

**TOWN OF PHILLIPSBURG**  
**TOWN COUNCIL MEETING**  
**TUESDAY, January 19, 2021 AGENDA**  
**via ZOOM**  
**7:00 P.M.**

Join Zoom Meeting  
<https://us02web.zoom.us/j/83739899207?pwd=NGoxUkN2VEhoblQrc1VQWCtldE1GUT09>

Meeting ID: 837 3989 9207  
Passcode: Pburg  
One tap mobile  
+13126266799,,83739899207#,,,\*721311# US (Chicago)  
+16468769923,,83739899207#,,,\*721311# US (New York)

Dial by your location  
+1 312 626 6799 US (Chicago)  
+1 646 876 9923 US (New York)

Meeting ID: 837 3989 9207  
Passcode: 721311  
Find your local number: <https://us02web.zoom.us/j/83739899207?pwd=NGoxUkN2VEhoblQrc1VQWCtldE1GUT09>

**1. CALL TO ORDER**

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

**THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS LAW. THIS MEETING OF JANUARY 19, 2020 WAS INCLUDED IN A NOTICE SENT TO NEWSPAPERS OF RECORD AND POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING AND HAS REMAINED CONTINUOUSLY POSTED AS THE REQUIRED NOTICES UNDER THE STATUTE. IN ADDITION, A COPY OF THIS NOTICE HAS BEEN AVAILABLE TO THE PUBLIC AND IS ON FILE IN THE OFFICE OF THE MUNICIPAL CLERK**

**3. INVOCATION AND FLAG SALUTE**  
Council Vice President Fulper

**4. ROLL CALL**

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

5. **APPROVAL OF MINUTES -** NONE AT THIS TIME

6. **BILLS LIST -**

7. **ANNOUNCEMENTS**

On January 07, 2021 Town Council gave a proclamation to David Shafer – a young Marine

On January 14, 2021 Town Council gave a proclamation to Charles “Chip” Price - lifetime Community Service

Senior Tax Freeze Deadline was extended to February 01, 2021

Please refer to the Town website for additional information

8. **OLD BUSINESS**

HABITABILITY HEARING update by Kevin Dudy

- 124 Mercer Street

9. **MAYOR’S AND ADMINISTRATIVE OFFICERS**

10. **PUBLIC DISCUSSION ON AGENDA ITEMS**

11. **ORDINANCES — FIRST READING**

12. **ORDINANCES – SECOND READING**

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

**R: 2021-26**

A RESOLUTION DESIGNATING HANDICAP PARKING SPACES WITHIN THE TOWN OF PHILLIPSBURG

**R: 2021-27**

RESOLUTION OF TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY DIRECTING THE PHILLIPSBURG PLANNING BOARD TO PREPARE AN AMMENDMENT TO THE RIVERFRONT REDEVELOPMENT PLAN IN ORDER TO INCLUDE INDUSTRIAL USES (DISTRICT 5)

**R: 2021-28**

RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT

**R: 2021-29**

RESOLUTION TO JOIN (RENEW) THE STATEWIDE INSURANCE FUND

**R: 2021- 30**

RESOLUTION APPOINTING THE STATEWIDE INSURANCE FUND FUND COMMISSIONER

**R: 2021-31**

A RESOLUTION APPROVING THE PAYMENT OF FIRST QUARTER 2021 COUNTY TAX AND OPEN SPACE TAX, DUE FEBRUARY 15, 2021

**R: 2021-32**

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

**R: 2021-33**

A RESOLUTION AUTHORIZING A LEASE AGREEMENT OF TWO 2021 FORD EXPLORER'S POLICE INTERCEPTORS

**R: 2021-34**

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE EXPENDITURE OF NOT TO EXCEED \$262,000.00 FOR ODOR CONTROL SYSTEM FOR DIGESTER TANKS

