

TOWN OF PHILLIPSBURG
Town Council Agenda
March 01, 2016 – 7:00PM
Council Chambers, Town Hall

1. OPEN PUBLIC MEETING ACT STATEMENT

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

5. APPROVAL OF MINUTES

Council Meeting 02-16-16
Work Session 02-09-16

6. APPROVAL OF BILLS

7. MAYOR'S REPORT

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

8. PROCLAMATION American Red Cross Month

9. OLD BUSINESS

10. PUBLIC DISCUSSION ON AGENDA ITEMS

11. ORDINANCE

O: 2016-01 (Second and Final Reading)

AN ORDINANCE CONCERNING SALARIES

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: 2016 – 02 BOND (First Reading)

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO WALTER’S PARK POOL, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

ROLL CALL

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

O: 2016 -03 (First Reading)

AN ORDINANCE ESTABLISHING SALARIES FOR SOA’S POLICE DEPARTMENT

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: 2016-04 (First Reading)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 67-24, SCHEDULE IX, LEFT TURN PROHIBITIONS, OF THE CODE OF THE TOWN OF PHILLIPSBURG

ROLL CALL

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

O: 2016 -05 (First Reading)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 5, *ADMINISTRATION OF GOVERNMENT*, ARTICLE V, *TOWN ATTORNEY*, IN ORDER TO CORRECT THE TERM OF APPOINTMENT OF TOWN ATTORNEY AND TO PROVIDE FOR THE CREATION AND APPOINTMENT OF A DEPUTY TOWN ATTORNEY

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.

12. RESOLUTIONS

R: 2016-46

A RESOLUTION AWARDED PURCHASES UNDER NEW JERSEY STATE CONTRACT (Fire Dept. Personal Protective Equipment \$692.00)

R: 2016 -47

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, FINDING AND DECLARING AN EMERGENCY FOR PURPOSES OF N.J.S.A. 40A:11-6 AND N.J.A.C. 5:34-6.1

R: 2016-48

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR UNIFORM FIRE SAFETY TRUST FUND REQUIRED BY THE TOWN OF PHILLIPSBURG, NJS 52:27D-192 et

R: 2016-49

A RESOLUTION AUTHORIZING MAYOR AND MUNICIPAL CLERK TO EXECUTE INTER-LOCAL SERVICE AGREEMENT BETWEEN TOWN OF PHILLIPSBURG AND THE PHILLIPSBURG HOUSING AUTHORITY

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.

13. NEW BUSINESS

14. PUBLIC PETITIONS
(Public Comments)

15. OPEN TIME

16. MOTIONS

Application for Active Duty – Craig Rush - Alert Hook and Ladder. Co. No. 1.

17. EXECUTIVE MEETING

R: 2016- 50

A RESOLUTION TO PROVIDE FOR AN EXECUTIVE MEETING OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG FOR THE PURPOSE OF CONSIDERING... Litigation – PBA Local 56 adv. Town of Phillipsburg

18. 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 MARCH 1, 2016

		<u>Check No</u>
1	Current Fund	1,173,040.02
2	State & Federal Grants	5,189.20
4	Capital Fund	79,927.17
7	Sewage Utility Fund	212,920.29
8	Sewage Capital Fund	23,617.83
12	Planning Board Trust Fund	0.00
12	Opus Investments	990.00
13	Dog Trust Fund	153.35
15	Public Defender Trust Fund	0.00
16	Section 8	1,908.09
17	General Trust Fund	0.00
17	Commerce Park Redevelopment	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	216.89
21	Revolving Loan Fund	0.00
Total Regular Bill List as MARCH 1, 2016		1,497,962.84

Section 8 Rent Payments for 2016

16	Section 8 Program	0.00
Total Section 8 Rent Payments Bill List as of		0.00


Pre-Paid Bill List as of MARCH 1, 2016

1	Current Fund	125,000.00
2	State & Federal Grants	41,000.00
4	Capital Fund	0.00
7	Sewer Utility Fund	0.00
8	Sewer Utility Capital	0.00
12	Planning Board Trust Fund	0.00
16	Section 8	0.00
17	General Trust Fund	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	154,603.20
21	Relvolving Loan Fund	0.00
Total Pre-Paid Bill List for MARCH 1, 2016		320,603.20

