

**TOWN OF PHILLIPSBURG**  
**Town Council Agenda**  
**June 05, 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 -05-23-2017
6. APPROVAL OF BILLS

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

7. MAYOR'S REPORT

8. OLD BUSINESS

9. PUBLIC DISCUSSION ON AGENDA ITEMS

10. ORDINANCE

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: 2017-08 (First 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: 2017-09 (Removed)

O: 2017-10 (First Reading)

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

**ROLL CALL**

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

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O: 2017-11 (Removed)

O: 2017-13 (First 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						

O:2017-14 (First Reading)

AN ORDINANCE ESTABLISHING 2016-2020 SALARIES  
FOR LIBRARY 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.

11. RESOLUTIONS

R: 2017 – 110 (TABLED 05-23-17)

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

R: 2017-113

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR  
PROFESSIONAL SERVICES WITH RT ENVIRONMENTAL SERVICES,  
INC

R: 2017-114

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF  
WARREN STATE OF NEW JERSEY CONFIRMING THE  
APPOINTMENT OF GARY A. RICKER, SR. TO THE POSITION OF  
DEPUTY FIRE CHIEF

R: 2017-115

A RESOLUTION DESIGNATING HANDICAP PARKING  
SPACES WITHIN THE TOWN OF PHILLIPSBURG

**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: 2017-116

A RESOLUTION SUPPORTING DISCHARGE OF FIREWORKS  
AT OLE TOWN FESTIVAL

R: 2017-117

A RESOLUTION APPROVING THE ISSUANCE OF A SPECIAL  
PERMIT FOR A SOCIAL AFFAIR TO SPLINTERS FROM THE PINE,  
T/A SOMA DOWNTOWN GRILL

R: 2017-118

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR  
PROFESSIONAL SERVICES WITH RT ENVIRONMENTAL SERVICES,  
INC

R: 2017 - 119

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY  
OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE  
MAYOR TO EXECUTE A LICENSE AGREEMENT WITH  
XYLEM SOFTWARE

**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. NEW BUSINESS

13. PUBLIC PETITIONS  
(Public Comments)

14. OPEN TIME

15. MOTIONS

16. EXECUTIVE MEETING

R: 2017-

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

17. ADJOURNMENT

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

**Bill List Summary**  
**REGULAR BILL LIST AS OF JUNE 2, 2017**

		<u>Check No</u>
1	Current Fund	1,234,791.36
2	State & Federal Grants	12,053.45
4	Capital Fund	3,153.80
7	Sewage Utility Fund	245,383.44
8	Sewage Capital Fund	44,258.98
12	Planning Board Trust Fund	18,328.02
12	Opus Investments	0.00
13	Dog Trust Fund	0.00
15	Public Defender Trust Fund	465.50
16	Section 8	2,683.39
17	General Trust Fund	0.00
17	Commerce Park Redevelopment	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	0.00
21	Revolving Loan Fund	0.00
<b>Total Regular Bill List as JUNE 2, 2017</b>		<b>1,561,117.94</b>

**Section 8 Rent Payments for 2017**

16	Section 8 Program	0.00
<b>Total Section 8 Rent Payments Bill List as of</b>		<b>0.00</b>


**Pre-Paid Bill List as of JUNE 2, 2017**

1	Current Fund	500.00
2	State & Federal Grants	44,200.00
4	Capital Fund	0.00
7	Sewer Utility Fund	0.00
8	Sewer Utility Capital	0.00
12	Planning Board Trust Fund	0.00
16	Section 8	0.00
17	General Trust Fund	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	1,596.24
21	Revolving Loan Fund	0.00
<b>Total Pre-Paid Bill List for JUNE 2, 2017</b>		<b>46,296.24</b>

**Grand Total All Funds**

**1,607,414.18**

Approved By:

  
 Robert J. Merlo, CFO

  
 Stephen R. Ellis, Mayor

O: 2017-07

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

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

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

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

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

**Section 1**

Section § 485-4 is hereby amended as follows:

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

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

**Section 2**

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

**Section 3**

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

**ATTEST:**

**TOWN OF PHILLIPSBURG**

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

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

**CERTIFICATION**

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

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

O: 2017-08

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

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

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

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

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

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

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

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

**Section 1**

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

**§ 464-2. Definitions.**

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

**CHANGE in TENANCY**

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

**LANDLORD and OWNER**

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

**OWNER-OCCUPIED**

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

**PEST MANAGEMENT PROFESSIONAL**

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

**PROPERTY MAINTENANCE**

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

**RENTAL PROPERTY**

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

**RENTAL UNIT**

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

**RESIDE**

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

**TENANTS**

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

**Section 2**

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

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

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

### **Section 3**

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

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

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

### **Section 4**

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

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

**Section 5**

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

**Section 6**

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

**Section 7**

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

ATTEST:

**TOWN OF PHILLIPSBURG**

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

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

DATED:

**CERTIFICATION**

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

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

**O: 2017-~~A~~12**  
**HISTORIC PRESERVATION ORDINANCE**

**CHAPTER 625. ZONING**

**ARTICLE XXI. Historic Preservation**

**§ 625-100. Short title.**

This article shall be known and may be referred to as the "Historic Preservation Ordinance of the Town of Phillipsburg."

**§ 625-101. Scope.**

- A. It is the intention of the Town Council of the Town of Phillipsburg to designate and regulate historic sites within the Town consistent with and pursuant to the Municipal Land Use Law of the State of New Jersey (N.J.S.A. 40:55D-1 et seq.).
- B. A Commission is hereby created to review the potential effect of development and permit applications on designated historic sites and to work with and advise the planning board and individual property owners on the effect of applications coming before either Board on designated historic properties or improvements within a historic district.
- C. This article is intended to regulate only those activities on designated sites which require a permit from a municipal officer or employee or which require an application for development to the planning board. Nothing herein shall prevent review of other activities by the Commission, but such review is not required by the adoption of this article.
- D. This article does not require or prohibit any particular architectural style. New construction upon or near a historic site should not necessarily duplicate the exact style of the site; rather, it should be compatible with and not detract from the historic site.

**§ 625-102. Findings and purpose.**

The Town Council of the Town of Phillipsburg finds and determines that the Town has many historic and architecturally significant properties, together with groupings of properties of generally vernacular structures. These properties contribute visually to the character and integrity of the Town and are important in assessing the historic patterns of development and the Town's history. Maintaining, preserving, and rehabilitating these visual links to the past is an important function of government, not only to provide a sense of stability and continuity for future generations, but to provide impetus for the revitalization of the Town's economic base and for the resulting increase in property values. Moreover, the Town's planning board adopted a historic preservation master plan element in April 2017 that contains a list of historically significant properties and districts in Phillipsburg and made certain recommendations regarding their preservation.

**§ 625-103. Establishment of Historic Preservation Commission; membership; terms; vacancies.**

- A. Establishment. Pursuant to the provisions of N.J.S.A. 40:55D-107 et seq., the Town of Phillipsburg Historic Preservation Advisory Commission (hereafter "Commission") is hereby established and created.
- B. Membership. The Commission shall consist of seven regular members, one of which shall be Class A and two of which shall be Class B, and who shall serve without compensation, except that Commission members shall be reimbursed for reasonable and necessary expenses incurred in the performance of official business within the guidelines of the budget established by the Town Council. Commission members shall be appointed solely by the Mayor. The Commission shall include members from each of the following classes:
- (1) Class A: a person knowledgeable in building design and construction or architectural history and who may reside outside the municipality; and
  - (2) Class B: a person who is knowledgeable of or with a demonstrated interest in local history and who may reside outside the municipality; and
  - (3) Class C: regular members who are not designated Class A or B shall be designated as Class C. Class C members shall be citizens of the municipality who shall hold no other municipal office, position or employment, except for membership on the planning board.
  - (4) No member of the Commission shall be permitted to act on any matter in which he or she has, either directly or indirectly, any personal or financial interest, and all members shall disclose to the Commission any such personal or financial interest.
- C. Term; vacancies; removal. The terms of members shall be for four years. The terms of the initial members appointed under this article shall be staggered, to the extent possible, evenly over the first four years after their appointment. The term of any member common to the Commission and the planning board shall be for the term of membership on the planning board. All members, at the expiration of their terms, may be eligible for appointment to an additional four-year term. Appointments to fill vacancies shall be only to complete the unexpired terms. Vacancies shall be filled within 60 days. A member of the Commission may, after public hearing if requested, be removed by the Town Council for cause.

**§ 625-104. Organization of Historic Preservation Commission.**

- A. Officers. Each year in the month of January, the Commission shall elect a Chairman and Vice Chairman from its members and select a secretary who may or may not be a member of the Commission or a municipal employee.
- B. Staff, experts, counsel, expenses and costs.
- (1) The Town Council shall make provision in its annual budget and appropriate funds for the expenses of the Commission.
  - (2) The Commission may employ, contract for, and fix the compensation of experts and other staff and services as it shall deem necessary. The Commission shall obtain its legal counsel from the Municipal Attorney or other authorized attorney approved by the Town

Council at the rate of compensation determined by the governing body. Expenditures pursuant to this subsection shall not exceed, exclusive of gifts, grants or other sources of self-generated revenue, the amount appropriated by the governing body for the Commission's use and shall be in accordance with the Local Public Contracts Law.

- (3) Escrow and application fee schedules, which are necessary to reimburse the Commission for costs incurred pursuant to § 625-104B(2), shall be established and adopted via ordinance by the Town Council.
- C. Meetings; procedures; decisions. The Commission shall reorganize annually, each January. The Commission may adopt such administrative rules, regulations, procedures and forms for applications by formal resolution, as shall provide for the orderly conduct of its business and processing of applications, provided that such rules, regulations and procedures shall not be inconsistent with any provision of this article. A quorum shall consist of four members. All Commission meetings shall be subject to the Open Public Meetings Act. To the extent practical, the procedures followed by the Commission as to public hearings, voting, etc., shall be patterned after those of a planning board pursuant to the Municipal Land Use Law. Decisions by the Commission shall be in writing by resolution setting forth findings of fact and conclusions of law. The Commission may follow the procedure for memorializing decisions as is permitted for planning boards.

#### **§ 625-105. Responsibilities of the Historic Preservation Commission.**

- A. Powers and duties. The powers and duties of the Commission shall be as follows:
- (1) Prepare and regularly update a survey of historic sites in the Town and recommend the establishment and boundaries of historic sites and districts where appropriate to the planning board and Town Council;
  - (2) Prepare the necessary supporting documentation for nominating eligible properties for designation to the State and/or National Registers.
  - (3) Prepare and maintain guidelines for appropriate architectural designs applicable to the exterior appearance of new construction and for the renovation, alteration, enlargement or other change to the exterior of structures that are located on a historic property which have been designated a historic landmark.
  - (4) Make recommendations to the planning board on the historic preservation plan element of the master plan and on the implications for preservation of historic sites of any other master plan elements.
  - (5) Advise the planning board and Town Council on the inclusion of historic sites in any recommended capital improvement program.
  - (6) Advise the planning board on applications for development pursuant to §625-108.
  - (7) Carry out such other advisory, educational and informational functions that promote historic preservation in the Town such as providing public education regarding the

benefits of historic preservation to individual property owners and the community at-large.

B. Compatibility with other agencies.

- (1) The responsibilities, powers and duties of the Commission shall not conflict with or supersede the powers and duties of any other board or agency within the Town of Phillipsburg.
- (2) The planning board shall refer to the Commission every application for development submitted the board for development in historic zoning districts or on historic sites designated on the zoning map or identified in any component element of the master plan. This referral shall be made when the application for development is deemed complete or is scheduled for a hearing, whichever occurs sooner. Failure to refer the application as required shall not invalidate any hearing or proceeding. The Commission may provide its advice, which shall be conveyed through delegation of one of its members or staff to testify orally at the hearing on the application for development and to explain any written report which may have been submitted.