**R: 2021-35**

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING RESOLUTION NO. 2020-197

**R: 2021-36**

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING RESOLUTION NO. 2020-198

**R: 2021-37**

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE EXPENDITURE OF NOT TO EXCEED \$30,000.00 FOR PROPHYLAXIS ODOR CONTROL

**R: 2021-38**

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE EXPENDITURE OF NOT TO EXCEED \$30,000.00 FOR PROPHYLAXIS ODOR CONTROL

**R: 2021-39**

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER TO THE BUDGET OF THE TOWN OF PHILLIPSBURG FOR ANTICIPATED REVENUE DERIVED FROM THE COLLECTION OF RECREATION PROGRAM FEES AS REQUIRED BY THE N.J.S.A. 40A:5-29, ET SEQ.

**R: 2021-40**

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER TO THE BUDGET OF THE TOWN OF PHILLIPSBURG FOR ANTICIPATED REVENUE DERIVED FROM THE DONATION OF FUNDS TO THE TOWN FOR RECREATION PURPOSES AS REQUIRED BY THE N.J.S.A. 40A:5-29, ET SEQ.

**R: 2021-41**

A RESOLUTION APPROVING COUNCIL ASSIGNMENTS FOR 2021

**R: 2021 – 42**

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH VAN CLEEF ENGINEERING ASSOCIATES FOR 2020 ROAD PROGRAM-CONSTRUCTION/ADMINISTRATIVE SERVICES FOR ADDITIONAL SEWER INSPECTIONS

**R: 2020-43**

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A SIXTY DAY GRACE PERIOD FOR THE ISSUANCE OF DOG AND CAT LICENSES AND WAIVING ANY LATE FEES FOR FAILURE TO REGISTER SAME

**14. NEW BUSINESS**

**15. PUBLIC PETITIONS**

**16. DISCUSSION**

**17. COUNCIL OPEN TIME**

**18. MOTIONS**

**19. EXECUTIVE SESSION**

R: 2021-

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

**20. ADJOURNMENT**

**Bill List Summary**  
**REGULAR BILL LIST AS OF JANUARY 19, 2021**

		<u>Check No</u>
1	Current Fund	1,190,596.36
2	State & Federal Grants	1,609.99
4	Capital Fund	69,116.15
7	Sewage Utility Fund	268,575.95
8	Sewage Capital Fund	132,418.34
12	Planning Board Trust Fund	23,182.75
12	Bridge Development	48,481.25
13	Dog Trust Fund	270.00
15	Public Defender Trust Fund	0.00
16	Section 8	124.96
17	General Trust Fund	247.50
17	Commerce Park Redevelopment	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	354.74
21	Revolving Loan Fund	0.00
<b>Total Regular Bill List as JANUARY 19, 2021</b>		<b>1,734,977.99</b>

**Section 8 Rent Payments for 2021**

16	Section 8 Program	160,770.00
<b>Total Section 8 Rent Payments</b>		<b>160,770.00</b>

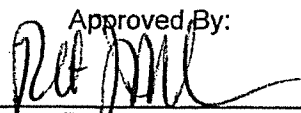
**Pre-Paid Bill List as of JANUARY 19, 2021**

1	Current Fund	13,979.89
2	State & Federal Grants	0.00
4	Capital Fund	0.00
7	Sewer Utility Fund	0.00
8	Sewer Utility Capital	0.00
12	Planning Board Trust Fund	0.00
16	Section 8	0.00
17	General Trust Fund	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	167,696.82
21	Revolving Loan Fund	0.00
<b>Total Pre-Paid Bill List for JANUARY 19, 2021</b>		<b>181,676.71</b>

Grand Total All Funds

2,077,424.70

Approved By:

  
 Robert J. Merlo, CFO

  
 Todd Tersigni, Mayor

R: 2021-26

**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:

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
Bullman Street	North Side	In front of 117 Bullman Street
Bullman Street	North Side	In front of 145 Bullman Street
Colby Place	North Side	In front of 19 Colby Place
Irwin Street	South Side	In front of 262 Irwin Street
Lewis Street	West Side	In front of 168 Lewis 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 January 19, 2021 meeting.

