

**TOWN OF PHILLIPSBURG**  
**TOWN COUNCIL MEETING**  
**TUESDAY, February 16, 2021 AGENDA**  
**via ZOOM**  
**7:00 P.M.**

Join Zoom Meeting  
<https://us02web.zoom.us/j/88983872036?pwd=WXhkSXc5MFpoMEVhMXpmLzVKN2lndz09>

Meeting ID: 889 8387 2036  
Passcode: Pburg  
One tap mobile  
+13126266799,,88983872036#,,, \*412094# US (Chicago)  
+16468769923,,88983872036#,,, \*412094# US (New York)

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

Meeting ID: 889 8387 2036  
Passcode: 412094  
Find your local number: <https://us02web.zoom.us/j/kc4GEhLINB>

**1. CALL TO ORDER**

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

**THIS MEETING IS CALLED PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS LAW. THIS MEETING OF February 16, 2021 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 - January 05, 2021**

**6. BILLS LIST -**

**7. ANNOUNCEMENTS**

February 25, 2021 – The State of the Town Address

March 05, 2021 – Ribbon Cutting for Platinum Star Cleaning Service at noon hosted by the Lehigh Valley Chamber of Commerce

Proclamations: Mike Swick – Life saving efforts -

Quarterly Council Zoom – Council Vice President Fulper will be in March

**8. OLD BUSINESS**

**R: 2021-34 AMEND RESOLUTION – SUBJECT TO C.O.F. PENDING BOND ORDINANCE APPROVAL**

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

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

**10. PUBLIC DISCUSSION ON AGENDA ITEMS**

**11. ORDINANCES — FIRST READING**

**O: 2021-09 (First Reading 02-16-2021)**

AN ORDINANCE TO AMEND CHAPTER 570, TAXATION, OF THE CODE OF THE TOWN OF PHILLIPSBURG, ARTICLE II, *MEDICAL CANNABIS TRANSFER TAX*, SECTION 13, *ADMINISTRATION OF MEDICAL CANNABIS TRANSFER TAX*, SUBSECTION C, IN ORDER TO CHANGE THE FREQUENCY OF PAYMENT

## **12. ORDINANCES – SECOND READING -**

### **O: 2021-01 (First Reading 02-02-21)**

ORDINANCE AMENDING CHAPTER 625, *ZONING*, OF THE CODE OF THE TOWN OF PHILLIPSBURG TO ADD FLEA MARKET/ANTIQUE MALL AS A PERMITTED USE IN THE I-1 ZONE, TO DEFINE FLEA MARKET/ANTIQUE MALL AND TO ADD PARKING STANDARDS FOR SAID USE AND TO DESIGNATE PAWN SHOPS AS A NONPERMITTED USE IN THE I-1 ZONE

### **O: 2021 – 03 (First Reading 02-02-21)**

AN ORDINANCE OF THE CODE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND, REVISE AND SUPPLEMENT CHAPTER 67 “VEHICLES AND TRAFFIC” SECTION 19 “SCHEDULE III, TIME-LIMIT PARKING” IN ORDER TO ADD ADDITIONAL SPACES

### **O: 2021 – 04 (First Reading 02-02-21)**

BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF WARREN STREET, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$880,000 THEREFOR (INCLUDING GRANTS EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TOTALING \$427,107) AND AUTHORIZING THE ISSUANCE OF \$880,000 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF

### **O: 2021-05 (First Reading 02-02-21)**

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 2019-07 HERETOFORE FINALLY ADOPTED MAY 7, 2019, IN ORDER TO REVISE THE DESCRIPTION OF IMPROVEMENTS

### **O: 2021-06 (First Reading 02-02-21)**

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AT THE SEWAGE PLANT OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$565,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$565,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

### **O: 2021-07 (First Reading 02-02-21)**

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN AND STATE OF NEW JERSEY AMENDING CHAPTER 441, *POLICE SERVICE COSTS*, OF THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO PROVIDE A PROCEDURE FOR THE IMPOSITION OF LIENS FOR POLICE SERVICE COSTS

### **O: 2021-08 (First Reading 02-02-21)**

ORDINANCE PROVIDING FOR AMENDMENT TO CHAPTER 123 OF THE TOWN CODE ENTITLED “SEWER UTILITY”

**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: 2021-60

RESOLUTION TO SUPPORT EXTENDING THE WARREN HERITAGE SCENIC BYWAY TO UNION SQUARE IN PHILLIPSBURG AND TO WATERLOO VILLAGE IN BYRAM TOWNSHIP IN SUSSEX COUNTY

R: 2021-61

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AWARDED CONTRACT TO YANNUZZI GROUP IN THE AMOUNT OF \$47,000.00 FOR THE DEMOLITION OF 85 LEWIS STREET

R: 2021-62

RESOLUTION TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE THROUGH THE MORRIS COUNTY CO-OP TO BSN SPORTING GOODS

R: 2021-63

RESOLUTION TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE PURCHASE THROUGH THE MORRIS COUNTY CO-OP TO UNITED SUPPLY CORP.

R: 2021-64 Moved for possible vote after executive session

~~RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE TOWN AND AFSCME COUNCIL NO. 73~~

R: 2021 – 65

RESOLUTION OF THE TOWN OF PHILLIPSBURG RESCINDING 2021-54 APPROVING A CHANGE ORDER IN THE AMOUNT OF \$13,300 TO AQUATIC DESIGN FACILITY

R: 2021 – 65 A

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$13,300.00 TO AQUATIC FACILITY DESIGN, INC.

R: 2021-66

A RESOLUTION TO PROVIDE FOR RESERVE YEAR TRANSFER

R: 2021-67

RESOLUTION OF THE TOWN OF PHILLIPSBURG, APPROVING CHANGE ORDER NO. 1 AND AUTHORIZING FINAL PAYMENT TO KDP PHILLIPSBURG FOR WORK PERFORMED IN REGARD TO THE SANITARY SEWER MAIN REPLACEMENT (AUTUMN RIDGE CONNECTION)

**14. NEW BUSINESS**

**15. PUBLIC PETITIONS**

**16. DISCUSSION**

Andrew Kennedy – Phoebus Fud – Airspace Solar Farm

Personnel 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 . . .

*Litigation & Contractual matters, action may be taken*

R: 2021-64     **Possible action to be taken**

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE TOWN AND AFSCME COUNCIL NO. 73

**20. ADJOURNMENT**

**Bill List Summary**  
**REGULAR BILL LIST AS OF FEBRUARY 16, 2021**

		<u>Check No</u>
1	Current Fund	98,258.85
2	State & Federal Grants	0.00
4	Capital Fund	0.00
7	Sewage Utility Fund	214,509.10
8	Sewage Capital Fund	0.00
12	Planning Board Trust Fund	0.00
12	Bridge Development	4,300.00
13	Dog Trust Fund	0.00
15	Public Defender Trust Fund	0.00
16	Section 8	0.00
17	General Trust Fund	1,559.88
17	Commerce Park Redevelopment	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	0.00
21	Revolving Loan Fund	945.00
<b>Total Regular Bill List as FEBRUARY 16, 2021</b>		<b>319,572.83</b>

**Section 8 Rent Payments for 2021**

16	Section 8 Program	163,969.00
<b>+</b>		<b>163,969.00</b>

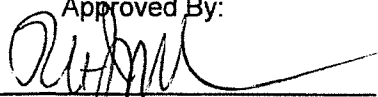
**Pre-Paid Bill List as of FEBRUARY 16, 2021**

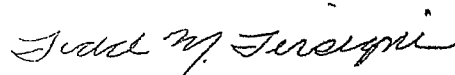
1	Current Fund	82,764.52
2	State & Federal Grants	0.00
4	Capital Fund	0.00
7	Sewer Utility Fund	189,874.75
8	Sewer Utility Capital	0.00
12	Planning Board Trust Fund	0.00
16	Section 8	0.00
17	General Trust Fund	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	1,696.42
21	Revolving Loan Fund	0.00
<b>Total Pre-Paid Bill List for FEBRUARY 2, 2021</b>		<b>274,335.69</b>

Grand Total All Funds

757,877.52

Approved By:

  
Robert J. Merlo, CFO

  
Todd Tersigni, Mayor

O: 2021-01

**ORDINANCE AMENDING CHAPTER 625, ZONING, OF THE CODE OF THE TOWN OF PHILLIPSBURG TO ADD FLEA MARKET/ANTIQUE MALL AS A PERMITTED USE IN THE I-1 ZONE, TO DEFINE FLEA MARKET/ANTIQUE MALL AND TO ADD PARKING STANDARDS FOR SAID USE AND TO DESIGNATE PAWN SHOPS AS A NONPERMITTED USE IN THE I-1 ZONE**

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

Section 1.