**§ 625-106. Definitions.**

A. Definitions. As used in this article, the following terms shall have the meanings indicated:

*ADDITION* – An extension or increase in building size, floor area or

height. *ADMINISTRATIVE OFFICER* – The Zoning Officer.

*ALTERATION* – Any change in the exterior architectural features of any improvement or addition.

*APPLICATION* – A request to the Commission made pursuant to this article for the purposes of obtaining a certificates of appropriateness or other action by the commission hereunder specified.

*APPLICATION FOR DEVELOPMENT* – The application form and all accompanying documents required by ordinance to the Planning board or the Zoning Board of Adjustment of the Town for approval of a major or minor subdivision, plat, site plan, planned development, conditional use, zoning variance or the direction of the issuance of a permit pursuant to Section 25 or 27 of P.L. 1975, c.291 (N.J.S.A. 40:55D-34 or 40:55D-36).

*BUILDING* – Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any person or property.

*CERTIFICATE OF APPROPRIATENESS* - The certificate issued by the planning board or administrative officer after review of the certificate of appropriateness application by the Commission. This certificate is required prior to undertaking rehabilitation, restoration, renovation, alteration, ordinary and non-ordinary repair work or demolition work undertaken

within a historic district or on an individually designated historic structure pursuant to this article.

*COMMISSION* – The Historic Preservation Commission established pursuant to the provisions of this article.

*DEMOLITION* - The partial or total razing, dismantling or destruction, whether entirely or in significant part, of any building, structure, object or site. "Demolition" includes the removal of a building, structure or object from its site or the removal or destruction of the facade or surface.

*DESIGNATED PROPERTY OR DISTRICT* - An individual building, structure, site, object or district which has been designated as having historical, architectural, cultural, aesthetic or other significance pursuant to the provisions of this article.

*DEVELOPMENT* - The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure or of any mining excavation or landfill; and any use or change in the use of any building or other structure or land or extension of use of land for which permission may be required pursuant to the Municipal Land Use Law.

*HISTORIC DISTRICT* - A geographically definable area possessing a significant linkage, or continuity of sites, buildings, structures, and/or objects meeting the criteria established for designation in §625-107.

*HISTORIC PROPERTIES* - Any buildings, structures, sites, objects, or districts which possess integrity of location, design, setting, materials, workmanship, or association, and which have been determined historically significant pursuant to §625-107.

*HISTORIC SITE* - The word "historic site" may substitute for historic

property. *HISTORIC STRUCTURE* - Any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(a) By an approved state program as determined by the Secretary of the Interior; or

(b) Directly by the Secretary of the Interior in states without approved programs. *IMPROVEMENT* – A building or other structure or any work constituting a man-made alteration of or addition to any site.

*INTEGRITY* - The authenticity of the historic identity of a building, structure, site, object or district evidenced by the survival of the physical characteristics that existed during its historic or prehistoric period.

*INTERESTED PARTY* - Any person whose right to use, acquire or enjoy property is affected by any action taken under this article or whose rights to use, acquire or enjoy property under this article or under any other law of this state or of the United States have been denied, violated or infringed by an action or a failure to act under this article.

*INVENTORY* - A list of historic properties determined to meet specified criteria of significance.

*LANDMARK* - The word "landmark" may substitute for historic property, site or district.

*MASTER PLAN* - The Master Plan of the Town of Phillipsburg, as amended from time to time, compiled pursuant to the Municipal Land Use Law.

*MINOR APPLICATION* - Any application for a certificate of appropriateness which:

A. Does not involve demolition, relocation or removal of an historic landmark or a key or contributing resource in an historic district;

B. Does not involve an addition to an historic landmark or a property in an historic district or new construction in an historic district;

C. Is a request for approval of fences, signs, awnings, lighting, paving or streetscape work which, in the opinion of the Minor Application Subcommittee, will not substantially affect the characteristics of the historic landmark or the historic district; or

D. Is a request for a field change for a certificate of appropriateness which has already been issued and which meets the criteria of Subsection C above.

*MUNICIPAL LAND USE LAW* - The Municipal Land Use Law of the State of New Jersey, P.L. 1975, c. 291 (N.J.S.A. 40:55D-1 et seq.), as amended from time to time.

*OBJECT* - A material thing of functional, aesthetic, cultural, historic, scenic or scientific value that may be, by nature or design, movable, yet related to a specific setting or environment.

*ORDINANCE* - A legislative act of the governing body of a municipality adopted in accordance with statutory requirements as to notice, publicity and public hearing as required by law.

**OWNER** - Any person having a right, title or interest in any property so as to be legally entitled, upon obtaining such permits and other authorizations as may be required pursuant to law, to perform construction, alteration, removal, demolition or other work with respect to such property.

**PERMIT** - Any Township approval for exterior work to be performed on any landmark or on any building, structure, object or site located within a landmark district, which exterior work will be subject to public view. Said permit shall include but not be limited to a building permit, a demolition permit or a permit to move, convert, relocate or remodel or to change the use or occupancy of any landmark or any building, structure, object or site located within a landmark district. "Permit" shall also include all exterior work to be performed on fences, signs, porches, railings, steps, lighting and sidewalks and any other work subject to public view which would alter the exterior appearance of landmarks or properties located within a landmark district or their sites.

**REHABILITATION** - Any repair or alteration that preserves significant historical or architectural features.

**RESTORATION** - The historically accurate repair or replacement of architectural features.

**SITE** - The place where a significant event or pattern of events occurred. It may be the location of prehistoric or historic occupations or activities that may be marked by physical remains; or it may be the symbolic focus of a significant event or pattern of events that may both have been actively occupied. A site may also be the location of a ruined building, structure or object if the location itself possesses historic, cultural or archaeological significance.

**SITES OF HISTORIC INTEREST** - Any buildings, structures, sites, objects or districts which, although not given historic landmark designation under this article, are an important historical asset to the community which it is felt would benefit from the advice and input of the Commission.

**STRUCTURE** - A combination of materials to form a construction for occupancy, use or ornamentation, whether installed on, above or below the surface of a parcel of land.

**SURVEY** - The survey of buildings, structures, objects, sites and districts located within the Township of Montclair which is conducted by the Commission for the ascertainment of their historical, architectural, aesthetic, cultural or other significance pursuant to the provisions of this article.

**VIEW OR PUBLIC VIEW** - The view by the public of a building, structure, object or site from any point on a street or walkway which is used as a public thoroughfare, either vehicular and/or pedestrian.

**ZONING OFFICER** – The officer of the Town who shall be authorized to and shall administer and enforce the provisions of this chapter.

**§ 625-107. Designation of historic sites and districts.**

A. Historic Districts. For the purposes of this chapter, the boundaries of the historic districts are hereby established as shown on the map entitled, "Map of Historic Districts, Town of Phillipsburg, New Jersey," dated 2012, and the list of properties within the district ("Attachment 1") as may be amended from time to time, which is filed at the office of the town clerk. In addition to meeting the abovementioned criteria, historic districts shall represent a geographically definable area possessing a significant linkage, or continuity of sites, buildings, structures, and/or objects which when viewed collectively:

- (1) Represent a significant period in the development of the Town; or
- (2) Have a distinctive character resulting from their architectural style; or
- (3) Because of their distinctive character, can readily be viewed as an area or neighborhood distinct from surrounding portions of the Town.

B. General Standards. The criteria for evaluating and designating historic districts and sites shall be guided by the National Register criteria. Consideration shall be given to buildings, structures, objects, sites and districts that merit designation and protection by reason of possessing integrity of location, design, setting, materials, workmanship, and association and meet one or more of the following criteria:

- (1) Of particular historic significance to the Town of Phillipsburg by reflecting or exemplifying the broad cultural, political, economic or social history of the nation, state, or community.
- (2) Associated with historic personages important in national, state, county or local history.
- (3) The site of a historic event which had a significant effect on the development of the nation, state, county, or Town.
- (4) An embodiment of the distinctive characteristics of a type, period, or method of construction, architecture or engineering.
- (5) Representative of the work of an important builder, designer, artist, engineer, architect or landscape architect whose work has influenced the development of the Town, state or nation.
- (6) Significant for containing elements of design, detail, materials, or craftsmanship which represent a significant innovation.
- (7) Able or likely to yield information important in prehistory or history.

C. Exceptions. Ordinarily, cemeteries, birthplaces or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years should not be

considered eligible for designation. However, such properties might qualify if they are integral parts of historic sites or districts or if they fall within one of the following categories:

- (1) A religious property deriving primary significance from architectural or artistic distinction or historical importance.
- (2) A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure that most importantly associates with a historic person or event.
- (3) A birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building associated with their productive life.
- (4) A cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events.
- (5) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived.
- (6) Property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance.
- (7) A property achieving significance within the past 50 years if it is of exceptional importance.

D. Historic District Resources. Resources within a historic district shall be classified as key, contributing, or non-contributing which are defined as:

- (1) Key – Any buildings, structures, sites or objects which due to their significance would individually qualify for landmark status.
- (2) Contributing – Any buildings, structures, sites or objects which are integral components of the historic district either because they date from a time period for which the district is significant or because they represent an architectural type, period or method for which the district is significant.
- (3) Non-contributing – Any buildings, structures, sites or objects which are not integral components of the historic district because they neither date from a time period for which the district is significant nor represent an architectural type, period, or method for which the district is significant.

E. Designation list. In addition to the properties and structures already identified in the Historic Preservation Plan Element of the Town's master plan, the Commission shall make a list of historic sites and districts recommended for designation. For each such proposed designation, there shall be a brief description of the site, of the site's significance pursuant to the criteria set forth above,

a description of the site's location and boundaries, a digital photograph of each property, and a location map.

- F. Hearing on proposed designation. A hearing shall be conducted on the proposed designations at which interested persons shall be entitled to present their opinions, suggestions, and objections on the proposed recommendations. To the extent that a property owner appears at the hearing to object to the designation of their property; or provides written confirmation to the Commission at or prior to the hearing that such property owner does not agree or consent to having such property designated as a historic site, then such property shall not be so designated under any circumstances pursuant to this Historic Preservation Ordinance.
- G. Notice of proposed designation. At least 10 days prior to the hearing provided for in Subsection F above, the Commission shall provide notice of the hearing in the following manner:
- (1) By certified mail, return receipt requested, to each owner, that their property being considered for historic designation and the reasons therefor. The notice shall advise the owner of the significance and consequences of such designation, that if so designated, his or her property would be subject to the provisions of this article; shall advise him of their opportunities and rights to challenge or contest such designation; and shall set forth the time, date and location of the public hearing to be held.
  - (2) By publishing in an official newspaper of the municipality, a notice of the time, date and location of the hearing, a preliminary list of potential designations including a lot and block designation for same as it appears on the official Town Tax Map.
- H. Historic Preservation Commission report to Planning Board. After the hearing, the Commission shall prepare a report for the planning board that includes a list and map of the recommended sites and districts. Copies of the report shall be delivered to the Mayor, Town Council, planning board and the Municipal Clerk and a notice of action published by the Commission secretary in an official newspaper of the Town. The published notice shall state the Commission's recommendations and also that final designation shall be made by the planning board at a public meeting specified on a date not less than 15 nor more than 45 days from the date of publication. The planning board shall communicate its action with respect to the Commission's recommendation to the Town Council.
- I. Town Council's adoption of designations. The Commission shall submit the list of designated landmarks/sites of historic interest and a map to the Municipal Clerk for filing. The Town Council shall then consider the designation list and map, and may approve, reject or modify same by ordinance. Once adopted, the designation list and map may be amended in the same manner in which it was adopted. Upon adoption, the designation list and map shall also be incorporated by reference into the municipal master plan and the zoning provisions of this article.
- J. Filing of certificate of designation. Copies of the adopted list of designated sites and districts and location maps shall be made public and distributed to all municipal agencies reviewing development applications and building permits. A certificate of designation shall be served by certified and regular mail upon each owner included on the list, a true copy thereof shall be filed with the Tax Collector and Tax Assessor who shall maintain a record of all historic designations on the tax rolls.