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Victoria L. Kleiner, RMC

**R: 2021-27**

**RESOLUTION OF TOWN OF PHILLIPSBURG, COUNTY OF WARREN,  
STATE OF NEW JERSEY DIRECTING THE PHILLPSBURG PLANNING  
BOARD TO PREPARE AN AMMENDMENT TO THE RIVERFRONT  
REDEVELOPMENT PLAN IN ORDER TO INCLUDE INDUSTRIAL USES  
(DISTRICT 5)**

**WHEREAS**, the Riverfront Redevelopment Plan ("Plan") was first adopted in 2005 and most recently amended in 2013; and

**WHEREAS**, the Town Council desires to amend the Riverfront Redevelopment plan in order to permit industrial uses in District 5 as identified in the Plan; and

**WHEREAS**, in accordance with N.J.S.A. 40A:12A-7, the governing body of a municipality may direct the Planning Board to prepare an amendment to a redevelopment plan for a designated redevelopment area; and

**WHEREAS**, the Town Council desires to direct the Planning Board to prepare an amendment to the Riverfront Redevelopment Plan (District 5) to include industrial uses; and

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey that the Phillipsburg Planning Board is hereby directed, in accordance with N.J.S.A. 40A:12A-7, to prepare an amendment to the Riverfront Redevelopment plan to permit industrial uses in District 5.

**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 January 19, 2020 meeting.

---

Victoria L. Kleiner  
Municipal Clerk



**RESOLUTION APPOINTING RISK MANAGEMENT CONSULTANT**

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

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

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

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

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

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

Name of Entity: Town of Phillipsburg

**Attest:**

\_\_\_\_\_

\_\_\_\_\_  
Todd M. Tersigni, Mayor

**C e r t i f i c a t i o n**

I, Victoria L. Kleiner, Clerk of the, Town of Phillipsburg, County of Warren, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 19, 2021.

\_\_\_\_\_  
Clerk

# 2020 FUND YEAR STATEWIDE INSURANCE FUND

## RISK MANAGEMENT CONSULTANT'S AGREEMENT

**THIS AGREEMENT** entered into this 19<sup>th</sup> day of January 2021, among the Statewide Insurance Fund ("FUND"), a joint insurance fund of the State of New Jersey, County of Warren ("MEMBER") and Acrisure, LLC and Fairview Insurance Agency Associates, Inc. ("CONSULTANT") through a fair and open process, pursuant to N.J.S.A. 19:44A-20.4.

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

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

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

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

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

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

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

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

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

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

- 3. The term of this Agreement shall be from **January 1, 2021 to January 1, 2022**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.
- 4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.
- 5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance

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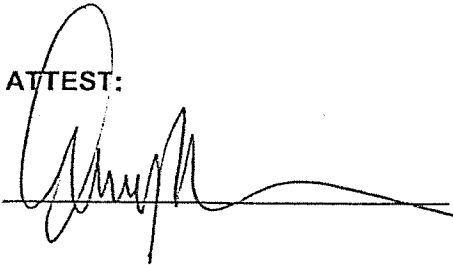
3. The term of this Agreement shall be from **January 1, 2021 to January 1, 2022**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.
4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.
5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.


