authorization, execution, and delivery of each of the Phase 1 Financial Agreement, Phase 2 Financial Agreement, Phase 1 Special Assessment Agreement, and Phase 2 Special Assessment Agreement; and

WHEREAS, each of the Phase 1 Entity and the Phase 2 Entity are single purpose urban renewal entities created pursuant to the Tax Exemption Law for the development, operation and maintenance of the Phase 1 Project and Phase 2 Project, respectively; and

WHEREAS, the Phase 1 Bonds shall be secured by the Pledged Annual Service Charge pursuant to and as defined in the Phase 1 Financial Agreement (the “**Phase 1 Pledged Annual Service Charge**”) and the Phase 1 Special Assessment pursuant to and as defined in the Phase 1 Special Assessment Agreement; and

WHEREAS, pursuant to a Pledge and Assignment Agreement to be dated as of the first day of the month of issuance of the Phase 1 Bonds (the “**Phase 1 Pledge Agreement**”), between

the Town and the Trustee, the Town shall assign all of its right, title, and interest in the Phase 1 Pledged Annual Service Charge and Phase 1 Special Assessment to the Trustee; and

WHEREAS, the Phase 2 Bonds shall be secured by the Pledged Annual Service Charge pursuant to and as defined in the Phase 2 Financial Agreement (the “**Phase 2 Pledged Annual Service Charge**”) and the Phase 2 Special Assessment pursuant to and as defined in the Phase 2 Special Assessment Agreement; and

WHEREAS, pursuant to a Pledge and Assignment Agreement to be dated as of the first day of the month of issuance of the Phase 2 Bonds (the “**Phase 2 Pledge Agreement**”), between the Town and the Trustee, the Town shall assign all of its right, title, and interest in the Phase 2 Pledged Annual Service Charge and Phase 2 Special Assessment to the Trustee; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-67(g) of the RAB Law, a bond, such as the Phase 1 Bonds and the Phase 2 Bonds, that are secured in whole or in part by payments in lieu of taxes and/or special assessments shall be subject to the review and approval of the Local Finance Board within the New Jersey Department of Community Affairs (the “**Local Finance Board**”); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-29(3)(a) of the Act, the Bonds may be sold at public sale to any willing buyer at less than par and at private sale to any willing buyer without advisement at part or less than par, upon application to and prior approval of the Local Finance Board; and

WHEREAS, the Town submitted an application (the “**Application**”) to the Local Finance Board in connection with the issuance of the Bonds; and

WHEREAS, on December 11, 2019 the Local Finance Board approved such Application.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. Determination to Issue. To accomplish the purposes and objectives of the Act and the RAB Law, the Town hereby determines to finance the Infrastructure Improvements and/or other costs of the Project which may be financed by the Bonds pursuant to the RAB Law. In order to finance the Infrastructure Improvements and/or other costs of the Project which may be financed by the Bonds pursuant to the RAB Law, the Bonds are hereby authorized to be issued in the aggregate principal amount not to exceed \$2,500,000. The Bonds shall be issued in one or more series, shall be dated, shall bear interest at such rates of interest and shall be payable as to principal, interest and premium, if any, all as is specified therein. The Bonds shall be issued in the form, shall mature and shall have such other details and provisions as are prescribed by the Indenture.

Section 2. Bonds to Constitute Special, Limited Obligations. The Bonds shall be special, limited obligations of the Town, payable: (i) with respect to the Phase 1 Bonds, first, from the Phase 1 Pledged Annual Service Charge and secondly, from the Phase 1 Special Assessment, and

(ii) with respect to the Phase 2 Bonds, first, from the Phase 2 Pledged Annual Service Charge and secondly, from the Phase 2 Special Assessment, and all such moneys are hereby pledged to the payment of the Phase 1 Bonds and Phase 2 Bonds, respectively. The payment of the principal of, premium, if any, and interest on the: (i) Phase 1 Bonds shall be secured by a pledge and assignment of the Phase 1 Pledged Annual Service Charge and Phase 1 Special Assessment pursuant to the Phase 1 Pledge Agreement, and (ii) Phase 2 Bonds shall be secured by a pledge and assignment of the Phase 2 Pledged Annual Service Charge and Phase 2 Special Assessment pursuant to the Phase 2 Pledge Agreement. Neither the members of the Town Council nor any person executing the Bonds issued pursuant to this Resolution, the Act and the RAB Law shall be liable personally on the Bonds by reason of the issuance thereof. The Bonds shall not be in any way a debt or liability of the Town other than to the limited extent set forth in the Indenture. Neither the faith and credit nor taxing power of the Town is pledged to the payment of the principal of, premium, if any, or interest on the Bonds.

Section 3. Authorization of Bonds. (a) Each of the Phase 1 Bonds and the Phase 2 Bonds shall mature no later than 32 years from the date of issuance thereof. The (i) Phase 1 Bonds shall be issued in an aggregate principal amount not exceeding \$1,000,000, and (ii) Phase 2 Bonds shall be issued in an aggregate principal amount not exceeding \$1,500,000. The Bonds shall bear interest at a rate or rates of interest which shall not exceed the maximum interest rates approved by the Local Finance Board.

(b) The Mayor, Deputy Mayor or Business Administrator (each an “**Authorized Officer**”) are each hereby authorized, if determined to be necessary, desirable, or convenient by such Authorized Officer, in consultation with counsel, to execute and deliver on behalf of the Town a contract of purchase for the purchase of the Bonds (the “**Contract of Purchase**”) with a purchaser (the “**Purchaser**”) to be determined by a certificate of award executed by an Authorized Officer (the “**Award Certificate**”) as determined by an Authorized Officer in consultation with counsel, approval thereof to be evidenced by such Authorized Officer’s execution thereof, for the purchase of the Bonds. The Phase 1 Bonds and the Phase 2 Bonds may be sold to different Purchasers. The Bonds may be sold pursuant to a competitive sale, negotiated sale, limited placement agency, or direct private purchase, all as determined by an Authorized Officer. A copy of the Contract of Purchase, if any, shall be filed upon execution with the records of the Town.