- K. Reconsideration of designation. Nothing herein shall be construed as requiring the Commission to recommend designation of a structure, building, object or site as a historic site even if all criteria to so designate have been satisfied. Thereafter, the Commission shall not be prohibited from reconsidering such recommendation and, after following the procedures of § 625-107F, recommend a given site or district for designation.
- L. Designated structures not within a historic district. For the purposes of this chapter, a list of structures of historic or architectural value not located within the boundaries of an established historic district is hereby established as a list in Attachment #1 to the map of historic districts mentioned in subsection (a) of this section and further identified as "Historic Sites and Districts, Town of Phillipsburg, Warren County, New Jersey", and dated November 2014, as may be amended from time to time.
- M. Map of historic districts and attachments incorporated by reference. The "Map of Historic Districts, Town of Phillipsburg, New Jersey" and its attachments described in this section are hereby made part of this chapter by reference and are included as Attachments #2 and #3.
- N. Public property. It is the intent of this chapter that property owned by any governmental entity and, not previously designated nor within the historic district, may be placed on either Attachment 1 or 2. The town council shall approve any such designation with respect to town owned property.
- O. Maintenance of historic properties list. The criteria for adding or deleting a structure from the list of historic structures and for the review of historic district boundaries shall be the National Register Criteria for Evaluation or similar criteria which may be adopted by the National Park Service and/or Secretary of the Interior under federal law. The commission shall establish and maintain procedures by which property owners and/or the commission may nominate properties for addition to or deletion from the list of structures. The town council upon the recommendation of the commission shall determine whether or not to grant a petition.

**§ 625-108. Actions requiring review by Historic Preservation Commission.**

**A. Applications subject to Commission review.**

- (1) All building permit, demolition and development applications affecting a historic property or an exterior improvement within a historic district designated in the historic preservation plan element of the Town's master plan and pursuant to §625-107 shall be reviewed by the Commission. Such review shall be required for, but not limited to, the following:
  - a. Demolition, in whole or in part, of a historic property or of any key or contributing property within a historic district.
  - b. Relocation of a historic property or of any key or contributing property within a historic district.
  - c. Significant, non-historic changes in exterior appearance to a historic property by means of repainting (not in the same color or a historically certified color).

- d. Changes in exterior appearance by means of non-ordinary repairs, replacement, rehabilitation, alteration or addition to any historic property or any key or contributing property within a historic district.
- e. New construction taking place within a historic district.
- f. Changes in or additions of new signage or exterior lighting on a historic property.
- g. Zoning variances affecting a historic property or any improvement within a historic district.
- h. Site plans or subdivisions affecting a historic property or an improvement within a historic district.
- i. Roadway-widening projects.

*In making a recommendation on an application, the Commission shall be aware of the importance of finding a way to meet the current needs of the applicant. The Commission shall also recognize the importance of making recommendations that will be both consistent with the purposes of this article and reasonable for the applicant to carry out. Before an applicant prepares plans, he or she may bring a tentative proposal to the Commission for informal review and comment.*

- (2) Any proposal for renovation, modification, addition or expansion requiring a building permit shall have plans drawn by a New Jersey licensed architect. An escrow fee shall be assessed to cover costs of review by Town professionals and any portion of the procedural requirements may be waived depending on the simplicity or complexity of the proposal.

- (3) The following activities are not subject to this article:

- a. Changes to the interior of structures.
  - b. Ordinary repairs and maintenance or the exact replacement of any existing architectural details that are otherwise permitted by law, provided that this work on a historic landmark does not alter the exterior appearance of the building.
- B. Emergencies. Emergency repairs may be performed in accordance with Town building and construction codes, without the necessity of first obtaining the Commission's review, as determined by the Administrative Officer. Under such circumstances, the repairs performed shall be only those necessary to protect the health and safety of the occupants of the historic property, or others, and/or to maintain the habitability of the structure. A request for Commission review shall be made as soon as possible thereafter and no further work shall be performed upon the structure until an appropriate request for review is made. All work done under this subsection shall conform to the criteria set forth in this article and the guidelines for review of applications as adopted by the planning board in accordance with this article.

- C. Referrals to Historic Preservation Commission. The planning board shall refer all development applications to the Commission; and the administrative officer shall refer all building permit applications, including permit applications for new construction, demolition, alterations, additions, or replacements which affect a historic property or key and contributing sites in a historic district, to the Commission.

(1) Procedures for the review of development applications.

- a. For all applications presented to the planning board the property owner shall also submit to the Board an application for review and request for issuance of a certificate of appropriateness. Such an application shall pertain solely to the proposed development application. If building permits are required, those actions will be reviewed separately by the Commission in accordance with the procedures outlined in § 625-108C(2).
- b. The planning board shall forward to the Commission a complete set of all application materials as well as the application for issuance of a certificate of appropriateness. Such referral shall be made when the application is deemed complete or is scheduled for a hearing, whichever is sooner. The Commission shall be allowed at least 14 calendar days from the day it receives a complete application to prepare its recommendations to the planning board regarding whether the certificate of appropriateness should be approved or denied. Said recommendations shall be in the form of a written report, which may be orally conveyed to the planning board through the Commission's delegate at a hearing on the application.
- c. The Commission's recommendation shall focus on how the proposed undertaking would affect a historic property's historical or architectural significance as outlined in § 625-107. In considering the Commission's recommendations, the planning board shall be guided by the review criteria established in § 625-108E. The recommendation of this Commission shall not be binding upon the planning board.

(2) Procedures for review of building permits and alterations.

- a. Prior to undertaking any action affecting the exterior architectural appearance of a historic property or a key and contributing site in a historic district as outlined in § 625-108A, the property owner shall complete and submit to the administrative officer an application for review and request for issuance of a certificate of appropriateness.
- b. An application for a certificate of appropriateness shall be submitted on forms provided by the administrative officer. Each application submission shall include, at a minimum, the following information:
  - i. Any drawings, plans, photographs, manufacturer specifications and sample materials that are required by the administrative officer and/or as may be noted in the application checklist.

- ii. A detailed plot plan delineating the relationship of the renderings of the proposal in relation to adjacent improvements, buildings and/or structures or surrounding lands may be required as determined by the administrative officer.
- iii. Drawings shall be prepared and sealed by either a New Jersey licensed registered architect or other New Jersey licensed design professional or by the residing property owner of a single-family dwelling under his/her ownership with an accompanying affidavit of ownership, as required by P.L. 1989, Chapter 277 (commonly known as the "Building Design Services Act") or other applicable laws of the State of New Jersey.
- c. The Administrative Officer shall refer the application to the Commission for its recommendation. The Commission or its designee shall review the application for technical completeness. Any application found to be incomplete shall be returned to the applicant within 10 calendar days of the receipt of the application.
- d. When an application is found to be technically complete, the Commission shall schedule a review of the application at its next regularly scheduled meeting. The applicant shall be notified of the meeting date and shall be allowed an opportunity to speak at the meeting. The Commission may recommend the denial of any application that is not properly represented at the hearing.
- e. The Commission shall report to the planning board within 25 calendar days after the application is deemed complete. The report shall set forth the Commission's recommendation regarding whether the certificate of appropriateness should be approved, denied or conditionally approved; and it shall explain, in writing, the reasons for its recommendation. In accordance with Subsection (3) of this section, if the application involves demolition or removal, the Commission may also recommend postponement. The Commission's recommendation shall focus on how the proposed undertaking would affect a property's historic or architectural significance pursuant to the review criteria set forth in § 625-108E. The Commission's recommendation shall not be binding upon the planning board.
- f. When making its determination on the application for a certificate of appropriateness, the planning board should be guided by the review criteria set forth in § 625-108E. The planning board should consider the Commission's recommendations with the same care it affords all expert information. The planning board may accept, reject or modify the Commission's recommendations. The planning board shall provide its report to the administrative officer for the appropriate action within 45 days of his or her referral of the application to the Commission. Failure to report within the forty-five-day period shall be deemed to constitute a report in favor of the application for a certificate of appropriateness, without conditions. The administrative officer is bound by the planning board's decision.

(3) Demolitions and Relocations.

- a. The planning board, upon affirmative vote of a majority of the membership, may postpone the demolition or relocation of a historic property ancillary to a development application for up to one year. The planning board and the Commission may utilize this time period to consult with the New Jersey State Historic Preservation Office or other similarly qualified organizations to ascertain how the Town may preserve the structure when demolition or relocation thereof would be a great loss to the Town. The planning board may request that the Town Council initiate such actions as may lead to the preservation of the premises within the one-year hiatus. In its review of an application to demolish a site pursuant to this section, the Commission may require the applicant to prepare a financial analysis which may include any or all of the following:
  - i. Amount paid for the property, date of purchase and party from who purchased, including a description of the relationship, if any, between the owner and the person from whom the property was purchased.
  - ii. Assessed value of the land and improvements thereon according to the most recent assessment.
  - iii. For depreciable properties, a pro forma financial statement prepared by an accountant or broker of record.
  - iv. All appraisals obtained by the owner in connection with his purchase or financing of the property, or during his ownership of the property.
  - v. Bona fide offers of the property for sale or rent, price asked and offers received, if any.
  - vi. Any consideration by the owner as to profitable, adaptive uses for the property.
- b. The Commission shall study the question of economic hardship for the applicant and shall determine whether the property can be put to beneficial use without the approval of the demolition application. In the case of an income-producing building, the Commission shall also determine whether the applicant can obtain a reasonable return from his existing building. The Commission may ask applicants for additional information to be used in making these determinations.

D. Supplemental Documentation. At the discretion of the Commission, applications for a certificate of appropriateness shall also include detailed information on the construction material, color, design and any of the following or other elements of the proposal to provide clear and comprehensive information for the Commission in its determination of the complexity of the proposal:

- (1) Roof design and surfacing;

- (2) Walls/siding/pattern of shingles/and exterior painting or stain;
  - (3) Windows: style, relationship to each other/awnings;
  - (4) Doors;
  - (5) Ornaments or trim;
  - (6) Colors/materials;
  - (7) Railings/porches;
  - (8) Chimneys;
  - (9) Fences;
  - (10) Garages/carports;
  - (11) Signs;
  - (12) TV antennas/satellite dishes;
  - (13) Solar energy installation;
  - (14) Outdoor furniture for accessory use of a principal (nonresidential) use such as restaurant's outdoor eating section;
  - (15) Street furniture generally relative to a public or a semipublic use; or recreation equipment;
  - (16) Landscaping, grading and topography;
  - (17) For new construction, utilities shall be placed underground and site plans shall show the placement of same; statements from the relevant public utility company may be requested by the Commission.
- E. Review standards. The following criteria shall be used by the Commission and the planning board when reviewing an application for a certificate of appropriateness:
- (1) The historical or architectural value and significance of the building and/or structure, its relationship to the historic value of the surrounding area, and the impact of the proposed change or use on the historic and architectural significance of the subject property or district.
  - (2) Its importance to the municipality and the extent to which the historic or architectural interest would be adversely affected to the detriment of the public interest.
  - (3) The extent to which the proposed action would adversely affect the public's view of a landmark from a public street.
  - (4) If the application deals with a structure within a historic district, the impact the proposed change would have on its character and ambience and the structure's visual compatibility with the buildings, places and structures to which it would be visually related.
  - (5) The effectiveness of the proposal in adhering to the building and/or structure's original style or destroying or otherwise affecting the exterior texture, materials and architectural features; but in no instance shall interior improvements be considered.
  - (6) The practicality of performing the work with materials or workmanship of a type equivalent or similar to the historical or architectural era during which the structure, building or place was constructed; and the extent to which they could be reproduced but only with great difficulty and expense.