Chapter 625, *Zoning*, Article XV, *I-1 Industrial Light Zone*, Section 71, *Permitted Principal Uses* is amended by adding a new subsection (G) Flea Market/Antique Mall

Chapter 625, *Zoning*, Article II, *Definitions*, Section 3, *Construction; definitions* is amended by adding the following definition:

**FLEA MARKET / ANTIQUE MALL**

A location at which permanent buildings or structures with enclosed walls, framed roofs and structural footings and foundations are rented or otherwise made temporarily available to two or more persons and at which the persons offer tangible personal property and antique items for sale.

Chapter 625, *Zoning*, Article VII, *Parking, Loading and Driveways*, Section 32, *Parking Space Requirements*, is amended by adding the following:

Section 625-32 Parking Space Requirements.

B.(1), Non-Residential Uses

**USE**

**NUMBER OF SPACES**

Flea Market / Antique Mall

1 for each employee at peak shift plus 1  
for each 250 square feet of vendor stalls;  
1 for each 200 square feet of all others

Chapter 625, *Zoning*, Article XV, *I-1 Industrial Light Zone*, Section 73, *Nonpermitted Uses*, is amended by adding Pawn Shops as a specified nonpermitted use.

Section 2. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to remedy the inconsistency.

Section 3. In the event any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall only apply to that section, paragraph,

subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.

Section 4. This ordinance shall take effect immediately upon its final passage and publication as provided by law.

ATTEST:

TOWN OF PHILLIPSBURG

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

\_\_\_\_\_  
TODD TERSIGNI  
Mayor

DATED:

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their February 02, 2021 meeting.

\_\_\_\_\_  
VICTORIA L. KLEINER, RMC



O: 2021 - 03

**AN ORDINANCE OF THE CODE OF THE TOWN OF PHILLIPSBURG,  
COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND, REVISE AND  
SUPPLEMENT CHAPTER 67 “VEHICLES AND TRAFFIC” SECTION 19  
“SCHEDULE III, TIME-LIMIT PARKING” IN ORDER TO ADD ADDITIONAL  
SPACES**

WHEREAS, the Town of Phillipsburg is currently suffering from a lack of available short term parking spaces along its street; and

WHEREAS, the Town Council is seeking resolutions to make more short term on street parking spaces available to the community; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Phillipsburg, in the County of Warren and State of New Jersey, that the Code of the Town of Phillipsburg is hereby amended as follows:

**Section 1:**

The following section is hereby added:

Chapter 67, *Vehicles and Traffic*, Section 19, *Schedule III, Time-Limit Parking*, of the Code of the Town of Phillipsburg is hereby amended to read as follows:

**§67-19 *Schedule III, Time-Limit Parking***

<b>Name of Street</b>	<b>Sides</b>	<b>Time Limit; Hours/Days</b>	<b>Location</b>
South Main St.	Northeasterly	10 minutes; 8:00 am to 6:00 pm (except Sundays and holidays)	Beginning 265 feet from the north easterly curbline of Pleasant Avenue to a point 47 feet northeasterly encompassing 2 parking spots; therefrom which the termination point is also 235 feet along the north easterly curbline from the Union Square intersection.
South Main St.	Northerly	10 minutes; 8:00 am to 6:00 pm (except Sundays and holidays)	Beginning 240 feet from the northerly curbline of Hudson Street to a point 40 feet northerly encompassing 2 parking spots; therefrom which the termination point is also 32 feet along the northerly curbline from the Market Street intersection

**Section 2:**

All other sections and subsections shall remain unchanged.

**Section 3:**

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 4:**

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

**Section 5:**

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

**ATTEST**

**TOWN OF PHILLIPSBURG**

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

\_\_\_\_\_  
TODD M. TERSIGINI  
Mayor

DATED:

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their February 02, 2021 meeting.

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

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

**BOND ORDINANCE # 2021-04**

**BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF WARREN STREET, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$880,000 THEREFOR (INCLUDING GRANTS EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TOTALING \$427,107) AND AUTHORIZING THE ISSUANCE OF \$880,000 BONDS OR NOTES OF THE TOWN TO FINANCE 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 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 hereof, there is hereby appropriated the sum of \$880,000, which sum includes grants totaling \$427,107, expected to be received from the New Jersey Department of Transportation (the "DOT Grants"). No down payment for said improvements or purposes is required pursuant to Section 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), as said improvements or purposes involve projects funded by State grants.

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet said \$880,000 appropriation, negotiable bonds of the Town are hereby authorized to be issued in a principal amount not exceeding \$880,000 pursuant

to and within the limitations prescribed by 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 a principal amount not exceeding \$880,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**SECTION 3.** (a) The improvements hereby authorized and the purposes for which said bonds or notes are to be issued are for the reconstruction of the entire length or portions of Warren Street within the Town. Such improvements or purposes are to include, but are not limited to, as applicable, demolition and excavation, milling, paving, resurfacing and reconstruction of the roadways, roadway painting and striping, the repairing and/or removal and installation of sidewalks, driveway aprons, curbing, retaining walls and curb ramps, guardrails, and concrete improvements, and all other related improvements, design work, preparation of plans and specifications, permits, bid documents, contract administration, work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications on file in the Office of the Clerk of the Town and available for public inspection.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$880,000.

(c) The estimated cost of said improvements or purposes is \$880,000.

**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. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Town as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

**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, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. 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 the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance

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

**SECTION 6.** The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

**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 period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) 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 \$880,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$126,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore 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 bonds or notes authorized by this bond ordinance. The bonds or notes 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 bonds or notes 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. 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.

**SECTION 10.** 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 bond ordinance.

**SECTION 11.** The Chief Financial Officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town, which are authorized herein, and to execute such disclosure document on behalf of the Town. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town, which are authorized herein, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 12.** This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING  
DATED: February 2, 2021**



1st Read 02-02-2021  
2<sup>nd</sup> read 02-16-2021

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

**ADOPTED ON SECOND READING**  
**DATED: \_\_\_\_\_, 2021**

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

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021**

\_\_\_\_\_  
**TODD M. TERSIGNI, Mayor**

**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 February 2, 2021. It will be further considered for final passage, after public hearing thereon, at a virtual meeting of the governing body on February 16, 2021 at 7:00 p.m. Information regarding remote access to the meeting may be found on the Town's website at [www.phillipsburgnj.org](http://www.phillipsburgnj.org). The summary of the terms of such bond ordinance follows:

<b>Title:</b>	BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF WARREN STREET, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$880,000 THEREFOR (INCLUDING GRANTS EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TOTALING \$427,107) AND AUTHORIZING THE ISSUANCE OF \$880,000 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF
<b>Purpose(s):</b>	Providing for the reconstruction of the entire length or portions of Warren Street within the Town
<b>Appropriation:</b>	\$880,000
<b>Bonds/Notes Authorized:</b>	\$880,000
<b>Grants Appropriated:</b>	\$427,107, New Jersey Department of Transportation Grants
<b>Section 20 Costs:</b>	\$126,000
<b>Useful Life:</b>	10 years

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

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

**PUBLIC NOTICE  
BOND ORDINANCE STATEMENT 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 \_\_\_\_\_, 2021, 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 THE RECONSTRUCTION OF WARREN STREET, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$880,000 THEREFOR (INCLUDING GRANTS EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TOTALING \$427,107) AND AUTHORIZING THE ISSUANCE OF \$880,000 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF

**Purpose(s):** Providing for the reconstruction of the entire length or portions of Warren Street within the Town

**Appropriation:** \$880,000

**Bonds/Notes Authorized:** \$880,000

**Grants Appropriated:** \$427,107, New Jersey Department of Transportation Grants

**Section 20 Costs:** \$126,000

**Useful Life:** 10 years

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

## CERTIFICATE OF INTRODUCTION

I, the undersigned Clerk of the Town of Phillipsburg, in the County of Warren, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Town duly called and held on February 2, 2021 at 7:00 p.m., in said Town, 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 this \_\_\_\_ day of \_\_\_\_\_, 2021.

