

**TOWN OF PHILLIPSBURG**  
**Town Council Agenda**  
**June 20, 2017 – 7:00PM**  
**Phillipsburg Elementary School**  
**525 Warren Street**

1. OPEN PUBLIC MEETING ACT STATEMENT
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL
5. APPROVAL OF MINUTES

Approval of meeting minutes  
Were submitted for approval:  
  
Council Meeting -06-05-2017
6. APPROVAL OF BILLS

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

7. EXECUTIVE MEETING

R: 2017-

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

8. MAYOR'S REPORT

9. MUNICIPAL ALLIANCE DJ KOPHAZY – Speak about changes to the liquor license ordinance

10. OLD BUSINESS

11. PUBLIC DISCUSSION ON AGENDA ITEMS

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

## 12. ORDINANCE

O: 2017-06 (Second and Final Reading) **TABLED June 13, 2017**

BOND ORDINANCE PROVIDING FOR VARIOUS 2017 CAPITAL IMPROVEMENTS, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$1,311,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,245,830 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

### ROLL CALL

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

O: 2017-07 (First Reading) **TABLED 05-23-2017**

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

### ROLL CALL

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

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

O: 2017-10 (First Reading) **TABLED**

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

**ROLL CALL**

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

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

Historic Preservation

**ROLL CALL**

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

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

O: 2017-08 (Second and Final Reading)

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

**ROLL CALL**

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

O: 2017-13 (Second and Final Reading)

AN ORDINANCE ESTABLISHING 2016-2020 SALARIES FOR AFSCME AND NON-CONTRACTUAL EMPLOYEES

**ROLL CALL**

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

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

O:2017-14 (Second and Final Reading)

AN ORDINANCE ESTABLISHING 2016-2020 SALARIES  
FOR LIBRARY EMPLOYEES

**ROLL CALL**

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

13. **RESOLUTIONS**

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

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

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R: 2017-121

A RESOLUTION AUTHORIZING THE CLOSING OF STREETS  
AND A MUNICIPAL PARKING LOT

R: 2017-122

A RESOLUTION IMPOSING LIEN FOR MUNICIPAL SERVICES

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

R: 2017-123

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

R: 2017 - 124

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

R: 2017-125

A RESOLUTION PROVIDING FOR RENEWAL OF ENTERTAINMENT  
LICENSE

R: 2017-126

A RESOLUTION AWARDDING PURCHASES UNDER NEW JERSEY  
STATE CONTRACTOR

R: 2017-127

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL  
ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR  
MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87  
(CHAPTER 159, P.L. 1948) (Heckman St. Phase 2)

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

R: 2017-128

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL  
ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR  
MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87  
(CHAPTER 159, P.L. 1948)(FY 2017 Clean Communities)

R: 2017-129

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL  
ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR  
MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87  
(CHAPTER 159, P.L. 1948)(Generators for Emergency Svcs)

R: 2017-130

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR  
PROFESSIONAL SERVICES WITH VAN CLEEF ENGINEERING  
ASSOCIATES FOR IMPROVEMENTS TO HECKMAN STREET  
PHASE 2

14. NEW BUSINESS

16. PUBLIC PETITIONS  
(Public Comments)

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



17. HABITABILITY HEARINGS

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

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

18. OPEN TIME

19. MOTIONS

Approval for Raffle License No. RL: 1257 issued to the Garnet Boosterettes for a Tricky Tray October 28, 2017 from 6:00-9:00 PM

Approval for Raffle License No. RL: 1258 issued to The Garnet Boosterettes for a 50/50 on premise raffle to be conducted on:

09-08-2017; 09-15-2017; 09-28-2017;10-27-2017;11-10-2017;11-17-2017  
between the hours of 5:30-7:30 PM.

