

TOWN OF PHILLIPSBURG
TOWN COUNCIL MEETING
TUESDAY, AUGUST 17, 2021 AMENDED AGENDA
SENIOR CENTER
7:00 P.M

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 August 17, 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

4. ROLL CALL

5. APPROVAL OF MINUTES - July 20, 2021

6. BILLS LIST -

7. ANNOUNCEMENTS

NORWESCAP/Family Success Center – August 26, 2021 - 14th Annual International Day
Relay for Life – September 18, 2021
Halloween Parade – October 24, 2021 – 3:00PM

8. OLD BUSINESS

Habitability Hearing – 277 Warren Street

9. MAYOR'S AND ADMINISTRATIVE OFFICERS

None received at this time.

10. PUBLIC DISCUSSION ON AGENDA ITEMS

11. ORDINANCES – SECOND READING (1st Rdg. 08.03.2021, 2nd Rdg. 08.17.2021)

O2021-19

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN AND STATE OF NEW JERSEY RENAMING “MERCER STREET PARK” TO BE KNOWN AS THE “JESSE DELGADO RECOVERY PARK”

12. ORDINANCES — FIRST READING

ORDINANCE 2021 – 20 (1ST RDG. 08.17.2021)

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 100-6, COMPENSATION PLAN

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: 2021-207

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING REFUND OF TAX OVER PAYMENT DUE TO 100% EXEMPT VETERANS Receiving Homestead Rebate

R: 2021-208

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

R: 2021-209

A RESOLUTION DESIGNATING HANDICAP PARKING SPACES WITHIN THE TOWN OF PHILLIPSBURG

R2021-210

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF A 2022 FORD F250 REGULAR CAB 4X4 PICK UP

R2021-211

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF A 2022 FORD F250 CREW CAB 4X4 PICK UP TRUCK

R2021-212

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN,
STATE OF NEW JERSEY, AWARDED CONTRACT FOR SOFTWARE SERVICES

14. NEW BUSINESS

15. PUBLIC PETITIONS

16. DISCUSSION

17. COUNCIL OPEN TIME

18. MOTIONS

Application from Michael L. Smith for active fire duty at Reliance Hose Co. No. 1.

19. EXECUTIVE SESSION -

R: 2021-

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

20. ADJOURNMENT

Bill List Summary
REGULAR BILL LIST AS OF August 17, 2021

		<u>Check No</u>
1	Current Fund	121,262.39
2	State & Federal Grants	1,090.90
4	Capital Fund	8,044.65
7	Sewage Utility Fund	183,400.82
8	Sewage Capital Fund	0.00
12	Planning Board Trust Fund	0.00
12	Bridge Development	6,936.00
13	Dog Trust Fund	0.00
15	Public Defender Trust Fund	0.00
16	Section 8	757.50
17	General Trust Fund	8,377.19
17	Commerce Park Redevelopment	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	0.00
21	Revolving Loan Fund	922.50
Total Regular Bill List as August 17, 2021		330,791.95

Section 8 Rent Payments for 2021


16	Section 8 Program	168,812.00
		168,812.00

Pre-Paid Bill List as of August 17, 2021

1	Current Fund	582,625.63
2	State & Federal Grants	0.00
4	Capital Fund	0.00
7	Sewer Utility Fund	503,234.37
8	Sewer Utility Capital	0.00
12	Planning Board Trust Fund	0.00
16	Section 8	0.00
17	General Trust Fund	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	0.00
21	Revolving Loan Fund	0.00
Total Pre-Paid Bill List for August 17, 2021		1,085,860.00

Grand Total All Funds

1,585,463.95

Approved By: 
 Robert J. Merlo, CFO



Todd Tersigni, Mayor

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN AND
STATE OF NEW JERSEY RENAMING “MERCER STREET PARK” TO BE KNOWN
AS THE “JESSE DELGADO RECOVERY PARK”**

Section 1.