**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Member Representative**

**ATTEST:**

  
\_\_\_\_\_

  
\_\_\_\_\_  
Risk Management Consultant-Authorized Representative  
AGRISURE LLC

**ATTEST:**

  
\_\_\_\_\_

  
\_\_\_\_\_  
Risk Management Consultant - FAIRVIEW

**ATTEST:**

\_\_\_\_\_

\_\_\_\_\_  
**Statewide Insurance Fund Chairperson**

**EXHIBIT A  
STATEWIDE INSURANCE FUND**

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

**GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS**

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

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

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

**OR**

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

**OR**

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

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

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

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

COMPANY: ACRISURE LLC  
Risk Management Consultants

SIGNATURE: 

PRINT NAME: Lindsay Tawal

TITLE: Authorized Representative DATE: January 7, 2021

**EXHIBIT A  
STATEWIDE INSURANCE FUND**

**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY NOTICE**  
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**OR**

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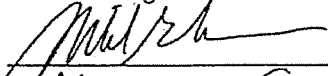
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The successful professional service entity may obtain the Employee Information Report (AA302) from the Statewide Insurance Fund during normal business hours.

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

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

COMPANY: FAIRVIEW INSURANCE  
Risk Management Consultants

SIGNATURE: 

PRINT NAME: Michael Graham

TITLE: COO DATE: 1/6/2021

**R: 2021-29**  
**STATEWIDE INSURANCE FUND**  
**RESOLUTION TO JOIN (RENEW) THE FUND**

WHEREAS, a number of local units have joined together to form the Statewide Insurance Fund ("FUND"), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

WHEREAS, Town of Phillipsburg has complied with relevant law with regard to the acquisition of insurance; and

WHEREAS, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

WHEREAS, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

WHEREAS, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2021** terminating on **January 1, 2024** at 12:01 a.m. standard time; and

WHEREAS, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

BE IT FURTHER RESOLVED that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

BE IT FURTHER RESOLVED that the LOCAL UNIT will be afforded the following coverage(s) :

Workers' Compensation & Employer's Liability  
Comprehensive General Liability  
Automobile Liability and Physical Damage  
Public Officials and Employment Practices Liability  
Pollution Liability  
Property  
Inland Marine Boiler and Machinery  
Crime-Faithful Performance and Fidelity  
Cyber Liability  
Non Owned Aircraft

BE IT FURTHER RESOLVED that Victoria L. Kleiner is hereby appointed as the LOCAL UNIT's Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and Todd M. Tersigni is hereby appointed as the LOCAL UNIT's Alternate Fund Commissioner.

BE IT FURTHER RESOLVED that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

Name of Member Entity:

**Town of Phillipsburg**

ATTEST:

By: \_\_\_\_\_

\_\_\_\_\_  
Print Name

Title: \_\_\_\_\_

\_\_\_\_\_  
Clerk

This Resolution agreed to the 19 day of January, 2021 by a vote of:

\_\_\_\_\_ Affirmative \_\_\_\_\_ Abstain \_\_\_\_\_ Negative \_\_\_\_\_ Absent



STATEWIDE INSURANCE FUND  
INDEMNITY AND TRUST AGREEMENT

THIS AGREEMENT made this 19 day of January 2021 in the County of Morris, State of New Jersey, by and between the Statewide Insurance Fund (hereinafter "FUND"), and Town of Phillipsburg in the County of Warren a duly constituted local unit of government (hereinafter "LOCAL UNIT");

WHEREAS, two or more local units have collectively formed a joint insurance fund as such an entity is authorized and described in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the LOCAL UNIT has agreed to become a member of the FUND in accordance with and to the extent provided for in the Bylaws of the FUND and in consideration of such obligations and benefits to be shared by the membership of the FUND; and

WHEREAS, the LOCAL UNIT has complied with relevant law with regard to the acquisition of insurance;

NOW, THEREFORE, it is agreed as follows:

1. The LOCAL UNIT, upon entering the FUND, agrees to be bound by and to accept and comply with each and every provision of the FUND's Bylaws, Risk Management Program, as it applies to the LOCAL UNIT and the applicable statutes and administrative regulations pertaining to joint insurance funds.
2. The LOCAL UNIT agrees to participate in the FUND with respect to the coverage listed in the LOCAL UNIT's "Resolution to Join" in accordance with the FUND's Bylaws and Risk Management Program.
3. The LOCAL UNIT agrees to become a member of the FUND until January 1, 2021, at 12:01 a. m. eastern standard time. The commencement date shall be the effective date as established by the FUND's Bylaws and policies.
4. The LOCAL UNIT certifies that it has not been canceled for non-payment of insurance premiums for a period of at least two (2) years prior to the date hereof, or, if self-insured, that it has never defaulted on any claims.
5. In consideration of membership in the FUND, the LOCAL UNIT agrees that it shall jointly and severally assume and discharge the liability of each and every member of the FUND in accordance with statute and regulation, and by execution hereof the full faith and credit of the LOCAL UNIT is pledged to the punctual payment of any sums which shall become due to the

FUND in accordance with the Bylaws thereof, this Agreement or any applicable statute or regulation.

6. If the FUND, in the enforcement of any part of this Agreement, shall incur necessary expense or become obligated to pay attorney's fees and/or court costs, the LOCAL UNIT agrees to reimburse the FUND for all such reasonable expenses, fees and costs on demand.
7. The LOCAL UNIT and the FUND agree that the FUND shall hold in trust all monies paid by the LOCAL UNIT to the FUND and those monies will be used in accordance with all applicable statutes, the FUND's Bylaws and the Risk Management Program.
8. If required by the Commissioner of Insurance or applicable statutes or regulations, the FUND shall establish separate trust fund accounts in accordance with N.J.S.A. 40A:10-36, et seq. and any other statutes or regulations that may be applicable. Said trust accounts shall be used solely for the payment of claims made against members of the FUND, excess insurance premiums and/or the administration of the FUND, or for such other purposes as now or hereunder permitted by statute or regulation.
9. Each LOCAL UNIT which shall become a member of the FUND shall be obligated to execute an agreement similar in form to this Agreement.
10. To the extent required by law, the LOCAL UNIT shall provide notice of this Agreement to the Office of the State Comptroller.

Name of Member Entity:

Town of Phillipsburg

ATTEST:

By: \_\_\_\_\_

\_\_\_\_\_  
Print Name

Title: \_\_\_\_\_

\_\_\_\_\_  
Clerk

STATEWIDE INSURANCE FUND

By: \_\_\_\_\_

Chairman

ATTEST: \_\_\_\_\_

Secretary

Dated: \_\_\_\_\_

R: 2021- 30

**STATEWIDE INSURANCE FUND  
RESOLUTION APPOINTING FUND COMMISSIONER**

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

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

NOW, THEREFORE, BE IT RESOLVED by the governing body of the The Town of Phillipsburg (Local Unit) that Victoria L. Kleiner (entity's elected official or employee) is hereby appointed as the Fund Commissioner for the Local Unit for the **Fund Year 2021**; and

BE IT FURTHER RESOLVED that Todd M. Tersigni (second elected official or employee) is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the **Fund Year 2021**; and

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

Name of Entity: Town of Phillipsburg

ATTEST:

\_\_\_\_\_

Clerk

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

This Resolution agreed to the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by a vote of:

\_\_\_\_\_ Affirmative \_\_\_\_\_ Abstain \_\_\_\_\_ Negative \_\_\_\_\_ Absent

R: 2021-31

A RESOLUTION APPROVING THE PAYMENT OF FIRST QUARTER  
2021 COUNTY TAX AND OPEN SPACE TAX, DUE  
FEBRUARY 15, 2021

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

The payment of County Taxes in the amount of \$1,218,834.19 is  
hereby approved,

This payment represents FIRST QUARTER 2020 COUNTY TAX  
and FIRST QUARTER 2020 OPEN SPACE TAX due FEBRUARY 15,  
2021:

FIRST QUARTER 2021 TAXES -- \$1,172,048.46

FIRST QUARTER 2021 OPEN SPACE TAX -- \$46,785.73

AMOUNT DUE: \$1,218,834.19

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 January 19, 2021 meeting.