Grand Total All Funds

1,818,566.04

Approved By:


 Robert J. Merlo, CFO


 Stephen R. Ellis, Mayor

O: 2016-01

AN ORDINANCE CONCERNING SALARIES

BE IT ORDAINED that Ordinance 2015-20 is amended as follows:

Section 1:

Ordinance 2015-20 is hereby amended by adding the classifications as follows:

<u>CLASSIFICATION TITLE</u>	<u>SALARY</u>
Prosecutor	\$37,000.00
Public Defender	\$10,185.00
Confidential Secretary	\$45,000.00
Public Works	\$80,000.00
Municipal Court Administrator	\$95,500.00

	<u>(Min. hr.)</u>	<u>(Max hr.)</u>
PT Property Maintenance Inspector	\$16.00	\$25.00
Zoning Officer	\$20.00	\$30.00
School Traffic Guards Hourly	\$ 8.38	\$ 9.25

	<u>Daily Rate</u>
School Traffic Guards (STG) – with S & V	\$27.50
STG - no S & V	\$32.50
STG – additional crossing	\$15.00
STG - Coordinator	\$11.00
STG-Trainee	\$10.00

Section 2 - Severability

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

Section 3 - Repealer

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

Section 4 - Effective Date

This Ordinance shall take effect immediately upon adoption.

ATTEST:

TOWN OF PHILLIPSBURG

VICTORIA L. KLEINER, RMC
Municipal Clerk

Stephen R. Ellis
Mayor

DATE: February 16, 2016

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an ordinance duly adopted by the Town Council at their February 16, 2016 meeting.

VICTORIA L. KLEINER, RMC

**TOWN OF PHILLIPSBURG
WARREN COUNTY, NEW JERSEY**

BOND ORDINANCE # 2016 - 02

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO WALTER'S PARK POOL, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Town of Phillipsburg, in the County of Warren, State of New Jersey (the "Town"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$150,000, said sum being inclusive of the sum of \$7,500 as the aggregate amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Town for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$150,000 appropriation not provided for by

the down payment, negotiable bonds of the Town are hereby authorized to be issued in the aggregate principal amount of \$142,500 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Town in an aggregate principal amount not exceeding \$142,500 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are as follows: various improvements to Walter's Park Pool.

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

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$142,500.

(d) The aggregate estimated cost of said improvements or purposes is \$150,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payments for said improvements or purposes in the aggregate amount of \$7,500.

SECTION 4. In the event the United States of America, the State of New Jersey and/or the County of Warren make a contribution or grant in aid to the Town for the

improvements and purposes authorized hereby and the same shall be received by the Town prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Warren. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Warren shall be received by the Town after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

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

ordinance is made. Such report must include the principal amount, the description, the interest rate and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, is on file in the office of the Clerk of the Town and is available for public inspection.

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

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

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by

the authorization of the bonds or notes provided for in this bond ordinance by \$142,500 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes herein before described.

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

SECTION 9. The Town reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized

herein used to reimburse the Town for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Town other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Town for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$142,500. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid. The Town covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance.

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

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

ADOPTED ON FIRST READING
DATED: March 1, 2016

VICTORIA L. KLEINER,
Clerk of the Town of Phillipsburg

ADOPTED ON SECOND READING
DATED: March __, 2016

VICTORIA L. KLEINER,
Clerk of the Town of Phillipsburg

**TOWN OF PHILLIPSBURG
WARREN COUNTY, NEW JERSEY**

PUBLIC NOTICE

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Town of Phillipsburg, in the County of Warren, State of New Jersey, on March 1, 2016. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Phillipsburg Municipal Building, 675 Corliss Avenue, Phillipsburg, in said County on March __, 2016 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS, TO WALTER'S PARK POOL, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

Purpose(s): Various improvements to Walter's Park Pool

Appropriation: \$150,000

Bonds/Notes Authorized: \$142,500

Grants Appropriated: -0-

Section 20 Costs: \$50,000

Useful Life: 15 years

VICTORIA L. KLEINER
Clerk of the Town of Phillipsburg

**TOWN OF PHILLIPSBURG
WARREN COUNTY, NEW JERSEY**

PUBLIC NOTICE

NOTICE OF FINAL ADOPTION OF BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Town of Phillipsburg, in the County of Warren, State of New Jersey on March __, 2016, and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours, at the Clerk's office for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO WALTER'S PARK POOL, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

Purpose(s): Various improvements to Walter's Park Pool.