20. EXECUTIVE MEETING

R: 2017-

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING ... temporary shared services agreement with Alpha – Craig Dunwell

21. ADJOURNMENT

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

**Bill List Summary**  
**REGULAR BILL LIST AS OF JUNE 20, 2017**

		<u>Check No</u>
1	Current Fund	128,461.07
2	State & Federal Grants	32,539.61
4	Capital Fund	104,372.52
7	Sewage Utility Fund	27,915.83
8	Sewage Capital Fund	40,627.75
12	Planning Board Trust Fund	3,249.90
12	Opus Investments	6,670.00
13	Dog Trust Fund	0.00
15	Public Defender Trust Fund	0.00
16	Section 8	129.26
17	General Trust Fund	0.00
17	Commerce Park Redevelopment	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	190.40
21	Revolving Loan Fund	0.00
<b>Total Regular Bill List as JUNE 20, 2017</b>		<b>344,156.34</b>

**Section 8 Rent Payments for 2017**

16	Section 8 Program	144,466.20
<b>Total Section 8 Rent Payments Bill List as of</b>		<b>144,466.20</b>


**Pre-Paid Bill List as of JUNE 20, 2017**

1	Current Fund	2,000.00
2	State & Federal Grants	0.00
4	Capital Fund	0.00
7	Sewer Utility Fund	0.00
8	Sewer Utility Capital	0.00
12	Planning Board Trust Fund	0.00
16	Section 8	0.00
17	General Trust Fund	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	0.00
21	Revolving Loan Fund	0.00
<b>Total Pre-Paid Bill List for JUNE 20, 2017</b>		<b>2,000.00</b>

**Grand Total All Funds**

490,622.54

Approved By:

  
Robert J. Merlo, CFO

  
Stephen R. Ellis, Mayor

TOWN OF PHILLIPSBURG  
WARREN COUNTY, NEW JERSEY

BOND ORDINANCE NUMBER 2017-*db*

BOND ORDINANCE PROVIDING FOR VARIOUS 2017  
CAPITAL IMPROVEMENTS, BY AND IN THE TOWN OF  
PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE  
OF NEW JERSEY; APPROPRIATING \$1,311,400  
THEREFOR AND AUTHORIZING THE ISSUANCE OF  
\$1,245,830 BONDS OR NOTES OF THE TOWN TO  
FINANCE PART OF THE COST THEREOF

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 \$1,311,400, said sum being inclusive of the sum of  
\$65,570 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 \$1,311,400 appropriation not provided for  
by the \$65,570 down payment, negotiable bonds of the Town are hereby authorized to be  
issued in the aggregate principal amount of \$1,245,830 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  
\$1,245,830 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 as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Debt Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) <u>Administration:</u> , office furniture, equipment, machines, computers	\$100,500	\$95,475	\$5,025	5 years
(ii) <u>Public Safety:</u> in-car computers, in-Town camera enhancements, police vehicles, desktop computers	\$92,300	\$87,685	\$4,615	5 years
(iii) <u>Fire Department:</u> turnout gear, hose replacement, final installment payment on pumper, improvements and upgrades to vehicle, generators (Town match)	\$343,500	\$326,325	\$17,175	10 years
(iv) <u>Public Works:</u> TL3 lighting loader, variable message sign, light stands	\$235,500	\$223,725	\$11,775	10 years
(v) <u>Trails:</u> engineering and construction	\$25,500	\$24,225	\$1,275	10 years
(vi) <u>Recreation:</u> renovate tennis courts and volleyball courts at Green Street Park, install macadam or concrete walkways/ramps to enable access to handicapped accessible playground equipment at various playgrounds (Mercer and Howell)	\$140,500	\$133,475	\$7,025	10 years
(vii) <u>Municipal Pool:</u> pool improvements and dechlorination	\$135,500	\$128,725	\$6,775	10 years
(viii) <u>Library:</u> roof replacement, library furnishings (circulation desk, computer carrels), digital microfilm reader-printer-scanner	\$27,100	\$25,745	\$1,355	5 years
(vii) <u>Road Improvements:</u> road improvements engineering and construction	\$110,500	\$104,975	\$5,525	10 years
(viii) <u>Redevelopment:</u> 2017 redevelopment	\$100,500	\$95,475	\$5,025	10 years
<b>TOTALS</b>	<b><u>\$1,311,400</u></b>	<b><u>\$1,245,830</u></b>	<b><u>\$65,570</u></b>	<b>9.4 years</b>

(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 \$1,245,830.

(d) The aggregate estimated cost of said improvements or purposes is \$1,311,400, 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 \$65,570.