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Victoria L. Kleiner, Municipal Clerk

R: 2021-32

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

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

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

ACCT	YEAR	BLOCK	LOT	NAME	AMOUNT
20550	2020	1217	17	Fetzer, Lauren M.	\$874.08
08680	2020	0804	01	Corelogic Tax Services/ Resnifkoff, James G & Simon, Susan M.	\$959.62

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

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey do hereby certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on January 19, 2021.

---

Victoria L. Kleiner, RMC

R: 2021-33

A RESOLUTION AUTHORIZING A LEASE AGREEMENT OF TWO  
2021 FORD EXPLORER'S POLICE INTERCEPTORS

WHEREAS, the Town of Phillipsburg has a need to acquire two (2) 2021 Ford Explorer's is in the Town's best interest to acquire this vehicle through Winner Ford, and

WHEREAS, the Town of Phillipsburg's CFO has certified funds available through a Capital Lease, in the amount of \$88,063.90.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg, State of New Jersey, and County of Warren is authorizing a lease agreement between Town of Phillipsburg and with Winner Ford, KS State Bank.

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 January 19, 2021 meeting.

---

Victoria L. Kleiner, RMC  
Municipal Clerk

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG,  
COUNTY OF WARREN, STATE OF NEW JERSEY,  
AUTHORIZING THE EXPENDITURE OF NOT TO  
EXCEED \$262,000.00 FOR ODOR CONTROL SYSTEM  
FOR DIGESTER TANKS**

**WHEREAS**, the Town has a need to acquire services related to the repair of the installation of an odor control system for digester tanks ("Project"); and

**WHEREAS**, the Town received bids in response to the solicitation of same:

**WHEREAS**, Derstine Company of Souderton, PA was the lowest responsible bidder at \$262,000.00 for the Project; and

**WHEREAS**, the Town Council desires to award and authorize the Project in an amount NOT TO EXCEED \$262,000.00; and

**WHEREAS**, sufficient funds are 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 hereby awards a contract to Derstine Company in an amount not to exceed \$262,000.00 in accordance with the bid specifications, bid submission and as based upon the award recommendation of Remington & Vernick dated December 28, 2020.

**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 January 19, 2021 meeting.

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Victoria L. Kleiner  
Municipal Clerk

**R: 2021-35**  
**A RESOLUTION OF THE**  
**TOWN OF PHILLIPSBURG, COUNTY OF WARREN,**  
**STATE OF NEW JERSEY, AMENDING RESOLUTION NO. 2020-197**

**WHEREAS**, the Town of Phillipsburg previously adopted Resolution No. 2020-197 approving a  
an award to decrease in the amount of \$331.84 from an original award of \$6,500.00 for work associated  
with road striping for the Heckman Street Phase 4 Road Striping (the "Project"); and

**WHEREAS**, the total contract price of \$6,500.00 less the deduction of \$331.84 results in a final  
contract price of \$6,168.16.

**NOW THEREFORE IT BE RESOLVED** by the Town Council of the Town of Phillipsburg,  
County of Warren, State of New Jersey, that Resolution No. 2020-197 shall be amended to change the  
final contract price for the Project to \$6,168.16 for the reasons stated above.

**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 January 19, 2021  
meeting.

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



**R: 2021-36**  
**A RESOLUTION OF THE**  
**TOWN OF PHILLIPSBURG, COUNTY OF WARREN,**  
**STATE OF NEW JERSEY, AMENDING RESOLUTION NO. 2020-198**

**WHEREAS**, the Town of Phillipsburg previously adopted Resolution No. 2020-198 approving a  
an award to decrease in the amount of \$100,525.87 from an original award of \$525,100.00 for work  
associated with milling and paving for the Heckman Street Phase 3 Road Paving (the “Project”); and

**WHEREAS**, the total contract price of \$525,100.00 less the deduction of \$100,525.87 results in  
a final contract price of \$424,574.13.