- (7) The general compatibility of exterior design, arrangement and materials proposed to be used and any other factor, including aesthetic, which is found to be pertinent.
  - (8) The overall effect that proposed work would have upon the protection, enhancement, perpetuation and the use of the property, adjoining properties and the historic district in which it is located.
  - (9) The impact of the proposed change upon archaeological resources.
  - (10) The U.S. Department of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings shall be utilized to assess the effect of any proposed application on any historic property or district. Such standards and guidelines are hereby adopted by reference and copies shall be made available for inspection and/or purchase in the office of the Municipal Clerk.
- F. Demolitions not in conjunction with a development application. An application for a permit to demolish a historic landmark or site of historic interest shall be forwarded by the Construction Official to the Commission.
- (1) Demolitions involving historic landmarks.
    - a. The Commission shall conduct a public hearing on the proposed demolition. At least 10 days before such hearing, the applicant shall give notice of the time, date, location and purpose of the hearing to the Warren County Cultural and Heritage Commission and the NJ Historic Preservation Office by certified mail, return receipt requested, and by published notice in an official newspaper of the municipality; and shall present an affidavit attesting to such notification prior to commencement of the hearing
    - b. In addition to any other criteria contained in this Section regarding demolitions, the following matters shall be considered by the Commission:
      - i. The ownership, use and applicant's reason(s) for requesting demolition;
      - ii. Its potential for use for those purposes currently permitted by the zoning provisions of this article;
      - iii. Its structural condition and the economic feasibility of alternatives to the proposal;
      - iv. The extent to which it is of such old, unusual or uncommon design, craftsmanship, texture or material that it would not be reproduced or could be reproduced only with great difficulty and expense;
      - v. Such other matters as may appropriately affect the decision considering the specific characteristics of the property in question;

- c. Following the public hearing, the Commission shall make a decision and act on the request for the demolition permit.
  - (2) Demolitions involving a site of historic interest. The Commission shall conduct the procedures as outlined in Subsection F(1) above, except that the Commission shall have a period not exceeding six months in order to have an opportunity to seek a viable alternative to demolition.
  - (3) Demolitions in conjunction with a development application. In those circumstances where the planned demolition is part of a development application pending before the planning board, the hearing provided for in this section shall be combined as part of the development application hearing held before the reviewing board. The Commission shall be given notice of the hearing and its members or representatives shall be allowed to ask questions, request information and present evidence to the reviewing board relating to the demolition. The Commission shall further be afforded the opportunity of making a recommendation to the reviewing board as to whether or not the demolition should be allowed.
- G. Relocations. In regard to an application to move any historic landmark, or to move any improvement within a historic district, the application shall be forwarded by the responsible municipal official to the Commission.
- (1) The Commission shall conduct a public hearing on the proposed move or relocation. At least 10 days before such hearing, the applicant shall give notice of the time, date, location and purpose of the hearing to the Warren County Cultural and Heritage Commission and the NJ Historic Preservation Office by certified mail, return receipt requested, and by published notice in an official newspaper of the municipality and shall present an affidavit attesting to such notification prior to the hearing.
  - (2) The following matters shall be considered by the Commission:
    - a. The historic loss to the site of original location and the historic district as a whole;
    - b. The compelling reasons for not retaining the landmark or structure as its present site;
    - c. The compatibility, nature and character of the current and the proposed surrounding areas as they relate to the protection of interest and values referred to in this section;
    - d. The probability of significant damage to the landmark or structure itself;
    - e. If it is to be moved from the Town, the proximity of the proposed new location to the Town, including the accessibility to the residents of the municipality and other citizens;
    - f. Visual compatibility factors as set forth in this section.

- (3) Following the public hearing, the Commission shall make a decision and act on the request for relocation.
- (4) In those circumstances where the planned relocation is part of a development application pending before the planning board, the hearing provided for in this section shall be combined as part of the development application hearing held before the reviewing board. The Commission shall be given notice of the hearing and its members or representatives shall be allowed to ask questions, request information and present evidence to the reviewing board relating to the relocation. The Commission shall further be afforded the opportunity of making a recommendation to the reviewing board as to whether or not the relocation should be allowed.

**§ 625-109. Violations and penalties.**

- A. Any person who undertakes any activity affecting a historic landmark or any improvement within a historic district which is regulated by this article, without obtaining review by the Commission, shall be in violation of this article.
- B. On any violation, the Zoning Officer shall personally serve a notice on the owner describing the violation and demanding abatement within 10 days, and notify the owner or person(s) present that they must immediately stop and cease any further activity whatsoever. Such owner or other person(s) shall immediately stop any activity.
- C. The Zoning Officer may also file a complaint in the Town municipal court and/or seek injunction relief or restraints in any court of competent jurisdiction.
- D. Each separate day a violation exists shall be deemed to be a new and separate violation.
- E. Any person violating the provisions of this article shall be subject to the fine and penalty set forth in §1-15 (General penalty provision) of the Code of the Town of Phillipsburg.

## ATTACHMENT #1

### LISTED PROPERTIES

*The information in this attachment is based on the inventor of New Jersey and National Registers of Historic Places maintained by the NJ Historic Preservation Office updated to October 21, 2014. The listings are updated quarterly to reflect ongoing additions and corrections.*

#### State and National Registers

These are properties for which a formal action was taken by the State Historic Preservation Officer. These properties and districts all meet the New Jersey and National Register criteria for significance in American history, archaeology, architecture, engineering or culture, and possess integrity of location, design, setting, materials, workmanship, feeling or association.

The National Register of Historic Places is the official list of the nation's historic resources worthy of preservation, and the New Jersey Register is the official list of the state's historic resources of local, state and national interest. The New Jersey Register is maintained by the State Historic Preservation Office (SHPO) within the New Jersey Department of Environmental Protection. Both Registers have nearly the same eligibility criteria, nomination forms, and review process.

The New Jersey and National Registers provide a degree of review and protection from public encroachment. Section 106 of the National Historic Preservation Act provides for review of any federally licensed, financed or assisted undertaking for properties listed in, or eligible for listing in, the National Register. New Jersey law requires review of any state, county or municipal undertaking involving properties listed in the New Jersey Register. These reviews are designed to prevent destruction or damage of historic resources by public agencies.

**Table 1.**  
**State and National Historic Sites\***

Site Name & Inventor Number	Location	Designation
Lander-Stewart Mansion and Stites Building (ID#4772)	102-104 South Main Street	SR: 5/6/2008 NR: 6/25/2008
Morris Canal (ID#2784)	Existing and former bed of the Morris Canal	SHPO: 4/27/2004 SR: 11/26/1973 NR: 10/1/1974
Phillipsburg Commercial Historic District (ID#4832)	Portions of: South Main, Hudson, Morris, North Main, Market Streets and Union Square	SR: 8/20/2008 NR: 10/8/2008
John Roseberry Homestead (Gess) (ID#2785)	540 Warren Street	SR: 10/18/1972 NR: 4/3/1973
U.S. Post Office (ID#2787)	361 Memorial Parkway	SR: 1/31/1986

Source: New Jersey and National Registers of Historic Places Updated 10/21/2014.

SR = State Register; NR = National Register; SHPO = SHPO Opinion

\*Data obtained September 29, 2016

## ATTACHMENT #1

### Certifications and Opinions

The State Historic Preservation Office also maintains a list of historic resources that have received Certifications of Eligibility (COE), opinions of eligibility from the State Historic Preservation Officer (SHPO Opinion), or Determinations of Eligibility (DOE).

A COE is issued by the New Jersey State Historic Preservation Officer. For properties not already listed on the New Jersey Register of Historic Places, a COE satisfies a prerequisite to apply for funds from the New Jersey Historic Trust. A DOE is issued by the Keeper of the National Register at the National Park Service, as a formal certification that a property is eligible for registration. A SHPO Opinion is an opinion of eligibility issued by the State Historic Preservation Officer in response to a federally funded activity, such as a road project, that will have an effect on historic properties not listed on the National Register.

**Table 2.**  
**Phillipsburg COEs, DOEs and SHPO Opinions**

Site Name & Inventor Number	Location	Designation
Andover Iron Furnace Concrete Faced Loading Ramp (ID#2779)	---	SHPO: 1/13/78
Central Railroad of New Jersey Main Line Corridor Historic District (ID#3500)	District extends through 29 municipalities in 5 counties	DOE: 11/30/95 SHPO: 7/19/91
P. Coal Site (28-Wa-543) (ID#2780)	---	SHPO: 9/16/1983
Dormida House (ID#2781)	119 Lock Street	SHPO: 9/16/1983
Doughty House (ID#2782)	221 Lock Street	SHPO: 9/16/1983
Dutch Canal (ID#4032)	Beneath the streets at Union Square and North Main Street.	SHPO: 5/1/1992
Easton-Phillipsburg Toll Bridge (ID#5169)	US Route 22	SHPO: 2/3/1999
Green's Bridge (ID#275)	NJ Transit Raritan Valley Line, Milepost 70.44	SHPO: 2/3/1999
Ingersoll-Rand Corporation Complex (ID#4098)	Center Street	SHPO: 6/18/2002
Lehigh Valley Railroad Historic District (ID#4154)	District extends through 30 municipalities in 7 counties	SHPO: 3/15/2002
Main Street Commercial Historic District (ID#2783)	South Main Street	SHPO: 7/21/1992
Main Street Bridge (ID#276)	NJ Transit Raritan Valley Line, Milepost 72.15	SHPO: 2/3/1999
Northampton Street Bridge (ID#4939)	Northampton Street	COE: 10/15/2009
Union Station (ID#4228)	178 South Main Street	COE: 11/26/2003
Valley View Historic District	Congress, Ridge. Tuttle.	SHPO:

## ATTACHMENT #1

(ID#4347)	Arlington and Gate Streets, Hillside Road, Valley View Circle	9/21/2004
Vargo House (ID#2788)	155-157 Lock Street	SHPO: 9/16/1983

Source: New Jersey and National Registers of Historic Places Updated 10/21/2014.  
COE = Certification of Eligibility; DOE = Determination of Eligibility; SHPO = SHPO Opinion

### Phillipsburg Area Historic Sites Survey

The *Phillipsburg Area Historic Sites Survey* was published by the Phillipsburg Area Historical Society in 2012 with funding from the National Park Service. The intent of the survey was to identify and document buildings and sites of historical and/or architectural significance in Phillipsburg and the four surrounding municipalities – Alpha, Greenwich, Lopatcong and Pohatcong. There are more than 420 sites noted and photographed in the survey, about two-thirds of them located in Phillipsburg.

### Local Landmarks

The Town of Phillipsburg has indicated that two additional landmarks in the town should be identified as important local features to the town.