(SEAL)

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

## CERTIFICATE OF FINAL ADOPTION

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 \_\_\_\_\_, 2021 at 7:00 p.m., in said Town, 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 this \_\_\_\_ day of \_\_\_\_\_, 2021.

(SEAL)

---

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

## CLERK'S CERTIFICATE

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

1. Attached hereto is the bond ordinance introduced on February 2, 2021 and finally adopted on \_\_\_\_\_, 2021 and approved by the Mayor, as applicable, on \_\_\_\_\_, 2021.

2. After introduction, the bond ordinance was published as required by applicable law on \_\_\_\_\_, 2021 in the \_\_\_\_\_ (name of newspaper).

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 \_\_\_\_\_, 2021 in the \_\_\_\_\_ (name of newspaper). 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 this \_\_\_\_ day of \_\_\_\_\_, 2021.

(SEAL)

---

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

## **CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT**

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 of the Town as of February 2, 2021, that such Supplemental Debt Statement was filed in my office on February 2, 2021 and with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs on \_\_\_\_\_, 2021.

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



**TOWN OF PHILLIPSBURG  
ORDINANCE NUMBER – O: 2021-05**

**BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER  
2019-07 HERETOFORE FINALLY ADOPTED MAY 7, 2019, IN  
ORDER TO REVISE THE DESCRIPTION OF IMPROVEMENTS**

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 members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1. Section 3(a) of the bond ordinance of the Town of Phillipsburg, in the County of Warren, State of New Jersey (the "Town"), finally adopted by the Town Council on May 7, 2019, numbered 2019-7 (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows:

**"SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are (i) the acquisition and renovation of 120 Filmore Street for municipal purposes; (ii) the demolition of the old municipal building at 675 Corliss Avenue; (iii) upgrades to the municipal owned building at 220 Broubalow Way; (iv) improvements to the community pool and bath house and (v) upgrades to the Town-owned garage on 3<sup>rd</sup> and North Main Street."**

SECTION 2. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital

02-02-2021

02-16-2021

or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 3. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 4. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING  
DATED: February 2, 2021**

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

**ADOPTED ON SECOND READING  
DATED: \_\_\_\_\_, 2021**

---

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

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

**PUBLIC NOTICE**

**NOTICE OF PENDING BOND ORDINANCE AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Town of Phillipsburg, in the County of Warren, State of New Jersey, on February 2, 2021. It will be further considered for final passage, after public hearing thereon, at a virtual meeting of the governing body to be held on \_\_\_\_\_ at 7:00 p.m. Information regarding remote access to the meeting may be found on the Town's website at [www.phillipsburgnj.org](http://www.phillipsburgnj.org). The summary of the terms of such bond ordinance follows:

**Title:** BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 2019-07 HERETOFORE FINALLY ADOPTED MAY 7, 2019, IN ORDER TO REVISE THE DESCRIPTION OF IMPROVEMENTS

**Purpose(s):** To amend the description in Section 3(a) of the Original Ordinance to include (i) the acquisition and renovation of 120 Filmore Street for municipal purposes; (ii) the demolition of the old municipal building at 675 Corliss Avenue; (iii) upgrades to the municipal owned building at 220 Broubalow Way; (iv) improvements to the community pool and bath house and (v) upgrades to the Town-owned garage on 3rd and North Main Street.

**Appropriation:** No Change

**Down Payment:** No Change

**Bonds/Notes**

**Authorized:** No Change

**Section 20 Costs:** No Change

**Useful Life:** No Change

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

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

**PUBLIC NOTICE**

**NOTICE OF FINAL ADOPTION OF BOND ORDINANCE AND SUMMARY**

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Town of Phillipsburg, in the County of Warren, State of New Jersey on \_\_\_\_\_, 2021, 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 AMENDING BOND ORDINANCE NUMBER 2019-07 HERETOFORE FINALLY ADOPTED MAY 7, 2019, IN ORDER TO REVISE THE DESCRIPTION OF IMPROVEMENTS

**Purpose(s):** To amend the description in Section 3(a) of the Original Ordinance to include (i) the acquisition and renovation of 120 Filmore Street for municipal purposes; (ii) the demolition of the old municipal building at 675 Corliss Avenue; (iii) upgrades to the municipal owned building at 220 Broubalow Way; (iv) improvements to the community pool and bath house and (v) upgrades to the Town-owned garage on 3rd and North Main Street.

**Appropriation:** No Change

**Down Payment:** No Change

**Bonds/Notes**

**Authorized:** No Change

**Section 20 Costs:** No Change

**Useful Life:** No Change

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

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

I, the undersigned Clerk of the Town of Phillipsburg, in the County of Warren, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Town duly called and held on February 2, 2021 at 7:00 p.m. at the Town Hall, 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 \_\_\_\_\_, 2021.

(SEAL)

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

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

I, the undersigned Clerk of the Town of Phillipsburg, in the County of Warren, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Town duly called and held on \_\_\_\_\_ 2021 at 7:00 p.m. at the Town Hall, 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 \_\_\_\_\_, 2021.

(SEAL)

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

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

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

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

1. Attached hereto is the bond ordinance introduced on February 2, 2021 and finally adopted on \_\_\_\_\_ and approved by the Mayor, as applicable, on \_\_\_\_\_, 2021.

2. After introduction, the bond ordinance was published as required by applicable law on \_\_\_\_\_, 2021 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 \_\_\_\_\_, 2021 in The Express Times. No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on

the action proposed in the bond ordinance has been presented to the governing body of the Town or to me or filed in my office within twenty (20) days after said publication or at any other time after the final adoption thereof.

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town as of this \_\_\_\_ day of \_\_\_\_\_, 2021.

(SEAL)

---

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



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

**O: 2021-06**

**BOND ORDINANCE PROVIDING FOR VARIOUS  
IMPROVEMENTS AT THE SEWAGE TREATMENT PLANT  
OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF  
WARREN, STATE OF NEW JERSEY; APPROPRIATING  
\$565,000 THEREFOR AND AUTHORIZING THE ISSUANCE  
OF \$565,000 BONDS OR NOTES TO FINANCE 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 members thereof affirmatively concurring) AS FOLLOWS:

**SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Town of Phillipsburg, in the County of Warren, State of New Jersey (the "Town") as general improvements. For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the principal amount of \$565,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required as the Sewer Utility is self-liquidating.

**SECTION 2.** For the financing of said improvements described in Section 3 hereof, negotiable bonds of the Town are hereby authorized to be issued in the aggregate principal amount of \$565,000 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 \$565,000 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 the purposes for the financing of which said obligations are to be issued are for various improvements at the Sewage Treatment Plant, including, but not limited to, installation of a digester cover, west digester crack repair, replacement of conduits and high voltage wiring at aeration basin, replacement of MCC starter and breaker assembly for blower 2, replacement of ultraviolet bulb contract and sludge pump. Such improvements or purposes shall also include, but are not limited to, as required, removal and replacement of, as applicable, sidewalks, concrete curbing, curb ramps, driveway aprons, regrading, landscaping, excavation, pavement striping, installation of traffic calming devices, resetting manholes and inlets, and various other curb, sidewalk and parking lot maintenance.

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

(c) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$565,000.