**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 9.4 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 \$1,245,830 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$130,000 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 \$1,245,830. 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: May 2, 2017**

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VICTORIA L. KLEINER,  
Clerk of the Town of Phillipsburg

**ADOPTED ON SECOND READING**  
**DATED: June 20, 2017**

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VICTORIA L. KLEINER,  
Clerk of the Town of Phillipsburg



**TOWN OF PHILLIPSBURG  
WARREN COUNTY, 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 *June 20*, 2017, 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 PROVIDING FOR VARIOUS 2017 CAPITAL IMPROVEMENTS, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$1,311,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,245,830 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

**Purpose(s):** Various 2017 capital improvements and equipment acquisitions for Town Administration, Public Safety, Public Works, Fire Department, Recreation, Trails, Municipal Pool, Library, Redevelopment and Road Improvements

**Appropriation:** \$1,311,400

**Bonds/Notes Authorized:** \$1,245,830

**Grants Appropriated:** -0-

**Section 20 Costs:** \$130,000

**Useful Life:** 9.4 years

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

**TOWN OF PHILLIPSBURG  
WARREN COUNTY, 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 June 20 2017 at 7:00 p.m. at the Phillipsburg Elementary School, 525 Warren St. 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 20 day of June 2017.

(SEAL)

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

**TOWN OF PHILLIPSBURG  
WARREN COUNTY, 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 May 2, 2017 and finally adopted on June 20, 2017 and approved by the Mayor, as applicable, on June 20, 2017.

2. After introduction, the bond ordinance was published as required by applicable law on May \_\_, 2017 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 June 20, 2017 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 21 day of June 2017.

(SEAL)

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

O: 2017-07

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

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

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

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

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

**Section 1**

Section § 485-4 is hereby amended as follows:

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

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

**Section 2**

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

**Section 3**

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

**ATTEST:**

**TOWN OF PHILLIPSBURG**

\_\_\_\_\_  
VICTORIA L. KLEINER,  
Municipal Clerk  
DATED:

\_\_\_\_\_  
STEPHEN R. ELLIS  
Mayor

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their May 23, 2017 meeting.

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

O: 2017-08

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

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

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

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

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

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

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

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

**Section 1**

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

**§ 464-2. Definitions.**

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

**CHANGE in TENANCY**

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

**LANDLORD and OWNER**

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

**OWNER-OCCUPIED**

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

**PEST MANAGEMENT PROFESSIONAL**

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

**PROPERTY MAINTENANCE**

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

**RENTAL PROPERTY**

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

**RENTAL UNIT**

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

**RESIDE**

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

**TENANTS**

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

**Section 2**

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

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



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

### **Section 3**

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

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

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

### **Section 4**

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

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

**Section 5**

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

**Section 6**

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

**Section 7**

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

**ATTEST:**

**TOWN OF PHILLIPSBURG**

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

\_\_\_\_\_  
STEPHEN R. ELLIS  
Mayor

DATED:

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their June 05, 2017 meeting.

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

O: 2017-10

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

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

**Section One.**

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

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

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

Lot

Market Street Lot

Transit Lot (across from Joe's Steak Shop)

Riverside Way Lot

Cedar Alley

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

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

**Section Two.**

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

**Section Three.**

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

**Section Four.**

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

**ATTEST:**

**TOWN OF PHILLIPSBURG**

\_\_\_\_\_  
VICTORIA L. KLEINER, RMC  
Municipal Clerk  
DATED:

\_\_\_\_\_  
STEPHEN R. ELLIS  
Mayor

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their June 05, 2017 meeting.

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

O: 2017-13

AN ORDINANCE ESTABLISHING 2016-2020 SALARIES FOR  
AFSCME AND NON-CONTRACTUAL EMPLOYEES

THE TOWN OF PHILLIPSBURG DOES ORDAIN:

Section 1 That Section 41-6, Subdivision (A) of the Phillipsburg Ordinance Code entitled "Elements of the Plan" is hereby amended to read as follows:

41-6 COMPENSATION PLAN

A compensation plan for positions is hereby established.