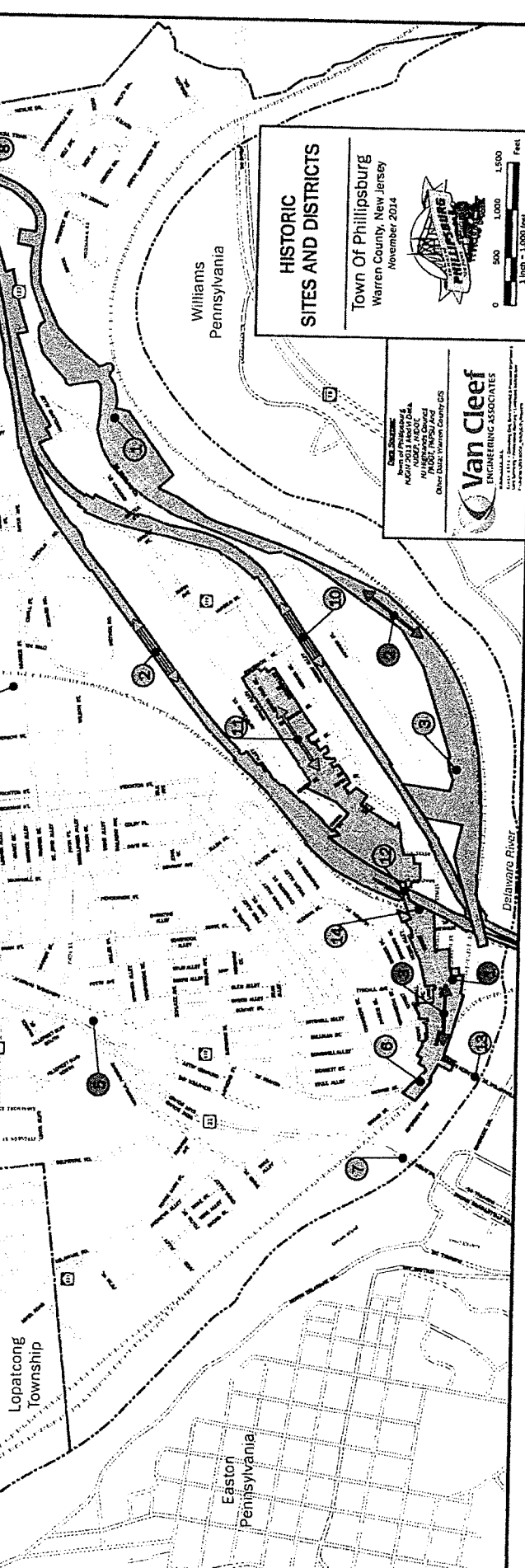
1. Morris Street - From North Main Street on the western end to its connection with Memorial Parkway / Route 22 at Miller Street. This section of roadway was the beginning of the Washington Turnpike (Morristown to Phillipsburg, built in 1806) and now includes portions of Routes 57, 24/510 and County Rte 513.<sup>1</sup>
2. Phillipsburg Heritage Trails – These proposed Trails consist of riverfront trails that roughly follow the routes of the Morris Canal and the Delaware River and old rail beds that cross into Easton, PA. The riverfront trails are generally north-south trails that extend from the Northampton Bridge south toward Pohatcong Township and north toward the Warren / Highlands Trail at Marble Hill. The proposed trails follow historic routes through the town and should be considered important to the spirit of historic preservation in Phillipsburg. An accompanying map dated June 6, 2014, prepared by Van Cleef Engineering Associates, Inc. indicates the routes of the proposed trails, spurs, loops, and connectors.

# HISTORIC SITES AND DISTRICTS

## LEGEND

Line#	Site#	Site Name	Location
1	1775	United States Marine and Civil War Site	1775
2	1786	North Canal	1786
3	4832	Phillipsburg Commercial Historic District	4832
4	2782	John H. Johnson House and Garden	2782
5	2787	U.S. Post Office (East Entrance)	2787
6	2788	U.S. Post Office (West Entrance)	2788
7	2789	U.S. Post Office (South Entrance)	2789
8	2790	U.S. Post Office (North Entrance)	2790
9	2791	U.S. Post Office (East Entrance)	2791
10	2792	U.S. Post Office (West Entrance)	2792
11	2793	U.S. Post Office (South Entrance)	2793
12	2794	U.S. Post Office (North Entrance)	2794
13	2795	U.S. Post Office (East Entrance)	2795
14	2796	U.S. Post Office (West Entrance)	2796
15	2797	U.S. Post Office (South Entrance)	2797
16	2798	U.S. Post Office (North Entrance)	2798
17	2799	U.S. Post Office (East Entrance)	2799
18	2800	U.S. Post Office (West Entrance)	2800
19	2801	U.S. Post Office (South Entrance)	2801
20	2802	U.S. Post Office (North Entrance)	2802
21	2803	U.S. Post Office (East Entrance)	2803
22	2804	U.S. Post Office (West Entrance)	2804
23	2805	U.S. Post Office (South Entrance)	2805
24	2806	U.S. Post Office (North Entrance)	2806
25	2807	U.S. Post Office (East Entrance)	2807
26	2808	U.S. Post Office (West Entrance)	2808
27	2809	U.S. Post Office (South Entrance)	2809
28	2810	U.S. Post Office (North Entrance)	2810
29	2811	U.S. Post Office (East Entrance)	2811
30	2812	U.S. Post Office (West Entrance)	2812
31	2813	U.S. Post Office (South Entrance)	2813
32	2814	U.S. Post Office (North Entrance)	2814
33	2815	U.S. Post Office (East Entrance)	2815
34	2816	U.S. Post Office (West Entrance)	2816
35	2817	U.S. Post Office (South Entrance)	2817
36	2818	U.S. Post Office (North Entrance)	2818
37	2819	U.S. Post Office (East Entrance)	2819
38	2820	U.S. Post Office (West Entrance)	2820
39	2821	U.S. Post Office (South Entrance)	2821
40	2822	U.S. Post Office (North Entrance)	2822
41	2823	U.S. Post Office (East Entrance)	2823
42	2824	U.S. Post Office (West Entrance)	2824
43	2825	U.S. Post Office (South Entrance)	2825
44	2826	U.S. Post Office (North Entrance)	2826
45	2827	U.S. Post Office (East Entrance)	2827
46	2828	U.S. Post Office (West Entrance)	2828
47	2829	U.S. Post Office (South Entrance)	2829
48	2830	U.S. Post Office (North Entrance)	2830
49	2831	U.S. Post Office (East Entrance)	2831
50	2832	U.S. Post Office (West Entrance)	2832
51	2833	U.S. Post Office (South Entrance)	2833
52	2834	U.S. Post Office (North Entrance)	2834
53	2835	U.S. Post Office (East Entrance)	2835
54	2836	U.S. Post Office (West Entrance)	2836
55	2837	U.S. Post Office (South Entrance)	2837
56	2838	U.S. Post Office (North Entrance)	2838
57	2839	U.S. Post Office (East Entrance)	2839
58	2840	U.S. Post Office (West Entrance)	2840
59	2841	U.S. Post Office (South Entrance)	2841
60	2842	U.S. Post Office (North Entrance)	2842
61	2843	U.S. Post Office (East Entrance)	2843
62	2844	U.S. Post Office (West Entrance)	2844
63	2845	U.S. Post Office (South Entrance)	2845
64	2846	U.S. Post Office (North Entrance)	2846
65	2847	U.S. Post Office (East Entrance)	2847
66	2848	U.S. Post Office (West Entrance)	2848
67	2849	U.S. Post Office (South Entrance)	2849
68	2850	U.S. Post Office (North Entrance)	2850
69	2851	U.S. Post Office (East Entrance)	2851
70	2852	U.S. Post Office (West Entrance)	2852
71	2853	U.S. Post Office (South Entrance)	2853
72	2854	U.S. Post Office (North Entrance)	2854
73	2855	U.S. Post Office (East Entrance)	2855
74	2856	U.S. Post Office (West Entrance)	2856
75	2857	U.S. Post Office (South Entrance)	2857
76	2858	U.S. Post Office (North Entrance)	2858
77	2859	U.S. Post Office (East Entrance)	2859
78	2860	U.S. Post Office (West Entrance)	2860
79	2861	U.S. Post Office (South Entrance)	2861
80	2862	U.S. Post Office (North Entrance)	2862
81	2863	U.S. Post Office (East Entrance)	2863
82	2864	U.S. Post Office (West Entrance)	2864
83	2865	U.S. Post Office (South Entrance)	2865
84	2866	U.S. Post Office (North Entrance)	2866
85	2867	U.S. Post Office (East Entrance)	2867
86	2868	U.S. Post Office (West Entrance)	2868
87	2869	U.S. Post Office (South Entrance)	2869
88	2870	U.S. Post Office (North Entrance)	2870
89	2871	U.S. Post Office (East Entrance)	2871
90	2872	U.S. Post Office (West Entrance)	2872
91	2873	U.S. Post Office (South Entrance)	2873
92	2874	U.S. Post Office (North Entrance)	2874
93	2875	U.S. Post Office (East Entrance)	2875
94	2876	U.S. Post Office (West Entrance)	2876
95	2877	U.S. Post Office (South Entrance)	2877
96	2878	U.S. Post Office (North Entrance)	2878
97	2879	U.S. Post Office (East Entrance)	2879
98	2880	U.S. Post Office (West Entrance)	2880
99	2881	U.S. Post Office (South Entrance)	2881
100	2882	U.S. Post Office (North Entrance)	2882

- Railroad
- Road
- Municipal Boundary
- Water Body
- Tax Parcels
- Historic Districts
- Register Site
- Opinion Site



### HISTORIC SITES AND DISTRICTS

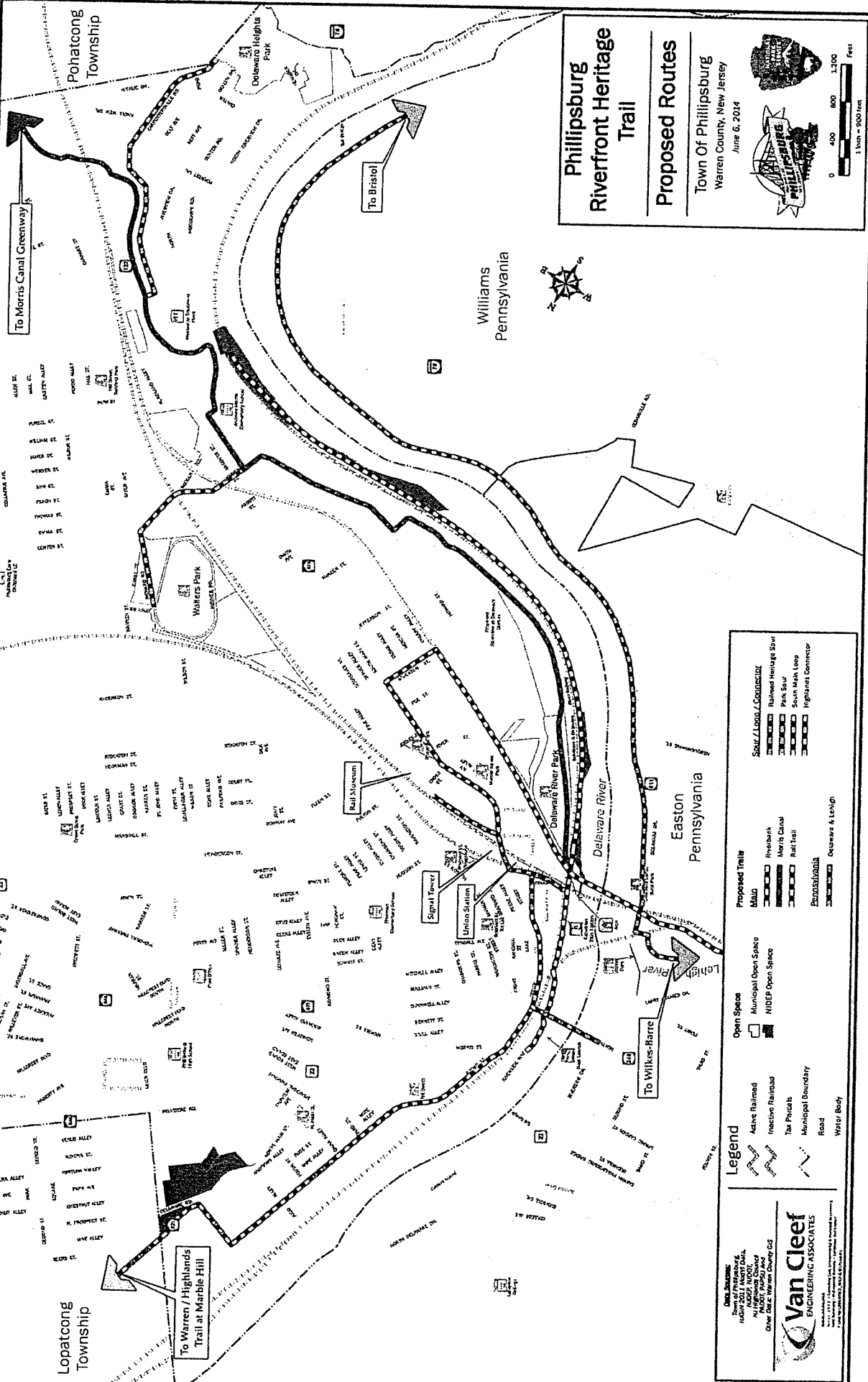
Town Of Phillipsburg  
Warren County, New Jersey  
November 2014