Appropriation: \$150,000

Bonds/Notes Authorized: \$142,500

Grants Appropriated: -0-

Section 20 Costs: \$50,000

Useful Life: 15 years

VICTORIA L. KLEINER
Clerk of the Town of Phillipsburg

**TOWN OF PHILLIPSBURG
WARREN COUNTY, NEW JERSEY**

CERTIFICATE OF INTRODUCTION OF BOND ORDINANCE

I, the undersigned Clerk of the Town of Phillipsburg, in the County of Warren, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Town duly called and held on March 1, 2016 at 7:00 p.m. at the Phillipsburg Municipal Building, 675 Corliss Avenue, Phillipsburg, in said County, and that the following was the roll call:

Present:

Absent:

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town as of this ___ day of _____, 2016.

(SEAL)

VICTORIA L. KLEINER
Clerk of the Town of Phillipsburg

**TOWN OF PHILLIPSBURG
WARREN COUNTY, NEW JERSEY**

CERTIFICATE OF FINAL ADOPTION OF BOND ORDINANCE

I, the undersigned Clerk of the Town of Phillipsburg, in the County of Warren, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Town duly called and held on March __, 2016 at 7:00 p.m. at the Phillipsburg Municipal Building, 675 Corliss Avenue, Phillipsburg, in said County, and that the following was the roll call:

Present:

Absent:

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town as of this __ day of _____, 2016.

(SEAL)

VICTORIA L. KLEINER
Clerk of the Town of Phillipsburg

**TOWN OF PHILLIPSBURG
WARREN COUNTY, NEW JERSEY**

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

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

1. Attached hereto is the bond ordinance introduced on March 1, 2016 and finally adopted on March __, 2016 and approved by the Mayor, as applicable, on March __, 2016.

2. After introduction, the bond ordinance was published as required by applicable law on March __, 2016 in The Express Times.

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

4. After final adoption, the bond ordinance was duly approved by the Mayor of the Town (if applicable) and duly published as required by law on March __, 2016 in The Express Times. No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body of the Town or to me or filed in my office within twenty (20) days after said publication or at any other time after the final adoption thereof.

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town as of this __ day of _____, 2016.

(SEAL)

VICTORIA L. KLEINER
Clerk of the Town of Phillipsburg

**TOWN OF PHILLIPSBURG
WARREN COUNTY, NEW JERSEY**

**CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT
FOR BOND ORDINANCE**

I, the undersigned, Clerk of the Town of Phillipsburg, in the County of Warren, State of New Jersey, DO HEREBY CERTIFY, that the attached Supplemental Debt Statement was prepared, executed and sworn to by Robert J. Merlo, the Chief Financial Officer as of March 1, 2016, that such Supplemental Debt Statement was filed in my office on March 1, 2016 and with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs on March __, 2016.

VICTORIA L. KLEINER
Clerk of the Town of Phillipsburg

**TOWN OF PHILLIPSBURG
WARREN COUNTY, NEW JERSEY**

DOWN PAYMENT CERTIFICATE FOR BOND ORDINANCE

I, the undersigned Chief Financial Officer of the Town of Phillipsburg, in the County of Warren, State of New Jersey, DO HEREBY CERTIFY that prior to final adoption of the ordinance entitled,

“BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO WALTER’S PARK POOL, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF”,

there was available as a down payment for the improvements or purposes authorized by said ordinance \$7,500 by virtue of provisions in a previously adopted budget or budgets of the Town for down payment or capital improvement purposes.