(d) The estimated cost of said improvements or purposes is \$565,000.

**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 in Section 3 hereof, 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 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, 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 of the Town 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 the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a 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, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The Town hereby certifies that it has adopted a capital budget or a temporary capital budget of the Town, as applicable. 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. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget of the Town, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

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

(b) The 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 30 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 in the 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 \$565,000, but such amount shall constitute a deduction from gross debt to the extent

permitted by law, 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 \$65,000 for items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

**SECTION 8.** Unless paid from other sources, 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. Unless paid from other sources, 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 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 \$565,000. 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.

**SECTION 10.** The Chief Financial Officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town, which are authorized herein, and to execute such disclosure document on behalf of the Town. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town, which are authorized herein, and to amend such undertaking from

time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 11.** The Town covenants to maintain the exclusion from gross income under Section 103(a) of the Code the interest on all bonds and notes issued under this bond ordinance.

**SECTION 12.** This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, and approval by the Mayor, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING  
DATED: February 2, 2021**

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

**ADOPTED ON SECOND READING  
DATED: \_\_\_\_\_, 2021**

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

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021**

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**TODD M. TERSIGNI, Mayor**

**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 February 2, 2021. It will be further considered for final passage, after public hearing thereon, at a virtual meeting of the governing body on \_\_\_\_\_, 2021 at 7:00 p.m. Information regarding remote access to the meeting may be found on the Town's website at [www.phillipsburgnj.org](http://www.phillipsburgnj.org). The summary of the terms of such bond ordinance follows:

**Title:** BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AT THE SEWAGE TREATMENT PLANT OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$565,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$565,000 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF

**Purpose(s):** Providing for various improvements at the Sewage Treatment Plant, including, but not limited to, installation of a digester cover, west digester crack repair, replacement of conduits and high voltage wiring at aeration basin, replacement of MCC starter and breaker assembly for blower 2, replacement of ultraviolet bulb contract and sludge pump.

**Appropriation:** \$565,000

**Bonds/Notes  
Authorized:** \$565,000

**Section 20  
Costs:** \$65,000

**Useful Life:** 30 years

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



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

**PUBLIC NOTICE  
BOND ORDINANCE STATEMENT 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 \_\_\_\_\_, 2021, 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 AT THE SEWAGE TREATMENT PLANT OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$565,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$565,000 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF

**Purpose(s):** Providing for various improvements at the Sewage Treatment Plant, including, but not limited to, installation of a digester cover, west digester crack repair, replacement of conduits and high voltage wiring at aeration basin, replacement of MCC starter and breaker assembly for blower 2, replacement of ultraviolet bulb contract and sludge pump.

**Appropriation:** \$565,000

**Bonds/Notes  
Authorized:** \$565,000

**Section 20  
Costs:** \$65,000

**Useful Life:** 30 years

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

## **CERTIFICATE OF INTRODUCTION**

I, the undersigned Clerk of the Town of Phillipsburg, in the County of Warren, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Town duly called and held on February 2, 2021 at 7:00 p.m., in said Town, 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 this \_\_\_\_ day of \_\_\_\_\_, 2021.

(SEAL)

---

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

## CERTIFICATE OF FINAL ADOPTION

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 \_\_\_\_\_, 2021 at 7:00 p.m., in said Town, 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 this \_\_\_\_ day of \_\_\_\_\_, 2021.

(SEAL)

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

## CLERK'S CERTIFICATE

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

1. Attached hereto is the bond ordinance introduced on February 2, 2021 and finally adopted on \_\_\_\_\_, 2021 and approved by the Mayor, as applicable, on \_\_\_\_\_, 2021.

2. After introduction, the bond ordinance was published as required by applicable law on \_\_\_\_\_, 2021 in the \_\_\_\_\_ (name of newspaper).

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 \_\_\_\_\_, 2021 in the \_\_\_\_\_ (name of newspaper). 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 this \_\_\_\_ day of \_\_\_\_\_, 2021.

(SEAL)

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

## **CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT**

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 of the Town as of February 2, 2021, that such Supplemental Debt Statement was filed in my office on February 2, 2021 and with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs on \_\_\_\_\_, 2021.

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

**O: 2021-08**

**ORDINANCE PROVIDING FOR AMENDMENT TO CHAPTER  
123 OF THE TOWN CODE ENTITLED "SEWER UTILITY"**

**BE IT ORDAINED** by the Council of the Town of Phillipsburg, that Chapter 123 of the Town Code, entitled "Sewer Utility," shall be amended as follows:

**Section 1**

Section 123.5, "Sewer user charges," shall be deleted in its entirety and in its place and stead shall be:

- A. Sewer fees are based upon actual measured readings obtained from Water Company presently servicing the Phillipsburg area. Quarterly bills will be calculated based on the readings obtained from the Water Company. Should a reading be deemed inaccurate or rejected due to interruption of service, meter replacement or faulty reading, the bill issued will be based on a calculation using an average of the past usage not to exceed twelve months. In addition, there shall be a flat rate per quarter in addition to the usage per gallon charge as set forth below.
- B. Fees are based upon actual water usage as measured by Aqua New Jersey Water Company. Charges shall be applied as follows:

**Year 2021:**

- 1. Residential, including multiple family, flat fee per quarter, per household (\$15.00)
- 2. Residential per gallon usage charge (\$0.0061)
- 3. Commercial/Apartments/Schools/Churches flat fee charge, per quarter (\$20.00)
- 4. Commercial/Apartments/Schools/Churches per gallon usage charge (\$0.0074)
- 5. Business Commercial flat fee charge, per quarter (\$40.00)
- 6. Business Commercial per gallon usage charge (\$0.0074)
- 7. Industrial flat fee charge, per quarter (\$50.00)
- 8. Industrial per gallon usage charge (\$0.0074)

Sending districts per gallon charge based on flow (\$0.0054)

- C. The following Sewer User Charges shall be applied when subject property has unmetered water consumption:

**Residential**

Flat fee quarterly charge

17 billing units

**Multi-Family Residential**

Flat fee quarterly charge 17 billing units x number of families

**Business/Commercial/Industrial**

Flat fee quarterly charge 34 billing units

**Commercial/Multi-Family Residential**

Flat fee quarterly charge 17 billing units or 34 billing units  
based upon usage

A billing unit is hereby defined as 1,000 gallons of water measurement.

**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 as required by law.

**ATTEST:**

**TOWN OF PHILLIPSBURG**

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

\_\_\_\_\_  
TODD M. TERSIGINI  
Mayor

DATED:

**CERTIFICATION**

I, Victoria L. Kleiner, Acting 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 02, 2021 meeting.

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



O: 2021-07

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN AND STATE OF NEW JERSEY AMENDING CHAPTER 441, *POLICE SERVICE COSTS*, OF THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO PROVIDE A PROCEDURE FOR THE IMPOSITION OF LIENS FOR POLICE SERVICE COSTS**

**WHEREAS**, Chapter 441 of the Code of the Town of Phillipsburg imputes liability to the owners of real property situated within the Town for police service costs incurred by the Town in responding to complaints at the property which affect the public good; and

**WHEREAS**, pursuant to Chapter 441, the chapter is intended to address chronic police calls arising from public disturbances and nuisances recurring in the same location, including, but in no way limited to, excessively loud music or parties, public alcohol consumption, late night noise, chronic dog barking, etc.; and

**WHEREAS**, it has come to the attention of the Town that Chapter 441 lacks specificity regarding the process for determining whether the property qualifies as an offending property and that therefore the owner should be held liable; and

**WHEREAS**, it is the purpose and intent of this ordinance to establish clearly the criteria and process for determining whether a violation of Chapter 441 has occurred.