**Van Cleeef**  
ENGINEERING ASSOCIATES, INC.

1100 N. 10TH STREET  
PHILLIPSBURG, NJ 08854  
TEL: 609.335.1111  
WWW.VANCLEEFENGINEERING.COM

DATE: 11/11/14  
BY: J. VAN CLEEVE  
CHECKED: J. VAN CLEEVE  
APPROVED: J. VAN CLEEVE

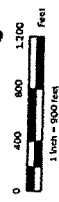
0 500 1,000 1,500  
Feet  
1 inch = 1,000 feet



# Phillipsburg Riverfront Heritage Trail

## Proposed Routes

Town Of Phillipsburg  
Warren County, New Jersey  
June 6, 2014



**Legend**

Active Railroad	Proposed Trail	South Loop / Connector
Inactive Railroad	Main	Railroad Heritage Spur
Tax Priors	Open Space	Park Spur
Municipal Boundary	Municipal Open Space	South Main Loop
Road	NIDEP Open Space	Highlands Connector
Water Body		

**Van Cleef**  
ENGINEERING ASSOCIATES

DRG. NUMBER:  
TOWN OF PHILLIPSBURG &  
WARREN COUNTY  
PHILLIPSBURG RIVERFRONT  
HERITAGE TRAIL  
PHILLIPSBURG, NJ  
DATE: 06/06/14  
DRAWN BY: J. B. BROWN  
CHECKED BY: J. B. BROWN  
APPROVED BY: J. B. BROWN

**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.

---

Victoria L. Kleiner, Registered Municipal Clerk

2016 Bi-Weekly 1.75%

	A	B	C	D	E
1	976.80	1,025.64	1,076.92	1,130.77	1,187.31
2	1,001.22	1,051.28	1,103.85	1,159.04	1,216.99
3	1,026.25	1,077.56	1,131.44	1,188.01	1,247.41
4	1,051.91	1,104.50	1,159.73	1,217.71	1,278.60
5	1,078.20	1,132.11	1,188.72	1,248.16	1,310.56
6	1,105.16	1,160.42	1,218.44	1,279.36	1,343.33
7	1,132.79	1,189.43	1,248.90	1,311.34	1,376.91
8	1,161.11	1,219.16	1,280.12	1,344.13	1,411.33
9	1,190.14	1,249.64	1,312.12	1,377.73	1,446.62
10	1,219.89	1,280.88	1,344.93	1,412.17	1,482.78
11	1,250.39	1,312.91	1,378.55	1,447.48	1,519.85
12	1,281.65	1,345.73	1,413.01	1,483.67	1,557.85
13	1,313.69	1,379.37	1,448.34	1,520.76	1,596.80
14	1,346.53	1,413.86	1,484.55	1,558.78	1,636.72
15	1,380.19	1,449.20	1,521.66	1,597.75	1,677.63
16	1,414.70	1,485.43	1,559.70	1,637.69	1,719.57
17	1,450.07	1,522.57	1,598.70	1,678.63	1,762.56
18	1,486.32	1,560.63	1,638.66	1,720.60	1,806.63
19	1,523.47	1,599.65	1,679.63	1,763.61	1,851.79
20	1,561.56	1,639.64	1,721.62	1,807.70	1,898.09
21	1,600.60	1,680.63	1,764.66	1,852.90	1,945.54
22	1,640.62	1,722.65	1,808.78	1,899.22	1,994.18
23	1,681.63	1,765.71	1,854.00	1,946.70	2,044.03
24	1,723.67	1,809.86	1,900.35	1,995.37	2,095.13
25	1,766.76	1,855.10	1,947.86	2,045.25	2,147.51
26	1,810.93	1,901.48	1,996.55	2,096.38	2,201.20
27	1,856.21	1,949.02	2,046.47	2,148.79	2,256.23
28	1,902.61	1,997.74	2,097.63	2,202.51	2,312.64
29	1,950.18	2,047.69	2,150.07	2,257.57	2,370.45
30	1,998.93	2,098.88	2,203.82	2,314.01	2,429.71
31	2,048.90	2,151.35	2,258.92	2,371.86	2,490.46
32	2,100.13	2,205.13	2,315.39	2,431.16	2,552.72
33	2,152.63	2,260.26	2,373.27	2,491.94	2,616.53
34	2,206.45	2,316.77	2,432.61	2,554.24	2,681.95
35	2,261.61	2,374.69	2,493.42	2,618.09	2,749.00

36	2,318.15	2,434.05	2,555.76	2,683.54	2,817.72
37	2,376.10	2,494.91	2,619.65	2,750.63	2,888.17
38	2,435.50	2,557.28	2,685.14	2,819.40	2,960.37
39	2,496.39	2,621.21	2,752.27	2,889.88	3,034.38
40	2,558.80	2,686.74	2,821.08	2,962.13	3,110.24
41	2,622.77	2,753.91	2,891.60	3,036.18	3,187.99
42	2,688.34	2,822.76	2,963.89	3,112.09	3,267.69
43	2,755.55	2,893.33	3,037.99	3,189.89	3,349.39
44	2,824.44	2,965.66	3,113.94	3,269.64	3,433.12
45	2,895.05	3,039.80	3,191.79	3,351.38	3,518.95
46	2,967.42	3,115.80	3,271.58	3,435.16	3,606.92
47	3,041.61	3,193.69	3,353.37	3,521.04	3,697.10
48	3,117.65	3,273.53	3,437.21	3,609.07	3,789.52
49	3,195.59	3,355.37	3,523.14	3,699.30	3,884.26
50	3,275.48	3,439.25	3,611.22	3,791.78	3,981.37
51	3,357.37	3,525.24	3,701.50	3,886.57	4,080.90
52	3,441.30	3,613.37	3,794.04	3,983.74	4,182.92
53	3,527.33	3,703.70	3,888.89	4,083.33	4,287.50
54	3,615.52	3,796.29	3,986.11	4,185.41	4,394.68
55	3,705.91	3,891.20	4,085.76	4,290.05	4,504.55
56	3,798.55	3,988.48	4,187.91	4,397.30	4,617.17
57	3,893.52	4,088.19	4,292.60	4,507.23	4,732.59
58	3,990.86	4,190.40	4,399.92	4,619.91	4,850.91
59	4,090.63	4,295.16	4,509.92	4,735.41	4,972.18
60	4,192.89	4,402.54	4,622.66	4,853.80	5,096.49

2017 Bi-Weekly 1.75%

	A	B	C	D	E
1	993.89	1,043.58	1,095.76	1,150.55	1,208.08
2	1,018.74	1,069.67	1,123.16	1,179.32	1,238.28
3	1,044.21	1,096.42	1,151.24	1,208.80	1,269.24
4	1,070.31	1,123.83	1,180.02	1,239.02	1,300.97
5	1,097.07	1,151.92	1,209.52	1,269.99	1,333.49
6	1,124.50	1,180.72	1,239.76	1,301.74	1,366.83
7	1,152.61	1,210.24	1,270.75	1,334.29	1,401.00
8	1,181.42	1,240.49	1,302.52	1,367.64	1,436.03
9	1,210.96	1,271.51	1,335.08	1,401.84	1,471.93
10	1,241.23	1,303.29	1,368.46	1,436.88	1,508.73
11	1,272.26	1,335.88	1,402.67	1,472.80	1,546.44
12	1,304.07	1,369.27	1,437.74	1,509.62	1,585.11
13	1,336.67	1,403.51	1,473.68	1,547.36	1,624.73
14	1,370.09	1,438.59	1,510.52	1,586.05	1,665.35
15	1,404.34	1,474.56	1,548.29	1,625.70	1,706.98
16	1,439.45	1,511.42	1,586.99	1,666.34	1,749.66
17	1,475.44	1,549.21	1,626.67	1,708.00	1,793.40
18	1,512.32	1,587.94	1,667.33	1,750.70	1,838.24
19	1,550.13	1,627.64	1,709.02	1,794.47	1,884.19
20	1,588.88	1,668.33	1,751.74	1,839.33	1,931.30
21	1,628.60	1,710.03	1,795.54	1,885.31	1,979.58
22	1,669.32	1,752.79	1,840.42	1,932.45	2,029.07
23	1,711.05	1,796.61	1,886.44	1,980.76	2,079.80
24	1,753.83	1,841.52	1,933.60	2,030.28	2,131.79
25	1,797.67	1,887.56	1,981.94	2,081.03	2,185.08
26	1,842.62	1,934.75	2,031.48	2,133.06	2,239.71
27	1,888.68	1,983.12	2,082.27	2,186.39	2,295.70
28	1,935.90	2,032.69	2,134.33	2,241.05	2,353.10
29	1,984.30	2,083.51	2,187.69	2,297.07	2,411.92
30	2,033.90	2,135.60	2,242.38	2,354.50	2,472.22
31	2,084.75	2,188.99	2,298.44	2,413.36	2,534.03
32	2,136.87	2,243.71	2,355.90	2,473.69	2,597.38
33	2,190.29	2,299.81	2,414.80	2,535.54	2,662.31
34	2,245.05	2,357.30	2,475.17	2,598.93	2,728.87