(A) Elements of the Plan

The compensation plan shall consist of:

(1) A basic table of numbered pay ranges for classified positions. Each numbered pay range in the basic table consists of a minimum and maximum bi-weekly rate with intermediate pay steps at approximately five percent (5%) intervals. Said basic table follows:

**2016-2020 SALARIES**

**AFSCME & NON-CONTRACTUAL**

**See attached schedule\*\***

**CERTIFICATION**

I, Victoria L. Kleiner, Registered Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an ordinance duly adopted by the Town Council at their June 05, 2017 meeting.

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Victoria L. Kleiner, Registered Municipal Clerk

O: 2017-14

AN ORDINANCE ESTABLISHING 2016-2019 SALARIES  
FOR LIBRARY EMPLOYEES

THE TOWN OF PHILLIPSBURG DOES ORDAIN:

Section 1 That Section 41-6, Subdivision (A) of the Phillipsburg Ordinance Code entitled "Elements of the Plan" is hereby amended to read as follows:

41-6 COMPENSATION PLAN

A compensation plan for positions is hereby established.

(A) Elements of the Plan

The compensation plan shall consist of:

(1) A basic table of numbered pay ranges for classified positions. Each numbered pay range in the basic table consists of a minimum and maximum bi-weekly rate with intermediate pay steps at approximately five percent (5%) intervals. Said basic is attached:

**2016-2019 SALARIES  
AFSCME**

**2016-2019 Non-Union Employees**

Part-time hourly positions shall be compensated as follows:

<b>Title</b>	<b>Minimum</b>	<b>Maximum</b>
Building Maintenance Worker	\$10.00	22.00
Library Page	8:25	10.00

## CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an ordinance duly adopted by the Town Council at their June 05, 2017 meeting.

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Victoria L. Kleiner, RMC

O: 2017 - 15

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

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

**Section 1**

**§625-39 Political Signs.**

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

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

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

**Section 2**

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

**Section 3**

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



**Section 4**

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

**ATTEST:**

**TOWN OF PHILLIPSBURG**

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

\_\_\_\_\_  
STEPHEN R. ELLIS  
Mayor

DATED:

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their June 20, 2017 meeting.

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

**R: 2017 - 110**

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

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

WHEREAS, the Town Council is so interested.

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

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey do hereby certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on May 23, 2017.

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Victoria L. Kleiner, Municipal Clerk

R: 2017-121

A RESOLUTION AUTHORIZING THE CLOSING OF STREETS  
AND A MUNICIPAL PARKING LOT

WHEREAS, Ole Town Festival 2017 will be held on Friday, June 23, 2017 and Saturday, June 24, 2017 at Walters Park, and

WHEREAS, the Committee has requested closing of Meyner, Lynn and Richard Roads and the closing of the Municipal Parking Lot at Walters Park on Saturday, June 24, 2016 from 7:00 AM to 11:30 PM, and

WHEREAS, the Committee has also requested that Wilson Street between Stockton and Anderson Streets, direction of travel be reversed on Saturday, June 24, 2017 between the hours of 7:00 AM and 11:30 PM,

CERTIFICATION

I, Victoria L. Kleiner, Registered Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their June 20, 2017 meeting.

---

Victoria L. Kleiner, Municipal Clerk

R: 2017-122

A RESOLUTION IMPOSING LIEN FOR  
MUNICIPAL SERVICES

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

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

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

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their June 20, 2017 meeting.

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Victoria L. Kleiner, RMC

**Schedule-Municipal Liens –June 20, 2017**

[illegible]

R: 2017-123

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

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

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

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

June 23, 2017 from 5:00 P.M. to 10:00 P.M. and also June 24, 2017  
from 12:00 PM to 10:00 PM also in accordance with all local ordinances.

The above stated Special Permit is for premises known as Walter's  
Park "Ole Town Festival, 1 Meyner Road, Phillipsburg, New Jersey.

CERTIFICATION

I, Victoria L. Kleiner, Registered Municipal Clerk for the Town of  
Phillipsburg, do hereby certify that the foregoing is a true copy of a  
resolution duly adopted by the Town Council at their June 20, 2017 meeting.