**NOW THEREFORE BE IT ORDAINED AS FOLLOWS:**

**Section 1.**

Chapter 441, *Police Service Costs*, Section 3, *Payment for Police Services*, is deleted and replaced as follows:

**§441-3 *Payment for Police Services***

Every owner and/or property manager within the Town shall pay to the Chief Financial Officer of the Town of Phillipsburg, for deposit into the general fund, police service costs as defined in § **441-2**, Police service costs, for each response by the Phillipsburg Police Department to maintain order and public peace and/or to restrain unlawful conduct thereon and/or to stop public disturbances at such private property for each response by the Police Department in excess of three calls in any 12 month period, each of which results in a summons being issued by the Police Department; provided, however, that police services in connection with crimes against residents and/or property by persons not residing or by persons who are not invited guests or otherwise lawful occupants of the private property shall not be considered "responses" for purposes of this chapter.

Chapter 441, *Police Service Costs*, Section 4, *Notice to owner or property manager*, is deleted and replaced as follows:

**§441-4 *Notice to owner or property manager, procedure for hearing***

The Chief of Police or other duly authorized agent of the Town shall notify the owner and/or property manager that a response has been made to such property to maintain order or public peace or to stop a public disturbance. Such notice shall be given by regular mail to the last known address of such owner and/or property manager.

Upon the issuance of a fourth summons in any 12 month period, the Chief of Police or other duly authorized agent of the Town shall notify the Business Administrator that the conditions precedent for the payment of police service costs have been satisfied. The notification shall include a cost of the police service costs as calculated in accordance with Chapter for the preceding 12 month period.

Upon receiving said notification, the Business Administrator shall notify the Council President and the Town Attorney that the conditions precedent for the payment of police service costs have been satisfied and the Town Attorney shall serve notice to the property owner or property manager that the Town intends to invoice the owner/property manager for police service costs. The notice shall be sent by certified mail or overnight delivery and shall advise the owner/property manager that the Town Council will provide the owner/property manager with an opportunity to be heard at a regularly scheduled Council meeting.

At the hearing before the Council, the owner/property manager shall be given an opportunity to be heard and present defenses as to why the Town should not invoice for police services. At the conclusion of the hearing, the Town Council shall, by way of motion clearly articulating its rationale and finding, vote to either invoice the owner/property manager or to forego same.

## **Section 2:**

All other sections and subsections shall remain unchanged.

## **Section 3:**

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 4:**

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

## **Section 5:**

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

**ATTEST**

**TOWN OF PHILLIPSBURG**

\_\_\_\_\_  
VICTORIA L. KLEINER, RMC

Municipal Clerk

\_\_\_\_\_  
TODD M. TERSIGINI

Mayor

DATED:

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their February 02, 2021 meeting.

\_\_\_\_\_  
VICTORIA L. KLEINER,

Municipal Clerk

O: 2020-09

**AN ORDINANCE TO AMEND CHAPTER 570, TAXATION, OF THE CODE OF THE TOWN OF PHILLIPSBURG, ARTICLE II, *MEDICAL CANNABIS TRANSFER TAX*, SECTION 13, *ADMINISTRATION OF MEDICAL CANNABIS TRANSFER TAX*, SUBSECTION C, IN ORDER TO CHANGE THE FREQUENCY OF PAYMENT**

BE IT ORDAINED by the Town Council of the Town of Phillipsburg that the following Town Code Section shall be amended as described below:

Section 1. Chapter 570-13(C) is hereby amended to read as follows:

§570-13

C. The tax imposed by this section shall be paid to the Town quarterly in the same manner as payments made for real property taxation with a report certified as true and accurate by the Chief Financial Officer, Comptroller or other similarly situated person showing the gross revenues for the Medical Cannabis Dispensary for each month of the preceding year. The Town may require that the Medical Cannabis Dispensary obtain a financial report from an independent accountant certifying as to the annual revenues for the preceding year.

BE IT FURTHER ORDAINED that a copy of this Ordinance shall be transmitted to the State Treasurer and to every Medical Cannabis Dispensary within the Town of Phillipsburg.

Section 2. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent necessary to remedy the inconsistency.

Section 3. In the event any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall only apply to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.

Section 4. This ordinance shall take effect immediately upon its final passage and publication as provided by law.

ATTEST:

TOWN OF PHILLIPSBURG

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

\_\_\_\_\_  
TODD TERSIGNI  
Mayor

DATED:

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their February 16, 2021 meeting.

\_\_\_\_\_  
VICTORIA L. KLEINER, RMC

**R: 2021-60**

***RESOLUTION TO SUPPORT EXTENDING THE WARREN HERITAGE  
SCENIC BYWAY TO UNION SQUARE IN PHILLIPSBURG AND TO  
WATERLOO VILLAGE IN BYRAM TOWNSHIP IN SUSSEX COUNTY***

**WHEREAS**, in accordance with the New Jersey Scenic Byways Program, Route 57 from MP 2.07 in Greenwich Township to MP 20.54 in Hackettstown was designated as a State Scenic Byway in 2009 based on the intrinsic beauty of the byway and the important cultural, historic, recreational and natural resource values of the scenic byway; and

**WHEREAS**, the mission of the New Jersey Scenic Byways Program is to recognize and preserve New Jersey's unique historic, cultural and natural heritage; improve roadway safety and appearance; create and nurture partnerships among citizens and all levels of government; provide opportunities for commerce through heritage, cultural and nature-based tourism; enhance quality of life and instill pride in local communities; and

**WHEREAS**, the scenic byway can further benefit the community by fostering economic development consistent with the regions rural character, providing access to local parks, waterbodies and unique natural vistas; and

**WHEREAS**, the six municipalities that are located within the designated Warren Heritage Scenic Byway filed resolutions of support for the scenic byway designation and include the Township of Franklin, the Township of Greenwich, the Town of Hackettstown, the Township of Mansfield, the Township of Washington, and the Borough of Washington; and

**WHEREAS**, these six municipalities worked together with Warren County as the Route 57 Scenic Byway Committee and assisted in designating the byway in 2009 and completing a corridor management plan (CMP) in 2011; and

**WHEREAS**, public meeting opportunities were provided to obtain public input from the general public throughout the application and CMP process; and

**WHEREAS**, the byway name was revised from the Route 57 Scenic Byway to the Warren Heritage Scenic Byway (WHSB); and

**WHEREAS**, a formal organization referred to as the Warren Heritage Scenic Byway Committee (WHSB) consisting of members of the six municipalities, Warren County government agencies and committees, business improvement districts, and other interested non-profit organizations now meet quarterly to monitor implementation of the Corridor Management Plan and to assist the stakeholders, individually and collectively, in dealing with matters concerning the Warren Heritage Scenic Byway and its communities; and

**WHEREAS**, the Warren Heritage Scenic Byway Committee realizes that this important resource would benefit the public by being extended to the Delaware River in the west and to Waterloo Village in the east; and

**WHEREAS**, the route of the Scenic Byway, is recommended to be amended and lengthened through the acceptance of all municipalities and counties along this extended WHSB Route; and

**WHEREAS**, the southern extension of the byway would begin at its western terminus at MP 2.07 at the Greenwich/Lopatcong Twp. border, and travels south on NJ 57 to County Route 519 south. Continuing on CR 519 south through Lopatcong, Greenwich, and Pohatcong Townships, the route proceeds to the intersection with NJ 122 (South Main Street) and turns right. Staying on South Main Street, (NJ 122, CR 678) the byway ends at Union Square in Phillipsburg.

**WHEREAS**, the northern extension of the byway would begin at the eastern terminus at the intersection of NJ 57 and State Route 182 (Mountain Avenue), and continues north on Route 182, turns left onto Route 46 (Mill Street) for 1 block before turning onto County Route 604 (Willow Grove Street) Staying on CR 604 through Hackettstown and Allamuchy Township the byway route proceeds through Allamuchy Mountain State Park and then ends at Waterloo Village in Byram Township, Sussex County; and

**WHEREAS**, extension of the byway route involves a coordinated effort and support among the additional municipalities and counties through which it passes; and

**WHEREAS**, an application to extend the designated byway must be prepared and submitted to the New Jersey Department of Transportation for approval; and

**WHEREAS**, administration of the extended byway, once formally designated, further requires continuing commitment in the form of participation of the Town of Phillipsburg as an active member of the Warren Heritage Scenic Byway Committee; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town of Phillipsburg supports the concept of extending the Warren Heritage Scenic Byway and commits to participating in the process necessary for its implementation including assisting in the development of the Application for Scenic Byway Designation and if approved by the NJDOT, the Addendum to the Corridor Management Plan; and

**BE IT FURTHER RESOLVED** that the Town of Phillipsburg will work with the Warren Heritage Scenic Byway Committee in the development of the Application for Scenic Byway Designation to the NJDOT and in the ongoing planning efforts that support the designation, recognition, and retention of the Byway.