WHEREAS, Jesse Delgado was a lifelong Phillipsburg resident who resided along Mercer Street and who, subsequent to its construction, spent many hours at the Mercer Street Park; and

WHEREAS, Jesse Delgado was an inspiration to many as a coach, mentor and friend; and

WHEREAS, Jesse Delgado fought courageously the demons of addiction, having experienced periods of recovery followed by periods of active use, a pattern which is so common to those afflicted with the disease; and

WHEREAS, Jesse Delgado tragically lost his life to the disease of addiction, despite his courageous fight against it; and

WHEREAS, the Town Council has previously acknowledged the stigma associated with the disease of addiction; and

WHEREAS, the Town Council believes it important to recognize that the disease of addiction is real and that those who are afflicted by it are people from all walks of life and further, that the disease does not recognize class, race, economic or social status; and

WHEREAS, by renaming the Mercer Street Park the “Jesse Delgado Recovery Park” the Town Council believes it can both recognize and honor the life of Jesse Delgado and at the same time call attention to this important issue, both the disease and the stigma attached to those who suffer from it.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Phillipsburg, County of Warren and State of New Jersey that the Mercer Street Park shall henceforth be officially known as the “Jesse Delgado Recovery Park” and commonly referred to as “Delgado Park” and that signage reflecting the name change be erected and installed under the direction of the Office of the Mayor.

Section 2:

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

Section 3:

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

Section 4:

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

ORDINANCE 2021 - 20

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF
WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 100-6,
COMPENSATION PLAN**

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

Section 1. Chapter 100-6 (E) is hereby amended to read as follows:

§100-6(E).

<u>Classification Titles - Hourly</u>	Per Hour Minimum	Per Hour Maximum
Electrical Inspector/Electrical Sub-code	\$ 25.00	\$ 50.00
Building Inspector/Building Sub-Code	\$ 25.00	\$ 50.00
Mechanical Inspector/Mechanical Sub-code	\$ 25.00	\$ 50.00
Fire Inspector/Fire Sub-code	\$ 25.00	\$ 50.00
Plumbing Inspector/Plumbing Sub-code	\$ 25.00	\$ 50.00

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, Lorraine Loudenberg, Deputy 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 August 17, 2021 meeting.

Lorraine Loudenberg, Deputy Clerk

R: 2021-207

**RESOLUTION OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY,
AUTHORIZING REFUND OF TAX OVER PAYMENT DUE
TO 100% EXEMPT VETERANS Receiving Homestead
Rebate**

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

WHEREAS, said payment was due to a tax overpayment refund due to 100% Exempt Veterans receiving Homestead rebate.

ACCT	YEAR	BLOCK	LOT	NAME	AMOUNT
4415	2021	2601	24	Armbruster, Arthur Jr. & Joy K	296.54

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

CERTIFICATION

I, Lorraine Loudenberry, Deputy 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 August 17, 2021.

Lorraine Loudenberry, Deputy Clerk

R: 2021-208

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

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

WHEREAS, said payment was due to a tax overpayment refund

ACCT	YEAR	BLOCK	LOT	NAME	AMOUNT
1082	2021	208	01	Torres, Nicole D & Brian	973.93

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

CERTIFICATION

I, Lorraine Loudenberry, Deputy 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 August 17, 2021.

Lorraine Loudenberry, Deputy Clerk

R: 2021-209

A RESOLUTION DESIGNATING HANDICAP PARKING
SPACES WITHIN THE TOWN OF PHILLIPSBURG

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

Name of Street	Side	Location
Chambers Street	West Side	In front of 146 Chambers Street
Glen Avenue	North Side	In front of 89 Glen Avenue
Irwin Street	North Side	In front of 233 Irwin Street
Joseph Street	West Side	For 294 Morris Street
Mill Street	East Side	In front of 955 Mill Street

CERTIFICATION

I, Lorraine Loudenberry, Deputy 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 August 17, 2021 meeting.