35	2,301.18	2,416.23	2,537.05	2,663.90	2,797.09
36	2,358.70	2,476.64	2,600.47	2,730.50	2,867.02
37	2,417.67	2,538.56	2,665.48	2,798.76	2,938.70
38	2,478.11	2,602.02	2,732.12	2,868.73	3,012.16
39	2,540.07	2,667.07	2,800.42	2,940.45	3,087.47
40	2,603.57	2,733.75	2,870.43	3,013.96	3,164.65
41	2,668.66	2,802.09	2,942.20	3,089.31	3,243.77
42	2,735.37	2,872.14	3,015.75	3,166.54	3,324.86
43	2,803.76	2,943.95	3,091.14	3,245.70	3,407.99
44	2,873.85	3,017.55	3,168.42	3,326.84	3,493.19
45	2,945.70	3,092.98	3,247.63	3,410.02	3,580.52
46	3,019.34	3,170.31	3,328.82	3,495.27	3,670.03
47	3,094.83	3,249.57	3,412.04	3,582.65	3,761.78
48	3,172.20	3,330.81	3,497.35	3,672.21	3,855.82
49	3,251.50	3,414.08	3,584.78	3,764.02	3,952.22
50	3,332.79	3,499.43	3,674.40	3,858.12	4,051.02
51	3,416.11	3,586.91	3,766.26	3,954.57	4,152.30
52	3,501.51	3,676.59	3,860.42	4,053.44	4,256.11
53	3,589.05	3,768.50	3,956.93	4,154.77	4,362.51
54	3,678.77	3,862.71	4,055.85	4,258.64	4,471.57
55	3,770.74	3,959.28	4,157.25	4,365.11	4,583.36
56	3,865.01	4,058.26	4,261.18	4,474.24	4,697.95
57	3,961.64	4,159.72	4,367.71	4,586.09	4,815.40
58	4,060.68	4,263.71	4,476.90	4,700.74	4,935.78
59	4,162.20	4,370.31	4,588.82	4,818.26	5,059.18
60	4,266.25	4,479.56	4,703.54	4,938.72	5,185.65

2018 Bi-Weekly 1.75%

	A	B	C	D	E
1	1,011.28	1,061.84	1,114.94	1,170.68	1,229.22
2	1,036.56	1,088.39	1,142.81	1,199.95	1,259.95
3	1,062.48	1,115.60	1,171.38	1,229.95	1,291.45
4	1,089.04	1,143.49	1,200.66	1,260.70	1,323.73
5	1,116.26	1,172.08	1,230.68	1,292.21	1,356.83
6	1,144.17	1,201.38	1,261.45	1,324.52	1,390.75
7	1,172.77	1,231.41	1,292.98	1,357.63	1,425.52
8	1,202.09	1,262.20	1,325.31	1,391.57	1,461.15
9	1,232.15	1,293.75	1,358.44	1,426.36	1,497.68
10	1,262.95	1,326.10	1,392.40	1,462.02	1,535.12
11	1,294.52	1,359.25	1,427.21	1,498.57	1,573.50
12	1,326.89	1,393.23	1,462.89	1,536.04	1,612.84
13	1,360.06	1,428.06	1,499.47	1,574.44	1,653.16
14	1,394.06	1,463.76	1,536.95	1,613.80	1,694.49
15	1,428.91	1,500.36	1,575.38	1,654.14	1,736.85
16	1,464.63	1,537.87	1,614.76	1,695.50	1,780.27
17	1,501.25	1,576.31	1,655.13	1,737.89	1,824.78
18	1,538.78	1,615.72	1,696.51	1,781.33	1,870.40
19	1,577.25	1,656.11	1,738.92	1,825.87	1,917.16
20	1,616.68	1,697.52	1,782.39	1,871.51	1,965.09
21	1,657.10	1,739.96	1,826.95	1,918.30	2,014.22
22	1,698.53	1,783.45	1,872.63	1,966.26	2,064.57
23	1,740.99	1,828.04	1,919.44	2,015.41	2,116.19
24	1,784.52	1,873.74	1,967.43	2,065.80	2,169.09
25	1,829.13	1,920.58	2,016.61	2,117.44	2,223.32
26	1,874.86	1,968.60	2,067.03	2,170.38	2,278.90
27	1,921.73	2,017.81	2,118.71	2,224.64	2,335.87
28	1,969.77	2,068.26	2,171.67	2,280.26	2,394.27
29	2,019.02	2,119.97	2,225.96	2,337.26	2,454.13
30	2,069.49	2,172.97	2,281.61	2,395.69	2,515.48
31	2,121.23	2,227.29	2,338.65	2,455.59	2,578.37
32	2,174.26	2,282.97	2,397.12	2,516.98	2,642.83
33	2,228.62	2,340.05	2,457.05	2,579.90	2,708.90
34	2,284.33	2,398.55	2,518.47	2,644.40	2,776.62

35	2,341.44	2,458.51	2,581.44	2,710.51	2,846.03
36	2,399.97	2,519.97	2,645.97	2,778.27	2,917.18
37	2,459.97	2,582.97	2,712.12	2,847.73	2,990.11
38	2,521.47	2,647.55	2,779.92	2,918.92	3,064.87
39	2,584.51	2,713.74	2,849.42	2,991.89	3,141.49
40	2,649.12	2,781.58	2,920.66	3,066.69	3,220.03
41	2,715.35	2,851.12	2,993.67	3,143.36	3,300.53
42	2,783.24	2,922.40	3,068.52	3,221.94	3,383.04
43	2,852.82	2,995.46	3,145.23	3,302.49	3,467.62
44	2,924.14	3,070.34	3,223.86	3,385.05	3,554.31
45	2,997.24	3,147.10	3,304.46	3,469.68	3,643.16
46	3,072.17	3,225.78	3,387.07	3,556.42	3,734.24
47	3,148.98	3,306.42	3,471.75	3,645.33	3,827.60
48	3,227.70	3,389.08	3,558.54	3,736.47	3,923.29
49	3,308.39	3,473.81	3,647.50	3,829.88	4,021.37
50	3,391.10	3,560.66	3,738.69	3,925.62	4,121.91
51	3,475.88	3,649.67	3,832.16	4,023.76	4,224.95
52	3,562.78	3,740.92	3,927.96	4,124.36	4,330.58
53	3,651.85	3,834.44	4,026.16	4,227.47	4,438.84
54	3,743.14	3,930.30	4,126.81	4,333.15	4,549.81
55	3,836.72	4,028.56	4,229.98	4,441.48	4,663.56
56	3,932.64	4,129.27	4,335.73	4,552.52	4,780.15
57	4,030.95	4,232.50	4,444.13	4,666.33	4,899.65
58	4,131.73	4,338.31	4,555.23	4,782.99	5,022.14
59	4,235.02	4,446.77	4,669.11	4,902.57	5,147.70
60	4,340.90	4,557.94	4,785.84	5,025.13	5,276.39

2019 Bi-Weekly 1.75%

	A	B	C	D	E
1	1,028.98	1,080.43	1,134.45	1,191.17	1,250.73
2	1,054.70	1,107.44	1,162.81	1,220.95	1,282.00
3	1,081.07	1,135.13	1,191.88	1,251.48	1,314.05
4	1,108.10	1,163.50	1,221.68	1,282.76	1,346.90
5	1,135.80	1,192.59	1,252.22	1,314.83	1,380.57
6	1,164.20	1,222.41	1,283.53	1,347.70	1,415.09
7	1,193.30	1,252.97	1,315.61	1,381.40	1,450.47
8	1,223.13	1,284.29	1,348.51	1,415.93	1,486.73
9	1,253.71	1,316.40	1,382.22	1,451.33	1,523.90
10	1,285.06	1,349.31	1,416.77	1,487.61	1,561.99
11	1,317.18	1,383.04	1,452.19	1,524.80	1,601.04
12	1,350.11	1,417.62	1,488.50	1,562.92	1,641.07
13	1,383.86	1,453.06	1,525.71	1,602.00	1,682.09
14	1,418.46	1,489.38	1,563.85	1,642.05	1,724.15
15	1,453.92	1,526.62	1,602.95	1,683.10	1,767.25
16	1,490.27	1,564.78	1,643.02	1,725.17	1,811.43
17	1,527.53	1,603.90	1,684.10	1,768.30	1,856.72
18	1,565.71	1,644.00	1,726.20	1,812.51	1,903.14
19	1,604.86	1,685.10	1,769.36	1,857.82	1,950.71
20	1,644.98	1,727.23	1,813.59	1,904.27	1,999.48
21	1,686.10	1,770.41	1,858.93	1,951.88	2,049.47
22	1,728.26	1,814.67	1,905.40	2,000.67	2,100.71
23	1,771.46	1,860.04	1,953.04	2,050.69	2,153.22
24	1,815.75	1,906.54	2,001.86	2,101.96	2,207.05
25	1,861.14	1,954.20	2,051.91	2,154.51	2,262.23
26	1,907.67	2,003.05	2,103.21	2,208.37	2,318.79
27	1,955.36	2,053.13	2,155.79	2,263.58	2,376.76
28	2,004.25	2,104.46	2,209.68	2,320.17	2,436.18
29	2,054.35	2,157.07	2,264.92	2,378.17	2,497.08
30	2,105.71	2,211.00	2,321.55	2,437.63	2,559.51
31	2,158.36	2,266.27	2,379.59	2,498.57	2,623.49
32	2,212.31	2,322.93	2,439.08	2,561.03	2,689.08
33	2,267.62	2,381.00	2,500.05	2,625.06	2,756.31
34	2,324.31	2,440.53	2,562.55	2,690.68	2,825.22

35	2,382.42	2,501.54	2,626.62	2,757.95	2,895.85
36	2,441.98	2,564.08	2,692.28	2,826.90	2,968.24
37	2,503.03	2,628.18	2,759.59	2,897.57	3,042.45
38	2,565.61	2,693.89	2,828.58	2,970.01	3,118.51
39	2,629.75	2,761.23	2,899.30	3,044.26	3,196.47
40	2,695.49	2,830.26	2,971.78	3,120.37	3,276.38
41	2,762.88	2,901.02	3,046.07	3,198.38	3,358.29
42	2,831.95	2,973.55	3,122.22	3,278.33	3,442.25
43	2,902.75	3,047.89	3,200.28	3,360.29	3,528.31
44	2,975.32	3,124.08	3,280.29	3,444.30	3,616.52
45	3,049.70	3,202.18	3,362.29	3,530.41	3,706.93
46	3,125.94	3,282.24	3,446.35	3,618.67	3,799.60
47	3,204.09	3,364.29	3,532.51	3,709.13	3,894.59
48	3,284.19	3,448.40	3,620.82	3,801.86	3,991.96
49	3,366.30	3,534.61	3,711.34	3,896.91	4,091.76
50	3,450.45	3,622.98	3,804.13	3,994.33	4,194.05
51	3,536.72	3,713.55	3,899.23	4,094.19	4,298.90
52	3,625.13	3,806.39	3,996.71	4,196.55	4,406.37
53	3,715.76	3,901.55	4,096.63	4,301.46	4,516.53
54	3,808.66	3,999.09	4,199.04	4,409.00	4,629.45
55	3,903.87	4,099.07	4,304.02	4,519.22	4,745.18
56	4,001.47	4,201.54	4,411.62	4,632.20	4,863.81
57	4,101.51	4,306.58	4,521.91	4,748.01	4,985.41
58	4,204.04	4,414.25	4,634.96	4,866.71	5,110.04
59	4,309.15	4,524.60	4,750.83	4,988.37	5,237.79
60	4,416.87	4,637.72	4,869.60	5,113.08	5,368.74

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

## 2016 AFSCME Salaries

1.75%

	A	B	C	D	E
1	1,192.48	1,252.10	1,314.71	1,380.44	1,449.47
2	1,324.92	1,391.17	1,460.72	1,533.76	1,610.45
3	1,382.59	1,451.72	1,524.31	1,600.52	1,680.55
4	1,443.16	1,515.32	1,591.08	1,670.64	1,754.17
6	1,540.28	1,617.29	1,698.16	1,783.07	1,872.22
8	1,578.18	1,657.09	1,739.94	1,826.94	1,918.29
8A	1,578.18	1,657.10	1,739.95	2,023.85	2,117.48
9	1,877.02	1,970.87	2,069.41	2,172.89	2,281.53
10	1,234.83	1,296.57	1,361.40	1,429.47	1,500.94
11	2,570.70	2,699.24	2,834.20	2,975.91	3,124.70