#### **CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Town Council at their February 16, 2021 meeting

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Victoria L. Kleiner  
Municipal Clerk

**R: 2021-61**

**A RESOLUTION OF THE  
TOWN OF PHILLIPSBURG, COUNTY OF WARREN,  
STATE OF NEW JERSEY, AWARDED CONTRACT  
TO YANNUZZI GROUP IN THE AMOUNT  
OF \$47,000.00 FOR THE DEMOLITION OF 85 LEWIS STREET**

**WHEREAS**, the Town advertised for sealed bids to be submitted in connection with the demolition of 85 Lewis Street (the "Project"); and

**WHEREAS**, the Town set forth specifications for the Project; and

**WHEREAS**, the Town received a total of two (2) sealed bids; and

**WHEREAS**, the Town opened sealed bids on January 21, 2021 at the Town Hall; and

**WHEREAS**, the bidders were:

1. Two Brothers Contracting, Inc.

Totowa NJ-	\$88,640.00
------------	-------------

2. Yannuzzi Group

Kinnelon NJ-	\$47,000.00
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And,

**WHEREAS**, the bids were reviewed by the administration and by the Town's Professionals; and

**WHEREAS**, Yannuzzi Group was the lowest conforming bid and the a recommendation has been made to award the bid to Yannuzzi Group as being the lowest responsible bidder; and

**WHEREAS**, funding is available as evidenced by the attached Certificate of Availability of Funds; and

**WHEREAS**, the Town is desirous of awarding said bid.

**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 does hereby award the bid for the demolition of 85 Lewis Street to Yannuzzi Group in the amount of \$47,000.00 in accordance with the bid and bid specifications submitted therefor.

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to enter into a contract on behalf of the Town of Phillipsburg upon the submission of all proper documentation by Yannuzzi Group pursuant to said bid.

#### **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 February 16, 2021 meeting.

---

Victoria L. Kleiner  
Registered Municipal Clerk



**R: 2021-62**

**RESOLUTION TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE  
OF NEW JERSEY AUTHORIZING THE PURCHASE THROUGH THE  
MORRIS COUNTY CO-OP TO BSN SPORTING GOODS**

**WHEREAS**, the Town of Phillipsburg is a member of the Morris County Cooperative Pricing Council; and

**WHEREAS**, BSN Sporting Goods is an authorized and approved vendor of the CO-OP; and

**WHEREAS**, the Town has a need to purchase sporting goods and equipment for use through its recreation program;

**WHEREAS**, BSN Sporting Goods submitted a price quote on January 28, 2021 for various sporting goods and equipment as evidenced by the attached proposal herewith; and

**WHEREAS**, the total of said quote is \$1,506.73

**WHEREAS**, sufficient funds are available as evidence by the attached certification of funds.

**NOW, THEREFORE, BE IT RESOLVED** by Town Council of Phillipsburg, County of Warren, State of New Jersey that the aforementioned purchases are hereby authorized.

**BE IT FURTHER RESOLVED**, the Mayor and the Municipal Clerk are hereby authorized and directed to execute any documents which may be necessary to effectuate the foregoing.

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their February 16, 2021 meeting.

---

Victoria L. Kleiner  
Municipal Clerk



PO Box 660176  
Dallas, Tx 75266-0176  
Phone: 800-527-7510 Fax: 800-899-0149  
Visit us at www.bsnsports.com

Contact Your Rep  
George C. Kline III Email: gkline@bsnsports.com | Phone: 610-703-7843

Sold to  
1035329  
TOWN OF PHILLIPSBURG  
120 Filmore St  
PHILLIPSBURG NJ 08865  
USA

Ship To  
1035329  
TOWN OF PHILLIPSBURG  
Quote  
120 Filmore St  
PHILLIPSBURG NJ 08865  
USA

## Quote

Cart #: 6783935  
Purchase Order #: HOLD FOR PO 05/31/2021  
Cart Name: Town of Phillipsburg  
Quote Date: 01/26/2021  
Quote Valid-to: 05/31/2021  
Payment Terms: NT30  
Ship Via:  
Ordered By: Quote

Payer  
1035329  
TOWN OF PHILLIPSBURG  
120 Filmore St  
PHILLIPSBURG NJ 08865  
USA

Item Description	Qty	Unit Price	Total
<b>BRAIDED POLYETHYLENE BASKETBALL NET</b> Item # - SNBBNPBRY	24 EA	\$ 1.06	\$ 25.44
<b>TENNIS NET VAR-42FT</b> Item # - TN300V42Y	5 EA	\$ 65.12	\$ 325.60
<b>MAC 12" YELLOW FAST PITCH SOFTBALL</b> Item # - MCSB12YL	8 DZN	\$ 41.44	\$ 331.52
<b>MAC 11" YELLOW FAST PITCH SOFTBALL</b> Item # - MCSB11YL	8 DZN	\$ 41.44	\$ 331.52
<b>VOIT PLAYGROUND BALL 10" BLUE</b> Item # - VPG10HBL	8 EA	\$ 2.63	\$ 21.04
<b>VOIT PLAYGROUND BALL 8.5" GREEN</b> Item # - VPG85HGR	8 EA	\$ 2.63	\$ 21.04
<b>VOIT PLAYGROUND BALL 6" RED</b> Item # - VPG6HXXX	8 EA	\$ 4.47	\$ 35.76
<b>VOIT SPECIALTY TUFF BALL 8 1/4" ORANGE</b> Item # - 44013XXX	12 EA	\$ 9.77	\$ 117.24
<b>VOIT SOFTI TUFF FOAM BALL 6-1/4" YELLOW</b> Item # - 44001XXX	12 EA	\$ 4.87	\$ 58.44
<b>GAMECRAFT FLYING DISCS SET OF 6</b> Item # - 1201550	2 SET	\$ 3.66	\$ 7.32
<b>30" STANDARD HOOPS</b> Item # - 1246070	2 DZN	\$ 21.17	\$ 42.34
<b>WHISTLE LANYARD BLACK DOZEN</b> Item # - MSLNYDBKDZ	6 DZN	\$ 2.97	\$ 17.82
<b>PRISM PACK LOW PROFILE CONES-DOZEN</b> Item # - 1255690	4 DZN	\$ 3.77	\$ 15.08
<b>RAPTOR ALLOY 2 1/4 -10 2616</b> Item # - RWUSZR10102616	1 EA	\$ 39.19	\$ 39.19
<b>RAPTOR ALLOY 2 1/4 -10 2717</b> Item # - RWUSZR10102717	1 EA	\$ 39.12	\$ 39.12
<b>RAPTOR ALLOY 2 1/4 -10 2818</b> Item # - RWUSZR10102818	1 EA	\$ 39.12	\$ 39.12
<b>RAPTOR ALLOY 2 1/4 -10 2919</b> Item # - RWUSZR10102919	1 EA	\$ 39.12	\$ 39.12

Subtotal:	\$1,506.73
Other:	\$0.00
Freight:	\$0.00
Sales Tax:	\$0.00
Order Total:	\$1,506.73
Payment/Credit Applied:	\$0.00
<b>Order Total:</b>	<b>\$1,506.73</b>



## Department of Recreation

120 Filmore St.

Phillipsburg, NJ 08865

P: (908) 454-5500 ext. 390

F: (908) 454-6511

E: [recreation@phillipsburgnj.org](mailto:recreation@phillipsburgnj.org)

w: [www.phillipsburgnj.org](http://www.phillipsburgnj.org)

January 26, 2021

**Vendor:** BSN Sporting Goods

**Attn:** George Kline

**Re:** Request for Quote

**Co-Op/Contract:** MCCPC 20-A (Sporting Goods)

Please return this request with official quote base on pricing structure. This is used for us to approve purchase through resolution by our Town Council.