Section 4. Execution and Authentication. The Bonds shall be executed and authenticated in accordance with the Master Indenture, First Supplemental Indenture (as defined herein), and Second Supplemental Indenture (as defined herein), and shall be issued in registered form qualifying for book-entry registration.

Section 5. Delivery of Bonds. Following execution of the Bonds, the Authorized Officers are each hereby authorized to deliver the Bonds to the Trustee for authentication and, after authentication, to deliver the Bonds to the Purchaser against receipt of the purchase price or unpaid balance thereof.

Section 6. Approval of Offering Document. The distribution of a Limited Offering Memorandum or Official Statement in preliminary form, if any (the “**Preliminary Offering Document**”) relating to the Bonds (a draft of which shall be filed with records of the Town) in

connection with the marketing of the Bonds, and the distribution of a final Limited Offering Memorandum or Official Statement relating to the Bonds to the Purchaser of the Bonds (the “**Final Offering Document**” and together with the Preliminary Offering Document, the “**Offering Document**”) is hereby authorized. The Authorized Officers are each hereby authorized to (i) determine to sell the Bonds in a private placement transaction without a Preliminary Offering Document or Final Offering Document, so long as the Purchaser signs a certificate to the effect, at a minimum, that it has reviewed all of the documentation it determines shall be necessary, desirable or convenient in order for it to make an informed decision, as an accredited investor, that it shall accept all of the risk of the transaction, including without limitation the risk of repayment of the principal of and interest on the Bonds, or alternatively (ii) approve the contents of the Preliminary Offering Document with such changes therein and modifications thereto as counsel may advise and such officer of the Town may approve. The Authorized Officers are each hereby authorized to approve the contents of the Offering Document and to execute the Final Offering Document on behalf of the Town, which Final Offering Document shall be in substantially the form of the Preliminary Offering Document with such changes therein (including the insertion of the redemption provisions and the initial interest rates for the Bonds) and supplements thereto as counsel may advise and the officer of the Town executing the same may approve, such approval to be evidenced by such officer's execution thereof. The Authorized Officers are each hereby authorized to “deem final” the Preliminary Offering Document and to execute and deliver a certificate to the Purchaser to such effect.

Section 7. Approval of Master Indenture, First Supplemental Indenture, and Second Supplemental Indenture. The form of the Master Indenture presented at this meeting (a copy of which is on file with the records of the Town), and all instruments to be attached thereto or executed in conjunction therewith, including the form of the supplemental indenture applicable to the Phase 1 Bonds (the “**First Supplemental Indenture**”) and the form of the supplemental indenture applicable to the Phase 2 Bonds (the “**Second Supplemental Indenture**”) are each hereby approved and the Authorized Officers are each hereby authorized to execute, acknowledge and deliver, and the Town Clerk or Deputy Town Clerk are each hereby authorized to affix and attest the seal of the Town to the Master Indenture, the First Supplemental Indenture and Second Supplemental Indenture in substantially such form, with such changes therein as counsel may advise and the officers executing the same may approve, such approval to be evidenced by their execution thereof.

Section 8. Incidental Action. The Authorized Officers are hereby authorized to execute and deliver such other papers, instruments, certificates, opinions, affidavits and documents, including, without limitation, the Phase 1 Pledge Agreement, the Phase 2 Pledge Agreement, and, if determined to be necessary, desirable, or convenient by the Authorized Officers, an escrow agreement for each of the Phase 1 Bonds and Phase 2 Bonds in such form as may be agreed upon by the Authorized Officers in consultation with counsel, providing, among other things, for the conditions for release from escrow of all applicable documents related to the issuance of the Bonds, and to take such other action as may be necessary or appropriate in order to carry out the purpose of this Resolution, including effectuating the execution and delivery of the Master Indenture, the First Supplemental Indenture, and the Second Supplemental Indenture, and the issuance and sale of the Bonds, all in accordance with the foregoing sections hereof.

Section 9. Prior Resolutions. All prior resolutions of the Town or portions thereof inconsistent herewith are hereby replaced.

Section 10. Construction. In case any one of more of the provisions of this Resolution, the Phase 1 Pledge Agreement, Phase 2 Pledge Agreement, the Contract of Purchase, the Offering Document or the Bonds issued hereunder shall for any reason be held illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution of the Phase 1 Pledge Agreement, the Phase 2 Pledge Agreement, the Contract of Purchase, the Offering Document and the Bonds shall be construed and enforced as if such illegal or invalid provision had not been contained therein.

Section 11. Ratification of Prior Actions. All acts previously undertaken by the Town in connection with the Project and the authorization, sale and issuance of the Bonds are hereby ratified and approved in all respects.

Section 12. Effective Date. This Resolution shall take effect immediately upon adoption.

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 February 18, 2020 meeting.

Victoria L. Kleiner
Municipal Clerk

R: 2020-66

STATEWIDE INSURANCE FUND

RESOLUTION APPOINTING FUND COMMISSIONER

WHEREAS, Town of Phillipsburg (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the that Victoria L. Kleiner is hereby appointed as the Fund Commissioner for the Local Unit for the year 2020; and

BE IT FURTHER RESOLVED that The Mayor is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2020; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund. .

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 February 18, 2020 meeting.

Victoria L. Kleiner
Municipal Clerk