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Victoria L. Kleiner, RMC

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

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

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

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

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

PLENARY RETAIL CONSUMPTION: EFFECTIVE: July 1, 2017 FEE: \$1,400.00

2119-33-011-006	Claudio's Italian Café, Inc. T/A Italy's Pizza Restaurant	(pocket license)
2119-33-020-002	Maryann Stephanie Ignatz T/A Steve's Café	766 S. Main Street
2119-33-021-008	Alboc Corporation T/A Guy's Bar & Grill; IL Gaetano	665 Columbus Avenue
2119-33-022-005	Mez-Mer, LLC T/A Hammer Head Tavern & Grill	799-801 S. Main St
2119-33-013-004	Union Square Hotel, LLC T/A Sand Bar	412 S. Third St.
2119-33-025-005	Buncoe, Inc. T/A Hilltop Café	148 Hudson Street
2119-33-026-004	Draft Productions, LLC	378 Rockport Rd Port Murray NJ

2119-33-031-003	Splinters From the Pine, Inc. T/A SoMa Downtown Grill	62-64 S. Main Street
2119-33-041-001	Warren Cocktail Lounge A New Jersey Corporation T/A Warren Cocktail Lounge	671 Memorial Pkwy
2119-33-018-007	41 Third St., LLC, La Bella Via Brick Oven Bistro	41 Third St.,
2119-33-040-006	Marianna's Piazza Café II, LLC T/A Marianna's Pizza Café II	224 Stockton Street
2119-33-004-005	310 South Main St. Assoc. LLC/ T/A Marz Bar	142 Sitgreaves St.
2119-33-013-004	Union Square Hotel, LLC T/A The Sand Bar	27 Union Square
2119-33-032-007	Farley Pub T/A the Snack Bar	7 Filmore St.
2119-33-033-007	Makoto Japanese Restaurant, LLC T/A Makoto Japanese Restaurant	650 Mem. Pky

PLENARY RETAIL DISTRIBUTION    EFFECTIVE: July 1, 2016    FEE: \$1,400.00

2119-44-027-004	Norton's Cork'N Bottle T/A Norton's Cork'N Bottle	650 Memorial Pkwy
2119-44-028-005	Norton's Cork'N Bottle T/A Norton's Cork'N Bottle	1016 S. Main Street



CLUB LICENSES EFFECTIVE: July 1, 2016 FEE: \$ 150.00

2119-31-048-001 Italian American Social Club Pursel-Mill Streets

2119-31-052-002 Young Men's Italian Association 320 Mercer Street

### CERTIFICATION

I, Victoria L. Kleiner, Registered Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their June 20, 2017 meeting.

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

R: 2017-125

A RESOLUTION PROVIDING FOR RENEWAL OF  
ENTERTAINMENT LICENSE

WHEREAS, the following Plenary Retail Consumption licensee has filed required application for Entertainment License for period July 1, 2017 through June 30, 2018,

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg that Entertainment License is hereby issued to the following for above stated license term:

2119-33-021-008	Alboc Corporation T/A Guys Bar & Grill	665 Columbus Ave
2119-33-025-005	Mez-Mer, LLC T/A Hammer Head Tavern & Grill	799-801 S. Main St
2119-33-013-004	Union Square Hotel, LLC T/A Sand Bar	412 S. Third St.
2119-33-026-004	Draft Productions, LLC	378 Rockport Rd Port Murray NJ
2119-33-030-002	Maryann Stephanie Ignatz T/A Steve's Cafe	766 S. Main St
2119-33-031-003	Splinters From the Pine, Inc. T/A SoMa Downtown Grill	62-64 S. Main Street
2119-33-025-005	Bunco, Inc., T/A Hilltop Café	148 Hudson Street
2119-33-040-006	Marianna's Piazza Café II, LLC T/A Marianna's Pizza Café II	224 Stockton Street
2119-33-014-04	Flynn's Inc., T/A Flynn's Inc.,	341 Pursel Street

2119-33-041-001	Warren Cocktail Lounge A New Jersey Corporation T/A Warren Cocktail Lounge	671 Memorial Pkwy
2119-33-032-007	Farley Pub T/A the Snack Bar	7 Filmore St.
2119-33-004-005	310 South Main St. Assoc. LLC/ T/A Marz Bar	142 Sitgreaves St.

CLUB LICENSES

2119-31-052-002	Young Men's Italian Association	320 Mercer Street
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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 June 20, 2017 meeting.