Item Name/Number	Quantity
BSN SNBBNPBRY	24
MacGregor Varsity TN300V42Y	5
MacGregor MCSB12YL	8
MacGregor MCSB11YL	8
Rawlings Raptor	4
Voit PG10	8
Voit PG8	8
Voit PG6	8
Voit 440101	12
Voit 440011	12
Game Craft 1201550	2
BSN 1246070	2
BSNMSLNYD	6
BSN1255690	4

Please reach out with any questions or concerns you may have.

Regards,

DJ Kophazy

Superintendent of Recreation

**R: 2021-63**

**RESOLUTION TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE  
OF NEW JERSEY AUTHORIZING THE PURCHASE THROUGH THE  
MORRIS COUNTY CO-OP TO UNITED SUPPLY CORP.**

**WHEREAS**, the Town of Phillipsburg is a member of the Morris County Cooperative Pricing Council; and

**WHEREAS**, United Supply Corp is an authorized and approved vendor of the CO-OP; and

**WHEREAS**, the Town has a need to purchase sporting goods and equipment for use through its recreation program;

**WHEREAS**, United Supply Corp. submitted a price quote on January 27, 2021 for various sporting goods and equipment as evidenced by the attached proposal herewith; and

**WHEREAS**, the total of said quote is \$65.84; and

**WHEREAS**, sufficient funds are available as evidence by the attached certification of funds.

**NOW, THEREFORE, BE IT RESOLVED** by Town Council of Phillipsburg, County of Warren, State of New Jersey that the aforementioned purchases are hereby authorized.

**BE IT FURTHER RESOLVED**, the Mayor and the Municipal Clerk are hereby authorized and directed to execute any documents which may be necessary to effectuate the foregoing.

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their February 16, 2021 meeting.

---

Victoria L. Kleiner  
Municipal Clerk



700 S 21 St.  
Irvington NJ 07111

Ph: 718-439-9387  
Fax: 718-492-0304

## QUOTE

Date	Number	Pgs.
01/27/21	509770	1 of 1

www.unitedsupplycorp.com

<b>Bill To:</b> Town of Phillipsburg 120 Filmore St. Phillipsburg, NJ, 08865				<b>Ship To:</b> Town of Phillipsburg 120 Filmore St. Phillipsburg, NJ, 08865			
				<b>Attn:</b> DJ Kophazy			
<b>PO #</b>		<b>Customer #</b>		<b>Sales Rep</b>		<b>Terms</b>	
N/A		12313				Credit Card	
<b>Qty</b>	<b>Item Number</b>	<b>U/M</b>	<b>Description</b>	<b>Unit Price</b>	<b>Ext. Price</b>		
20	CHSSC1	EA	Scorebook	2.510	50.20		
4	CHS601	DZ	WHISTLE,PLASTIC,BK	3.910	15.64		
				<b>Shipping</b> \$0.00	<b>Sub Total</b> \$65.84	<b>Sales Tax</b> \$0.00	<b>Total</b> \$65.84
<b>Comments:</b>					Thank you!		



## Department of Recreation

120 Filmore St.

Phillipsburg, NJ 08865

P: (908) 454-5500 ext. 390

F: (908) 454-6511

E: [recreation@phillipsburgnj.org](mailto:recreation@phillipsburgnj.org)

w: [www.phillipsburgnj.org](http://www.phillipsburgnj.org)

January 26, 2021

**Vendor:** United Supply

**Attn:** Zissy Tietz

**Re:** Request for Quote

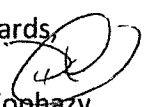
**Co-Op/Contract:** MCCPC 20-A (Sporting Goods)

Please return this request with official quote base on pricing structure. This is used for us to approve purchase through resolution by our Town Council.

Item Name/Number	Quantity
CHS-SC1	20
Champion Sports 601	4

Please reach out with any questions or concerns you may have.

Regards,

  
DJ Kophazy  
Superintendent of Recreation

**R-2021-65**

**RESOLUTION OF THE TOWN OF PHILLIPSBURG  
RESCINDING 2021-54 APPROVING A CHANGE ORDER  
IN THE AMOUNT OF \$13,300 TO AQUATIC DESIGN  
FACILITY**

**WHEREAS**, the Town previously approved Resolution 2021-54 approving a change order in the amount of \$13,300 to Aquatic Design Facility; and

**WHEREAS**, said resolution was approved in error and needs to be rescinded.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that Resolution 2021-54 is hereby rescinded.

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey do hereby certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on February 16, 2021 meeting.

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Victoria L. Kleiner, Municipal Clerk

**R: 2021 – 65 A**

**RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$13,300.00 TO AQUATIC FACILITY DESIGN, INC.**

**WHEREAS**, the Town of Phillipsburg contracted with Aquatic Facility Design, Inc. to provide professional design services for the renovation of the municipal pool; and

**WHEREAS**, the total contract and certification of funds was in the amount of **\$215,000.00**; and

**WHEREAS**, a change order has been submitted for approval in the amount of \$13,300.00; and

**WHEREAS**, the Town Council desires to authorize and approve the change order;

**WHEREAS**, sufficient funds are available as evidenced by the attached certification of funds.

**NOW, THEREFORE, BE IT RESOLVED** by Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that a change order in the amount of \$13,300.00 is hereby approved and funds directed to be paid to Aquatic Facility Design, Inc.

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their February 02, 2021 meeting.

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Victoria L. Kleiner  
Municipal Clerk



R: 2020-66

A RESOLUTION TO PROVIDE FOR  
RESERVE YEAR TRANSFER

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

Pursuant to the provision of N.J.S.A. 40A:5-48, the Chief Financial  
Officer be and is hereby authorized to make transfers to said accounts in  
accordance with the attached listing.

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 February 16, 2021  
meeting.

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Victoria L. Kleiner, Municipal Clerk