## 2016 Non-Union Salaries

1.75%

	A	B	C	D	E
1	1,192.48	1,252.10	1,314.71	1,380.44	1,449.47
2	1,324.92	1,391.17	1,460.72	1,533.76	1,610.45
7	1,590.34	1,669.86	1,753.35	1,841.02	1,933.07
8	1,578.18	1,657.09	1,739.94	1,826.94	1,918.29
8A	1,578.18	1,657.06	1,739.95	2,023.86	2,117.48
9	2,134.65	2,241.38	2,353.45	2,471.12	2,594.68
12	2,817.11	2,957.97	3,105.86	3,261.16	3,424.21
14	3,562.32	3,740.44	3,927.46	4,123.83	4,330.02

1.75%

1.75%

	A	B	C	D	E
1	1,213.35	1,274.02	1,337.72	1,404.60	1,474.83
2	1,348.10	1,415.51	1,486.28	1,560.59	1,638.62
3	1,406.78	1,477.12	1,550.97	1,628.52	1,709.95
4	1,468.42	1,541.84	1,618.93	1,699.88	1,784.87
6	1,567.24	1,645.60	1,727.88	1,814.28	1,904.99
8	1,605.80	1,686.09	1,770.39	1,858.91	1,951.86
8A	1,605.80	1,686.10	1,770.40	2,059.27	2,154.53
9	1,909.87	2,005.36	2,105.63	2,210.91	2,321.46
10	2,172.19	2,280.80	2,394.84	2,514.58	2,640.31
11	2,615.69	2,746.47	2,883.80	3,027.99	3,179.39

1.75%

1.75%

	A	B	C	D	E
1	1,213.35	1,274.02	1,337.72	1,404.60	1,474.83
2	1,348.10	1,415.51	1,486.28	1,560.59	1,638.62
7	1,618.17	1,699.08	1,784.03	1,873.23	1,966.90
8	1,605.80	1,686.09	1,770.39	1,858.91	1,951.86
8A	1,605.80	1,686.07	1,770.39	2,059.28	2,154.54
9	2,172.01	2,280.61	2,394.64	2,514.37	2,640.09
12	2,866.41	3,009.73	3,160.22	3,318.23	3,484.14
14	3,624.66	3,805.89	3,996.19	4,196.00	4,405.80

## 2018 AFSCME Salaries

1.75%

	A	B	C	D	E
1	1,234.58	1,296.31	1,361.12	1,429.18	1,500.64
2	1,371.70	1,440.29	1,512.30	1,587.91	1,667.31
3	1,431.40	1,502.97	1,578.12	1,657.02	1,739.88
4	1,494.11	1,568.82	1,647.26	1,729.62	1,816.10
6	1,594.66	1,674.39	1,758.11	1,846.02	1,938.32
8	1,633.90	1,715.60	1,801.37	1,891.44	1,986.02
8A	1,633.90	1,715.61	1,801.38	2,095.30	2,192.24
9	1,943.29	2,040.45	2,142.48	2,249.60	2,362.08
10	2,210.20	2,320.71	2,436.75	2,558.58	2,686.51
11	2,661.47	2,794.54	2,934.27	3,080.98	3,235.03

## 2018 Non-Union Salaries

1.75%

	A	B	C	D	E
1	1,234.58	1,296.31	1,361.12	1,429.18	1,500.64
2	1,371.70	1,440.29	1,512.30	1,587.91	1,667.31
7	1,646.49	1,728.81	1,815.26	1,906.02	2,001.32
8	1,633.90	1,715.60	1,801.37	1,891.44	1,986.02
8A	1,633.90	1,715.57	1,801.38	2,095.31	2,192.25
9	2,210.02	2,320.52	2,436.55	2,558.37	2,686.29
12	2,916.57	3,062.40	3,215.52	3,376.29	3,545.11
14	3,688.09	3,872.49	4,066.12	4,269.43	4,482.90

2019 AFSCME Salaries 1.75%

	A	B	C	D	E
1	1,256.19	1,319.00	1,384.95	1,454.20	1,526.91
2	1,395.70	1,465.49	1,538.76	1,615.70	1,696.48
3	1,456.45	1,529.27	1,605.74	1,686.02	1,770.32
4	1,520.26	1,596.27	1,676.09	1,759.89	1,847.89
6	1,622.57	1,703.70	1,788.88	1,878.33	1,972.24
8	1,662.50	1,745.63	1,832.91	1,924.55	2,020.78
8A	1,662.50	1,745.63	1,832.90	2,131.97	2,230.60
9	1,977.30	2,076.17	2,179.97	2,288.97	2,403.42
10	2,248.88	2,361.32	2,479.39	2,603.36	2,733.53
11	2,708.04	2,843.44	2,985.61	3,134.89	3,291.64

2019 Non-Union Salaries 1.75%

	A	B	C	D	E
1	1,256.19	1,319.00	1,384.95	1,454.20	1,526.91
2	1,395.70	1,465.49	1,538.76	1,615.70	1,696.48
7	1,675.30	1,759.07	1,847.02	1,939.37	2,036.34
8	1,662.50	1,745.63	1,832.91	1,924.55	2,020.78
8A	1,662.50	1,745.60	1,832.90	2,131.98	2,230.61
9	2,248.70	2,361.14	2,479.19	2,603.15	2,733.30
12	2,967.61	3,115.99	3,271.79	3,435.38	3,607.15
14	3,752.63	3,940.26	4,137.27	4,344.14	4,561.35

**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: 2017-113

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR  
PROFESSIONAL SERVICES WITH RT ENVIRONMENTAL  
SERVICES, INC**

**WHEREAS**, the Town of Phillipsburg has a need to acquire professional services relative to mold remediation work ("Project") at Phillipsburg Town Hall, First Floor; and

**WHEREAS**, the Town of Phillipsburg is requesting the Project after receiving analytical results from air samples collected from the 1<sup>st</sup> floor of Phillipsburg Town Hall that revealed mold spore concentration levels higher than baseline levels; and

**WHEREAS**, the Town of Phillipsburg is concerned of potential health effects if the molds continue to amplify; 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**, Tony Alessandrini, Senior Project Manager, of RT Environmental Services, Inc. submitted a proposal dated May 18, 2017, to provide said services on behalf of the Town; and

**WHEREAS**, the quoted value of these services will be the sum of \$22,991; and

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

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

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

### **CERTIFICATION**

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

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Victoria L. Kleiner  
Registered Municipal Clerk

R: 2017-114

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN  
STATE OF NEW JERSEY CONFIRMING THE APPOINTMENT OF GARY A.  
RICKER, SR. TO THE POSITION OF DEPUTY FIRE CHIEF**

**WHEREAS**, the Mayor and Fire Chief Hay have recommended the appointment of Gary A. Ricker, Sr. to the position of Deputy Fire Chief for the Town of Phillipsburg; and

**WHEREAS**, pursuant to Chapter 58-11 of the Code of the Town of Phillipsburg said appointment must be submitted to the Town Council for confirmation; and

**WHEREAS**, the Town Council believes it to be in the best interest of the Town of Phillipsburg to confirm the appointment of Gary A. Ricker, Sr., to the position of Deputy Fire Chief.

**NOW THEREFORE BE IT RESOLVED** by the Town Council, Town of Phillipsburg, County of Warren, State of New Jersey that the appointment of Gary A. Ricker, Sr. to the position of Deputy Chief for the Fire Department of the Town of Phillipsburg is confirmed.

**BE IT FURTHER RESOLVED** that said appointment shall become effective upon the swearing in of Gary A. Ricker, Sr. to said position.

**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 05, 2017 meeting.

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Victoria L. Kleiner  
Registered Municipal Clerk

R: 2017-115

A RESOLUTION DESIGNATING HANDICAP PARKING  
SPACES WITHIN THE TOWN OF PHILLIPSBURG

BE IT RESOLVED by the Town Council of the Town of Phillipsburg that the following locations be designated as "Handicapped Parking Space" within the Town of Phillipsburg as permitted under Chapter 414 of the Town Code:

Name of Street	Side	Location
Brainard Street	East	In front of 65 Brainard Street
Heckman Street	South	Across from 46 Heckman St
Hudson Street	North	In front of 231 Hudson Street
Irwin Street	North	In front of 295 Irwin Street
Lewis Street	West	In front of 48 Lewis Street
Morris Street	South	Across from 258 Morris Street
Sayre Avenue	North	In front of 715 Sayre Avenue
Wilson Street	East	In front of 45 Wilson 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 05, 2017 meeting.

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Victoria L. Kleiner, RMC

R: 2017-116

A RESOLUTION SUPPORTING DISCHARGE OF FIREWORKS  
AT OLE TOWN FESTIVAL

WHEREAS, the Town of Phillipsburg will conduct its annual Ole Town Festival at Walters Park on June 23 and June 24, 2016; and

WHEREAS, the Town wishes to have a fireworks display to be provided by Garden State Fireworks on Sunday, June 24, 2017; and

WHEREAS, Garden State Fireworks would provide a Certificate of Insurance prior to the event;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg that they hereby support the discharge of fireworks at Ole Town Festival on Saturday, June 24, 2017

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 05, 2017 meeting.

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Victoria L. Kleiner, RMC

R: 2017-117

A RESOLUTION APPROVING THE ISSUANCE OF A SPECIAL  
PERMIT FOR A SOCIAL AFFAIR TO SPLINTERS FROM THE PINE,  
T/A SOMA DOWNTOWN GRILL

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:

Splinters From the Pine, T/A SoMa Downtown Grill, 62 South Main  
Street, Phillipsburg, New Jersey, for:

June 29, 2017 from 6:00 P.M. to 10:00 P.M. also in accordance with  
all local ordinances.

The above stated Special Permit is for premises known as the  
Phillipsburg Boat Ramp Parking Lot, Union Square, 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 05, 2017 meeting.

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Victoria L. Kleiner, RMC

**R: 2017-118**  
**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR**  
**PROFESSIONAL SERVICES WITH RT ENVIRONMENTAL**  
**SERVICES, INC**

**WHEREAS**, the Town of Phillipsburg has a need to acquire professional services relative to surveys for asbestos-containing materials, mold, lead-based paint, and radon ("Project") at Phillipsburg Armory Property located at 441 Heckman Street, Phillipsburg, NJ 08865; and

**WHEREAS**, the Town of Phillipsburg is requesting the Project be performed to determine whether there are any potential hazardous substances present in the Phillipsburg Armory Property and to receive recommendations for further actions if such substances exist; 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**, Tony Alessandrini, Senior Project Manager, of RT Environmental Services, Inc. submitted a proposal dated March 28, 2017, to provide said services on behalf of the Town; and

**WHEREAS**, the estimated value of these services will be the sum of \$9,595; and

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

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

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

### **CERTIFICATION**

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

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Victoria L. Kleiner  
Registered Municipal Clerk

R: 2017 - 119

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE MAYOR TO EXECUTE A LICENSE AGREEMENT WITH XYLEM SOFTWARE**

WHEREAS, the Town requires the execution of a licensing agreement for software utilized in the operation of the sequencing batch reactor system that is part of the Town's existing wastewater treatment facilities;

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(a)(dd) a contract may be executed without competitive bidding by reason that such services constitute support of proprietary computer hardware and software; and

WHEREAS, Town of Phillipsburg is desirous of authorizing the execution of a license agreement with Xylem; and

**NOW THEREFORE BE IT RESOLVED** by the Mayor and the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the Mayor is hereby authorized to sign the agreement as required.

**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 05, 2017 meeting.

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Victoria L. Kleiner, Municipal Clerk