**NOW THEREFORE IT BE RESOLVED** by the Town Council of the Town of Phillipsburg,  
County of Warren, State of New Jersey, that Resolution No. 2020-198 shall be amended to change the  
final contract price for the Project to \$424,574.13 for the reasons stated above.

**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 January 19, 2021  
meeting.

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

R: 2021-37

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG,  
COUNTY OF WARREN, STATE OF NEW JERSEY,  
AUTHORIZING THE EXPENDITURE OF NOT TO  
EXCEED \$30,000.00 FOR PROPHYLAXIS ODOR  
CONTROL**

**WHEREAS**, Natural Systems Utility has submitted a proposal dated August 30, 2020 in the amount NOT TO EXCEED \$28,000.00 for prophylaxis odor control related to the Town's Wastewater Treatment Plant (the "Project"); and

**WHEREAS**, the Town Council desires to approve the proposal and authorize the Project in an amount NOT TO EXCEED \$28,000.00; and

**WHEREAS**, sufficient funds are 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 hereby approves the proposal dated August 30, 2020 in an amount not to exceed \$28,000.00.

**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 January 19, 2021 meeting.

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Victoria L. Kleiner  
Municipal Clerk

**R: 2021-38**

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG,  
COUNTY OF WARREN, STATE OF NEW JERSEY,  
AUTHORIZING THE EXPENDITURE OF NOT TO  
EXCEED \$30,000.00 FOR PROPHYLAXIS ODOR  
CONTROL**

**WHEREAS**, Natural Systems Utility has submitted a proposal dated September 25, 2020 in the amount NOT TO EXCEED \$30,000.00 for prophylaxis odor control related to the Town's Wastewater Treatment Plant (the "Project"); and

**WHEREAS**, the Town Council desires to approve the proposal and authorize the Project in an amount NOT TO EXCEED \$30,000.00; and

**WHEREAS**, sufficient funds are 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 hereby approves the proposal dated September 25, 2020 in an amount not to exceed \$30,000.00.

**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 January 19, 2021 meeting.

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Victoria L. Kleiner  
Municipal Clerk

R: 2021-39

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER  
TO THE BUDGET OF THE TOWN OF PHILLIPSBURG FOR ANTICIPATED  
REVENUE DERIVED FROM THE COLLECTION OF RECREATION PROGRAM  
FEES AS REQUIRED BY THE N.J.S.A. 40A:5-29, ET SEQ.**

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

**WHEREAS**, the Town of Phillipsburg is anticipating revenue from the imposition of fees for use of its recreational facilities, among other things, associated with the recreation department; and

**WHEREAS**, N.J.S.A 40A:4-39 provides the dedicated revenues anticipated from the collection of recreation program fees 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 Governing body of the Town council of the Town of Phillipsburg, County of Warren, 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 donation National Night Out and the Town of Phillipsburg.
2. The Clerk of the Town of the Town Council, County of Warren is hereby Directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**ROLL CALL**

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilmen Wyant						
Councilmen Piazza						
Councilwoman DeGerolamo						
Council Vice Pres. Fulper						
Council Pres. McVey						

**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 January 19, 2021.

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

R: 2021-40

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER TO THE BUDGET OF THE TOWN OF PHILLIPSBURG FOR ANTICIPATED REVENUE DERIVED FROM THE DONATION OF FUNDS TO THE TOWN FOR RECREATION PURPOSES AS REQUIRED BY THE N.J.S.A. 40A:5-29, ET SEQ.**

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

**WHEREAS**, the Town of Phillipsburg provides for receipt of collection of recreation of donations for recreational use by the municipality; and,

**WHEREAS**, N.J.S.A 40A:4-39 provides the dedicated revenues anticipated from the Donation of funds for the recreation purposes 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 Governing body of the Town council of the Town of Phillipsburg, County of Warren, 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 donation National Night Out and the Town of Phillipsburg.
2. The Clerk of the Town of the Town Council, County of Warren is hereby Directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