IN WITNESS WHEREOF, I have hereunto set my hand on behalf of the Town as of this ___ day of _____, 2016.

ROBERT J. MERLO
Chief Financial Officer

O: 2016 -03

AN ORDINANCE ESTABLISHING SALARIES
FOR SOA'S POLICE DEPARTMENT

BE IT ORDAINED by the Town Council of the Town of Phillipsburg that the following salaries are hereby established:--

	2016	2017	2018	2019
Sergeant	\$103,534.56	\$105,449.95	\$ 107,400.77	\$109,387.69
Lieutenant	\$110,140.43	\$112,178.03	\$114,253.32	\$116,367.00
Captain	\$118,728.73	\$120,925.22	\$123,162.33	\$125,440.84
Police Chief	\$125,041.27	\$127,354.53	\$129,710.5902	\$132,110.23

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 March 01, 2016 meeting.

Victoria L. Kleiner
Municipal Clerk

MEMORANDUM OF AGREEMENT

This Agreement is made this _____ day of December 2015 by and between the Town of Phillipsburg (herein the "Town") and PBA Local 56, Superior Officers Association (herein the "SOA");

WHEREAS, the Town and the SOA are parties to a Collective Negotiations Agreement (herein "CNA") covering the period from January 1, 2012 to December 31, 2015; and

WHEREAS, the Town and the SOA have engaged in good faith negotiations for a successor contract that has resulted in an agreement;

WHEREAS, the terms of the successor agreement are subject to ratification by the SOA membership and approval by the Town's governing body;

WHEREAS, the negotiating committees for the parties unanimously agree to recommend the terms of this Agreement to their constituents for approval;

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

1. Except as herein modified, the terms and conditions of the 2012-2015 CNA shall remain in full force and effect.
2. PREAMBLE
Conform all dates to the new term.
3. ARTICLE VII. VACATIONS
Paragraph J.: Increase one (1) emergency vacation day per year to two (2) emergency vacation days per year.

ORIGINAL

mm

4. ARTICLE XX, SALARIES

- A. Paragraph A.1.: Effective January 1, 2016, 1.85% increase to base for each rank as follows:

<u>Rank</u>	<u>Salary</u>
Sergeant	\$103,534.56
Lieutenant	\$110,140.43
Captain	\$118,728.73

- B. Paragraph A.2.: Effective January 1, 2017, 1.85% increase to base for each rank as follows:

<u>Rank</u>	<u>Salary</u>
Sergeant	105,449.95
Lieutenant	112,178.03
Captain	120,925.22

- C. Paragraph A.3.: Effective January 1, 2018, 1.85% increase to base for each rank as follows:

<u>Rank</u>	<u>Salary</u>
Sergeant	\$107,400.77
Lieutenant	\$114,253.32
Captain	\$123,162.33

- D. Paragraph A.4.: Effective January 1, 2019, 1.85% increase to base for each rank as follows:

<u>Rank</u>	<u>Salary</u>
Sergeant	\$109,387.69
Lieutenant	\$116,367.00
Captain	\$125,440.84

5. ARTICLE XXXII, WORK SCHEDULES

Paragraph E (New): Each supervisor shall be allowed to use one (1) hour of his shift for exercising without loss of pay. Such exercise time shall not cause manpower to fall below established minimums. Officers engaged in exercise time are subject to recall for police matters that cannot be handled by other on-duty police personnel.

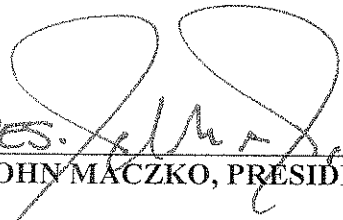
6. ARTICLE XXXVI, TERM AND RENEWAL

The term of the contract shall be January 1, 2016 through December 31, 2019.

7. Except as provided for herein, all other proposals raised by the parties during negotiations are withdrawn.

This agreement is subject to ratification by PBA Local 56, SOA and is without legal force and effect absent such ratification.

FOR PBA LOCAL 56, SOA

SOA
Pres. 