Account Number	Description	From	To	Department
01-203-20-100-084	(2020) ADVERTISING	\$ 1,000.00		Administration
01-203-20-100-225	(2020) Consultant Fees	\$ 7,000.00		Administration
01-203-20-100-227	(2020) Email Service	\$ 5,000.00		Administration
01-203-20-110-001	(2020) Regular Salary	\$ 1,000.00		Mayor & Council
01-203-20-110-094	(2020) CONVENTIONS	\$ 3,000.00		Mayor & Council
01-203-20-120-001	(2020) Regular Salary	\$ 10,000.00		Municipal Clerk
01-203-20-120-073	(2020) TOWN CODE UPDATES	\$ 4,000.00		Municipal Clerk
01-203-20-120-078	(2020) Service Contract - Copier	\$ 4,000.00		Municipal Clerk
01-203-20-120-084	(2020) ADVERTISING	\$ 10,000.00		Municipal Clerk
01-203-20-120-093	(2020) Seminars & Conferences	\$ 1,000.00		Municipal Clerk
01-203-20-120-094	(2020) CONVENTIONS	\$ 1,000.00		Municipal Clerk
01-203-20-130-108	(2020) Primepoint Payroll, HRMS & TLM	\$ 3,000.00		Finance
01-203-20-135-232	(2020) Auditors - Other	\$ 2,000.00		Audit
01-203-20-145-060	(2020) COMPUTER CONSULTANTS	\$ 1,000.00		Revenue Admin
01-203-20-145-175	(2020) Electronic Tax Sale	\$ 3,500.00		Revenue Admin
01-203-20-150-051	(2020) OFFICE SUPPLIES	\$ 1,400.00		Assessor
01-203-20-150-069	(2020) PRINTING FORMS	\$ 900.00		Assessor
01-203-20-150-093	(2020) SEMINARS & CONFERENCES	\$ 500.00		Assessor
01-203-20-150-094	(2020) CONVENTIONS	\$ 850.00		Assessor
01-203-20-150-106	(2020) OFFICE EQUIP-OTHER	\$ 350.00		Assessor
01-203-21-180-203	(2020) Land Use Attorney	\$ 1,000.00		Land Use
01-203-22-195-001	(2020) Regular Salary	\$ 10,000.00		Inspections
01-203-22-195-002	(2020) Longevity	\$ 1,500.00		Inspections
01-203-22-195-003	(2020) Overtime	\$ 500.00		Inspections
01-203-22-195-033	(2020) Sick Pay Buy Back	\$ 3,500.00		Inspections
01-203-22-195-095	(2020) Schools	\$ 500.00		Inspections
01-203-23-210-226	(2020) SPORTS	\$ 3,000.00		Liability Insurance
01-203-23-215-218	(2020) Worker's Compensation Insurance	\$ 500.00		Workers Comp
01-203-23-220-200	(2020) Health Insurance	\$ 14,000.00		Employee Group Insurance
01-203-23-220-202	(2020) Dental Insurance - AFSCME	\$ 6,000.00		Employee Group Insurance
01-203-25-240-047	(2020) Court Security	\$ 5,000.00		Public Safety
01-203-25-240-051	(2020) OFFICE SUPPLIES	\$ 4,000.00		Public Safety
01-203-25-240-076	(2020) Service Contracts	\$ 13,000.00		Public Safety
01-203-25-240-095	(2020) SCHOOLS	\$ 3,000.00		Public Safety
01-203-26-290-033	(2020) Sick Pay Buy Back	\$ 5,000.00		Streets & Roads
01-203-26-300-299	(2020) MISC FES/PERMITS	\$ 5,000.00		PW Admin
01-203-26-305-003	(2020) Overtime	\$ 5,000.00		Solid Waste Collection
01-203-26-305-033	(2020) Sick Pay Buy Back	\$ 5,000.00		Solid Waste Collection
01-203-26-305-098	(2020) CLOTHING ALLOWANCE	\$ 1,000.00		Solid Waste Collection
01-203-26-305-250	(2020) EQUIPMENT PARTS	\$ 1,000.00		Solid Waste Collection
01-203-26-305-279	(2020) OUTERWEAR	\$ 3,000.00		Solid Waste Collection
01-203-26-310-001	(2020) Regular Salary	\$ 5,000.00		Building & Grounds
01-203-26-310-002	(2020) Longevity	\$ 500.00		Building & Grounds
01-203-26-310-003	(2020) Overtime	\$ 5,000.00		Building & Grounds
01-203-26-310-033	(2020) Sick Pay Buy Back	\$ 3,500.00		Building & Grounds
01-203-26-310-221	(2020) BUILDING MAINTENANCE	\$ 5,000.00		Building & Grounds
01-203-26-310-235	(2020) Worth and Company	\$ 5,000.00		Building & Grounds
01-203-26-310-236	(2020) RID EX	\$ 1,000.00		Building & Grounds
01-203-26-310-266	(2020) LANDSCAPING	\$ 4,000.00		Building & Grounds
01-203-26-310-301	(2020) RR Switching Tower	\$ 5,000.00		Building & Grounds
01-203-26-315-249	(2020) Repairs - Fire Trucks	\$ 8,000.00		Vehicle Maintenance
01-203-27-340-095	(2020) SCHOOLS	\$ 500.00		Animal Control
01-203-27-340-145	(2020) ACO MATERIALS & SUPPLIES	\$ 1,000.00		Animal Control
01-203-27-340-146	(2020) VETERINARY SERVICES	\$ 5,500.00		Animal Control
01-203-27-340-147	(2020) ANIMAL DISSPOSAL	\$ 1,000.00		Animal Control
01-203-27-340-148	(2020) Licenses & Materials	\$ 1,000.00		Animal Control
01-203-27-340-149	(2020) Professional Services	\$ 1,000.00		Animal Control
01-203-28-370-099	(2020) UNIFORM PURCHASES	\$ 1,000.00		Recreation
01-203-28-370-119	(2020) RECREATIONAL PROGRAMS	\$ 1,000.00		Recreation
01-203-28-370-165	(2020) SPORTS EQUIPMENT	\$ 1,000.00		Recreation
01-203-28-370-250	(2020) Firthtown - Court Rentals	\$ 2,000.00		Recreation
01-203-30-420-207	(2020) Celebration of Public Events	\$ 11,000.00		Public Events
01-203-33-490-004	(2020) Call out Pay	\$ 6,500.00		Municipal Court
01-203-33-490-033	(2020) Sick Pay Buy Back	\$ 1,000.00		Municipal Court
01-203-33-490-051	(2020) Office Supplies	\$ 500.00		Municipal Court
01-203-33-490-056	(2020) Computer Supplies Forms	\$ 500.00		Municipal Court
01-203-33-490-233	(2020) Credit Card Processing Fee	\$ 500.00		Municipal Court
01-203-33-490-240	(2020) Third Party Services	\$ 1,000.00		Municipal Court
01-203-33-495-212	(2020) Public Defender	\$ 1,000.00		Public Defender
01-203-26-290-285	(2020) Snow Removal	\$	230,000.00	Streets & Roads

**R-2021-67**

**RESOLUTION OF THE TOWN OF PHILLIPSBURG,  
APPROVING CHANGE ORDER NO. 1 AND  
AUTHORIZING FINAL PAYMENT TO KDP  
PHILLIPSBURG FOR WORK PERFORMED IN REGARD  
TO THE SANITARY SEWER MAIN REPLACEMENT  
(AUTUMN RIDGE CONNECTION)**

**WHEREAS**, the Town advertised for the submission of bids relative to the sanitary sewer main replacement (Autumn Ridge Connection) as identified in the bid specifications ("Project"); and

**WHEREAS**, KDP Phillipsburg was awarded the contract to complete the Project; and

**WHEREAS**, KDP has submitted change order No 1 in the amount of \$10,417.12 and payment certificate No.2 for final payment in the amount of \$24,424.12, which includes the amount referenced under change order No. 1; and

**WHEREAS**, the Town's Sewer Engineer, Remington & Vernick, submitted correspondence dated December 15, 2020 recommending approval of both change order No. 1 and Certificate No. 2, with final payment in the amount of \$24,242.12; and

**WHEREAS**, the Town Council believes it to be in the best interest of the Town to so authorize the above; and

**WHEREAS**, sufficient funding is available 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 Change Order No. 1 in the amount of \$10,417.12 is approved and Certificate No. 2 in the amount of \$24,424.12 is hereby approved and said amount directed to be paid to KDP as final payment for work performed pursuant to the contract for the Project.

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey do hereby certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on February 16, 2021 meeting.

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Victoria L. Kleiner, Municipal Clerk

R: 2021-64

**RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE  
OF NEW JERSEY APPROVING A MEMORANDUM OF AGREEMENT BETWEEN  
THE TOWN AND AFSCME COUNCIL NO. 73**

**WHEREAS** the Town and AFSCME Council No. 73 were parties to a collective negotiations agreement with a term of January 1, 2016 through December 31, 2019; and

**WHEREAS**, the Town and AFSCME have been engaged in good faith collective negotiations for the purpose of reaching agreement on terms and conditions of employment for a successor contract; and

**WHEREAS**, the Town and AFSCME have reached agreement on the terms of a successor agreement as set forth in the Memorandum of Agreement (“MOA”) attached hereto; and

**WHEREAS** the Town desires to ratify the MOA and incorporate the terms of same into a successor agreement with a term of January 1, 2020 through December 31, 2024.

**NOW THEREFORE BE IT RESOLVED** by the Town Council of the Town of Phillipsburg that the Memorandum of Agreement in the form attached hereto is hereby approved.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized and directed to execute same on behalf of the Town.

**CERTIFICATION**

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Town Council at their February 16, 2021 meeting.

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Victoria L. Kleiner  
Municipal Clerk