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Victoria L. Kleiner, RMC

R: 2017-126

**A RESOLUTION AWARDING PURCHASES  
UNDER NEW JERSEY STATE CONTRACT**

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

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg that the following purchases under New Jersey State Contract are hereby authorized:

**Purchase of Fire Clothing**

**State Contract #A-80945**

**New Jersey Fire Equipment Co.  
119-131 Route 22 East  
Green Brook, NJ 08812**

**Personal Protective  
Equipment**

**One (1) Globe rear hanging name patch with velcro**

**Total - \$48.33**

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of resolution duly adopted by the Town Council at their June 20, 2017 meeting.

\_\_\_\_\_  
Victoria L. Kleiner, RMC

R: 2017-127

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL  
ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR  
MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87  
(CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

SECTION 1

NOW, THEREFORE, BE IT RESOLVED that the Town of Phillipsburg hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$261,270.00 under the category 3. Miscellaneous – Section F: Special Item of Revenue Anticipated With Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

FY2017 Municipal Aid Program-Improvements to Heckman Street – Phase 2

SECTION 2

BE IT FURTHER RESOLVED that the sum of \$261,270.00 be and is hereby appropriated under the caption of:

- 8. General Appropriations
  - (A) Operations – Excluded from “CAPS”

FY2017 Municipal Aid Program-Improvements to Heckman Street-Phase 2

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 June 20, 2017 meeting.

\_\_\_\_\_  
Victoria L. Kleiner, RMC

R: 2017-128

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL ITEM OF  
REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY  
PURSUANT TO N.J.S. 40A:4-87  
(CHAPTER 159, P.L. 1748)

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

SECTION 1

NOW, THEREFORE, BE IT RESOLVED that the Town of Phillipsburg hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$33,594.59 under the category 3. Miscellaneous – Section F: Special Item of Revenue Anticipated With Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

CLEAN COMMUNITIES PROGRAM

SECTION 2

BE IT FURTHER RESOLVED that the sum of \$33,594.59 be and is hereby appropriated under the caption of:

8. General Appropriations  
(A) Operations – Excluded from “CAPS”

**FY2017 CLEAN COMMUNITIES GRANT**

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 June 20, 2017 meeting.

---

Victoria L. Kleiner, RMC

R: 2017-129

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL  
ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR  
MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87  
(CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

SECTION 1

NOW, THEREFORE, BE IT RESOLVED that the Town of Phillipsburg hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$124,500.00 under the category 3. Miscellaneous – Section F: Special Item of Revenue Anticipated With Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

Generators for Emergency Services \$124,500.00

SECTION 2

BE IT FURTHER RESOLVED that the sum of \$70,350.00 be and is hereby appropriated under the caption of:

8. Capital Fund – Improvements Authorized  
MATCH 70,350.00

## CERTIFICATION

I, Victoria L. Kleiner, Registered Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their June 20, 2017 meeting.

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Victoria L. Kleiner  
Registered Municipal Clerk



**R: 2017-130**

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR  
PROFESSIONAL SERVICES WITH VAN CLEEF ENGINEERING  
ASSOCIATES FOR IMPROVEMENTS TO HECKMAN STREET  
PHASE 2**

**WHEREAS**, the Town of Phillipsburg has a need to acquire professional services relative to engineering services required for the improvements to Heckman Street Phase 2; 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**, Van Cleef Engineering Associates submitted a proposal dated June 15, 2017, to provide engineering and surveying services relative to the improvements to Heckman Street; and

**WHEREAS**, said proposal consisted of the following services and costs:

1.	Survey and Base Mapping-	\$12,000.00
2.	Permitting	\$1,500.00
3.	Design	\$15,000.00
4.	Construction Admin/Observation	\$20,000.00
	TOTAL:	\$48,500.00

**WHEREAS**, the Town Council finds it to be in the best interest of the Town of Phillipsburg to authorize said work; and

**WHEREAS**, funding for is available through receipt of a grant from the New Jersey Department of Transportation's Municipal Aid Program.

**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 Acting Municipal Clerk are authorized to enter into a Contract with Van Cleef Engineering Associates as described therein.

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

### **CERTIFICATION**

I, Victoria L. Kleiner, Registered Municipal Clerk 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 June 20, 2017.

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Victoria L. Kleiner, RMC