JOHN MACZKO, PRESIDENT

FOR THE TOWN OF PHILLIPSBURG



STEPHEN R. ELLIS, MAYOR

O: 2016-04

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 67-24, SCHEDULE IX, LEFT TURN PROHIBITIONS, OF THE CODE OF THE TOWN OF PHILLIPSBURG

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

Section 1:

Chapter 67 entitled, "Vehicles and Traffic, Section 24, *Schedule IX, Left Turn Prohibitions*, is hereby amended by adding the following:

Name of Street	Direction of Travel	Prohibited Hours	Intersection Of
Warren	South	7am - 5pm	Phillipsburg Middle School

Section 2:

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

Section 3:

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

Section 4:

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

ATTEST:

TOWN OF PHILLIPSBURG

VICTORIA L. KLEINER,
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 March 01, 2016 meeting.

VICTORIA L. KLEINER,
Municipal Clerk

O: 2016 -05

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 5, ADMINISTRATION OF GOVERNMENT, ARTICLE V, TOWN ATTORNEY, IN ORDER TO CORRECT THE TERM OF APPOINTMENT OF TOWN ATTORNEY AND TO PROVIDE FOR THE CREATION AND APPOINTMENT OF A DEPUTY TOWN ATTORNEY

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

Chapter 5, *Administration of Government*, Article V, *Town Attorney*, is hereby amended as follows:

Section 1

Section 5-37, *Retainer*, is hereby deleted in its entirety and replaced as follows:

Section 5-37, *Retainer*

The Town Attorney shall be retained by the Mayor with the advice and consent of the Council for a term of one year with such compensation as may be determined by Council and which shall be within the limits of available appropriations.

A new Section 5-40.1, creating the position of Deputy Town Attorney is created as follows:

Section 5-40.1 *Deputy Town Attorney; Position Created; Appointment.*

There is hereby created the position of Deputy Town Attorney. The Deputy Town Attorney shall be retained by the Mayor with the advice and consent of the Council for a term of one year with such compensation as may be determined by Council and which shall be within the limits of available appropriations.. The Deputy Town Attorney shall work in conjunction with the Town Attorney.

Section 2:

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

Section 3:

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

Section 4:

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

ATTEST:

TOWN OF PHILLIPSBURG

VICTORIA L. KLEINER,
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 March 01, 2016 meeting.

VICTORIA L. KLEINER,
Municipal Clerk

R: 2016-46

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

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

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

Purchase of Fire Clothing

State Contract #A-80961

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

**Personal Protective
Equipment**

One (1) Scott AV3000 Prescription Lens Kit

Total - \$49.50 each (Total \$49.50.00)

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of resolution duly adopted by the Town Council at their March 01, 2016 meeting.


Victoria L. Kleiner, RMC



PHILLIPSBURG, NEW JERSEY

"Home of Successful Industries"
675 Corliss Avenue, Phillipsburg, NJ 08865

OFFICE OF THE
FIRE CHIEF
(908) 454-5500 Ext. 382

DATE: February 23, 2016
TO: Victoria L. Kleiner, Clerk / Administrator
FROM: Richard A. Hay, Fire Chief 
RE: STATE CONTRACT PURCHASE

I request that the following be approved for purchase at the next regular meeting of Town Council:

VENDOR: #0345 New Jersey Fire Equipment Company
119-131 Route 22 East
Green Brook, New Jersey 08812

NJSC#: #A80961--Personal Protective Equipment

ITEM: One (1) Scott AV3000 Prescription Lens Kit

PRICE: \$49.50 (TOTAL \$49.50)

ACCOUNT: CHARGE TO 2014 CAPITAL ACCOUNT #04-215-55-924-000

R: 2016 -47

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY,
FINDING AND DECLARING AN EMERGENCY FOR
PURPOSES OF N.J.S.A. 40A:11-6 AND N.J.A.C. 5:34-6.1**

WHEREAS, N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1 permit contracting of services without public advertising for bids and bidding therefor, notwithstanding that the contract price will exceed the bid threshold, when an emergency affecting the public health, safety or welfare requires the immediate delivery or performance of services; and