**ROLL CALL**

Council Members	First	Second	Yea	Nay	Abstain	Absent
Councilmen Wyant						
Councilmen Piazza						
Councilwoman DeGerolamo						
Council Vice Pres. Fulper						
Council Pres. McVey						

**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 January 19, 2021.

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

**R: 2021-041**  
**A RESOLUTION APPROVING COUNCIL**  
**ASSIGNMENTS FOR 2021**

**BE IT RESOLVED** by the Town Council that that following Council appointments for 2021 are hereby approved:

**Board of Education**

Councilman Piazza

**Lehigh Valley Chamber of Commerce**

Council President McVey

**NORWESCAP**

Councilman Piazza

**Open Space**

Council Vice President Fulper

**Planning Board**

TBD

**Recreation Advisory**

Council Vice President Fulper

**Redevelopment Sub-Committee**

Council President McVey

Councilman Piazza

**Revolving Loan**

Councilwoman DeGerolamo

**Sewer Utility AC**

Council President McVey

Councilwoman DeGerolamo

Councilman Piazza

Councilman Wyant

**Senior Center**

Councilman Wyant

**UEZ**

Councilman Wyant (Appointed by Mayor Tersigni)

**2021 Discontinued Assignments**

Cable Access

Citizens Advisory Board Atlantic States

Historical Preservation

Municipal Alliance

Landlord/Tenant

Neighborhood Preservation Program (NPP)

Phillipsburg Housing Neighborhood Development Commission (PHNDC)

Regional Contribution Agreement (RCA)

Solid Waste AC

Transportation

**CERTIFICATION**

I, Victoria Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify  
January 19, 2021 meeting.

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Victoria Kleiner, Municipal Clerk

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR  
PROFESSIONAL SERVICES WITH VAN CLEEF ENGINEERING  
ASSOCIATES FOR 2020 ROAD PROGRAM-  
CONSTRUCTION/ADMINISTRATIVE SERVICES FOR  
ADDITIONAL SEWER INSPECTIONS**

**WHEREAS**, the Town of Phillipsburg has a need to perform additional inspections sewer lines within the Town in connection with the 2020 Road Resurfacing Program (“Project”); and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-5(1)(a)(i), a contract for such services may be awarded without competitive bidding by reason that such services constitute "professional services" which are services rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship; and

**WHEREAS**, Van Cleef Engineering Associates submitted a proposal dated January 7, 2021, to provide construction observation and administration services over the Project; and

**WHEREAS**, the value of these observation and administration services will be a lump sum fee in the amount of \$18,300.00; 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 and

**WHEREAS**, sufficient funding exists as evidenced by the attached certification of funds.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the Mayor and Municipal Clerk are authorized to enter into a Contract with Van Cleef Engineering Associates as described therein.

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



## **CERTIFICATION**

I, Victoria L. Kleiner, 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 January 19, 2021.

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Victoria L. Kleiner, Municipal Clerk

R: 2020-43

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG,  
COUNTY OF WARREN, STATE OF NEW JERSEY,  
AUTHORIZING A SIXTY DAY GRACE PERIOD FOR THE  
INSSUANCE OF DOG AND CAT LICENSES AND  
WAIVING ANY LATE FEES FOR FAILURE TO  
REGISTER SAME**

**WHEREAS**, the Town requires its residents to obtain dog and cat licenses on a annual basis; and

**WHEREAS**, the Town's rabies clinic was cancelled and it will therefore take people longer to obtain the required rabies vaccine:

**WHEREAS**, the Town recognizes this hardship and the Town Council desires to extend the time for licensing dogs and cats by sixty days from January 31, 2021 and to also waive any late fees during that period;

**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 hereby extends the time to license dogs and cats in the Town for sixty days from January 31, 2021 and to also waive any late fees incurred during that period..

**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 January 19, 2021 meeting.

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Victoria L. Kleiner  
Municipal Clerk