Lorraine Loudenberry, Deputy Clerk

R2021-210

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN
STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF A 2022 FORD
F250 REGULAR CAB 4X4 PICK UP**

WHEREAS, the Town of Phillipsburg is in need of an additional vehicle and desires to purchase a Ford F250 Regular Cab 4x4 pick up truck; and

WHEREAS, DFFLM, LLC t/a Ditschman/Flemington Ford has provided an offer for the purchase of the vehicle in the amount of \$36,985.00; and

WHEREAS, the offered amount for the purchase of the Ford F250 Regular Cab 4x4 Pick up truck is within the budget of the Town of Phillipsburg; and

WHEREAS, DFFLM, LLC t/a Ditschman/Flemington Ford is an authorized vendor under MCCPC- Contract #15-C, Item #8; and

WHEREAS, the Town of Phillipsburg believes it to be in the best interest of the Town to authorize said purchase; and

WHEREAS, sufficient funding is available as evidenced by the attached certification of funds;

NOW THEREFORE BE IT RESOLVED by the Town Council, Town of Phillipsburg, County of Warren, State of New Jersey that the purchase of a 2022 Ford F250 Regular Cab 4x4 pick up truck from DFFLM, LLC t/a Ditschman/Flemington Ford in the amount of \$36,985.00 is hereby approved.

CERTIFICATION

I, Lorraine Loudenberg, Deputy 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 August 17, 2021 meeting.

Lorraine Loudenberg
Deputy Clerk

R2021-211

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN
STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF A 2022 FORD
F250 CREW CAB 4X4 PICK UP TRUCK**

WHEREAS, the Town of Phillipsburg is in need of an additional vehicle and desires to purchase a Ford F250 Crew Cab 4x4 pick up truck; and

WHEREAS, DFFLM, LLC t/a Ditschman/Flemington Ford has provided an offer for the purchase of the vehicle in the amount of \$44,685.50; and

WHEREAS, the offered amount for the purchase of the Ford F250 Crew Cab 4x4 Pick up truck is within the budget of the Town of Phillipsburg; and

WHEREAS, DFFLM, LLC t/a Ditschman/Flemington Ford is an authorized vendor under MCCPC- Contract #15-C, Item #10; and

WHEREAS, the Town of Phillipsburg believes it to be in the best interest of the Town to authorize said purchase; and

WHEREAS, sufficient funding is available as evidenced by the attached certification of funds;

NOW THEREFORE BE IT RESOLVED by the Town Council, Town of Phillipsburg, County of Warren, State of New Jersey that the purchase of a 2022 Ford F250 Crew Cab 4x4 pick up truck from DFFLM, LLC t/a Ditschman/Flemington Ford in the amount of \$44,685.50 is hereby approved.

CERTIFICATION

I, Lorraine Loudenberg, Deputy 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 August 17, 2021 meeting.

Lorraine Loudenberg
Deputy Clerk

R2021-212

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN,
STATE OF NEW JERSEY, AWARDDING CONTRACT FOR SOFTWARE SERVICES**

WHEREAS, the Office of Community Development has determined that there is a need to renew the services of a software contractor since the existing software contract will be expiring as of August 22 2021; and

WHEREAS, the Office of Community Development is required by the Department of Housing and Urban Development to submit data in a required format; and

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

WHEREAS, based on the evaluation from the Business Administrator and the office of Community Development upon reviewing all submittals and associated costs; it was determined that Happy Software had the best software for the department's needs; and

WHEREAS, MRI Software LLC, submitted a proposal dated July 31, 2021, to provide Happy Software services for an annual support cost of \$14,046.43; and

WHEREAS, the value of these services shall not exceed \$14,046.43; and

WHEREAS, sufficient funds are available as evidenced by the attached certification of funds; and

WHEREAS, the Town Council desires to authorize the purchase.

NOW THEREFORE IT BE RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, the purchase of Happy Software services from MRI Software LLC in the amount of \$14,046.43 is hereby authorized.

CERTIFICATION

I, Lorraine Loudenberg, Deputy 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 August 17, 2021 meeting.

Lorraine Loudenberg
Deputy Clerk