WHEREAS, an emergency has arisen affecting the health, safety and welfare of the citizens of the Town of Phillipsburg to wit, the historic snowstorm Jonas, which snowstorm resulted in the Governor declaring a State of Emergency; and

WHEREAS, in the opinion of the Town's professionals and Mayor, it was necessary to immediately provide for the clearing and removal of the historic snowfall in order to ensure safety, emergency and other essential vehicular traffic could travel the street of Phillipsburg; and

WHEREAS, it was necessary to hire Williver Excavating at an actual cost of \$10,800.00; W. Dowd Excavating, LLC at an actual cost of \$16,160.00; All Image, Inc. at an actual cost of \$15,775.00; and J Pip's Paving Company at an actual cost of \$3,430.00, for a grand total of \$46,165.00 payment for which is available as evidenced by the attached certification of funds.

NOW THEREFORE IT BE RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the Town Council declares an emergency to exist as detailed above for which emergency services were needed and authorize the

payment therefore in excess of the bid threshold but for an amount not to exceed \$46,165.00.

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 March 01, 2016 meeting.

Victoria L. Kleiner
Municipal Clerk

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, REQUESTING PERMISSION FOR THE DEDICATION BY RIDER TO THE BUDGET OF THE TOWN OF PHILLIPSBURG FOR ANTICIPATED REVENUE DERIVED FROM THE UNIFORM FIRE SAFETY TRUST FUND AS REQUIRED BY N.J.S.A. 52:27D-192, ET SEQ.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as to the dedication by rider of revenues received by a municipality where the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 52:27D-192, et seq. provides for receipt of Uniform Fire Safety Trust Fund revenue by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides that dedicated revenues anticipated from the Uniform Fire Safety Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Uniform Fire Safety Trust Fund.
2. The Clerk of the Town of Phillipsburg, County of Warren is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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 March 01, 2016 meeting.

Victoria L. Kleiner, Municipal Clerk

R: 2016-49

A RESOLUTION AUTHORIZING MAYOR AND MUNICIPAL CLERK
TO EXECUTE INTER-LOCAL SERVICE AGREEMENT BETWEEN
TOWN OF PHILLIPSBURG AND THE PHILLIPSBURG
HOUSING AUTHORITY

WHEREAS, the Town of Phillipsburg wishes to enter into Inter-Local Service Agreement with the Phillipsburg Housing Authority in regards to the purchase of gasoline, motor fuel and rock salt for the period of January 1, 2016 through December 31, 2016,

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

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 March 01, 2016 meeting.

Victoria L. Kleiner, RMC

**AGREEMENT FOR INTER-LOCAL SERVICES BETWEEN THE
TOWN OF PHILLIPSBURG AND
THE PHILLIPSBURG HOUSING AUTHORITY**

The Town of Phillipsburg, a municipal corporation of the State of New Jersey, County of Warren, located on Corliss Avenue, and the Phillipsburg Housing Authority, agree as follows:

WHEREAS, N.J.S.A. 40A:65-1 et. seq. authorizes any local unit to contact with another to provide for municipal services, and;

WHEREAS, the Town of Phillipsburg will furnish, at its municipal garage, gasoline and motor fuel, as well as provide rock salt.

THEREFORE, BE IT RESOLVED AND ORDAINED THAT:

1. The Phillipsburg Housing Authority shall pay to the Town of Phillipsburg the actual cost of gasoline, motor fuel, and rock salt dispensed to the Phillipsburg Housing Authority.
2. Payments shall be received by the Town of Phillipsburg no later than the last business day of each respective month.
3. Said Agreement shall be for a term of one (1) year. Said Agreement shall commence the 1st day of January, 2016 and shall be subject to renewal at the option of the parties upon termination of said Agreement.

PHILLIPSBURG HOUSING AUTHORITY

By: _____
W. Paul Rummerfield, Executive Director

By: _____
James M. Shelly, Chairman

TOWN OF PHILLIPSBURG

By: _____
Stephen R. Ellis, Mayor

By: _____
Victoria L. Kleiner, Clerk/Admin.