

TOWN OF PHILLIPSBURG
TOWN COUNCIL MEETING
TUESDAY, AUGUST 03, 2021 AGENDA
SENIOR CENTER
7:00 P.M

*Amended
1 sided*

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 03, 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 7, 2021

6. **BILLS LIST -**

7. **HABITABILITY HEARING – 277 Warren Street**

8. **DISCUSSION**

Daniel Resis – Antique Mall/Flea Market

9. **ANNOUNCEMENTS**

10. **OLD BUSINESS**

159 Mercer Street – Repair/Demo

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

No Mayor’s Report.

12. **PUBLIC DISCUSSION ON AGENDA ITEMS**

13. ORDINANCES – SECOND READING - None

14. ORDINANCES — FIRST READING

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”

15. 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: 2021-191

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, REGARDING VACATION AND SICK PAY FOR LARRY MARINO

R: 2021-192

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, REGARDING VACATION AND SICK PAY FOR DOMINIC BELCASTRO

R2021-193

A RESOLUTION DESIGNATING USW, LLC AS REDEVELOPER AS THE SUCCESSOR ENTITY OF STATELINER LLC FOR THE RIVERFRONT REDEVELOPMENT PLAN

R2021-194

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY APPROVING THE PURCHASE OF OFFICE SUPPLIES AND OFFICE PAPER SUPPLIES FROM THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL (“MCCPC”) FOR YEAR 2021 FOR THE TOWN OF PHILLIPSBURG

R2021-195

RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87 New Jersey Youth Corp FY 2022

R2021-196

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY TO ISSUE A REFUND FOR AN OVERPAYMENT FOR \$1,025.00 TO HANCE CONSTRUCTION, INC.

R2021-197

RESOLUTION AUTHORIZING THE CANCELLATION OF CERTAIN LOANS RELATIVE TO THE SMALL CITIES COMMUNITY DEVELOPMENT ECONOMIC REVOLVING LOAN PROGRAM FOR PURPOSES OF AUDITOR COMPLIANCE.

R2021-198

RESOLUTION AMENDING RESOLUTION 2021- 186 IN ORDER TO CORRECT THE BLOCK/LOT IDENTIFIED THEREIN

R2021-199

RESOLUTION APPOINTING THE ELECTRICAL SUB CODE OFFICIAL/ ELECTRICAL INSPECTOR

R2021-200

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A REFUND OF ESCROW IN THE AMOUNT OF \$1,272.00 TO MANUEL MONTESINO

R2021-201

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH VAN CLEEF ENGINEERING ASSOCIATES FOR ENGINEERING SERVICES FOR 401 SOUTH MAIN STREET ADA IMPROVEMENTS

16. NEW BUSINESS

17. PUBLIC PETITIONS

18. COUNCIL OPEN TIME

19. MOTIONS

Special Event – August 26, 2021 NORWESCAP/Family Succes Cntr. – 14TH Annual Intrntl. Day
Special Event – September 18, 2021 American Cancer Society - Relay for Life of Warren County

20. 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....

21. ADJOURNMENT

Bill List Summary
REGULAR BILL LIST AS OF August 3, 2021

		<u>Check No</u>
1	Current Fund	1,418,412.36
2	State & Federal Grants	0.00
4	Capital Fund	40,624.91
7	Sewage Utility Fund	128,749.46
8	Sewage Capital Fund	245,551.13
12	Planning Board Trust Fund	1,941.00
12	Bridge Development	0.00
13	Dog Trust Fund	70.00
15	Public Defender Trust Fund	0.00
16	Section 8	0.00
17	General Trust Fund	0.00
17	Commerce Park Redevelopment	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	0.00
21	Revolving Loan Fund	0.00
Total Regular Bill List as August 3, 2021		1,835,348.86

Section 8 Rent Payments for 2021

16	Section 8 Program	0.00
		0.00

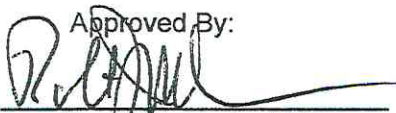
Pre-Paid Bill List as of August 3, 2021

1	Current Fund	0.00
2	State & Federal Grants	20,000.00
4	Capital Fund	0.00
7	Sewer Utility Fund	0.00
8	Sewer Utility Capital	0.00
12	Planning Board Trust Fund	0.00
16	Section 8	0.00
17	General Trust Fund	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	1,671.86
21	Revolving Loan Fund	0.00
Total Pre-Paid Bill List for August 3, 2021		21,671.86

Grand Total All Funds

1,857,020.72

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.

R2021-191

**RESOLUTION AUTHORIZING PAYOUT OF ACCRUED SICK, VACATION
AND COMPENSATORY LEAVE FOR SERGEANT LARRY MARINO**

WHEREAS, Police Sergeant Larry Marino, retired from the Town of Phillipsburg Police Department, effective June 30, 2021; and

WHEREAS, Sergeant Larry Marino has been a member of the Town of Phillipsburg Police Department for over thirty (25) years serving the Police Department and the citizens of the Town of Phillipsburg admirably; and

WHEREAS, Sergeant Larry Marino is entitled to certain accrued sick, vacation and compensatory time for which pursuant to Contract he is entitled to reimbursement; and

WHEREAS, the Town and Sergeant Larry Marino have agreed to compensate Sergeant Larry Marino for this accumulated sick, vacation and compensatory time as follows:

Marino, L

<u>biweekly</u>	<u>daily pay</u>	<u>Computed at 10</u>	<u>Total # of sick</u>	<u>sick days @ 55%</u>	<u>Total</u>	<u>additional</u>	<u>Total payment</u>
		<u>hrs</u>	<u>Days</u>				
5,007.77	500.777	625.971	0.120	0.0660	41.31	100.00	\$ 241.31
<u>biweekly</u>	<u>daily pay</u>	<u>Computed at 12</u>	<u>vacation days @</u>				
		<u>hrs</u>	<u>12 hrs</u>				
5,007.77	500.777	751.166	58.40		28,844.76	0.00	\$ 28,844.76
<u>biweekly</u>	<u>Hourly Rate</u>	<u>Overtime Rate</u>	<u>Comp Time</u>				
5,007.77	62.5871	93.8857	0.75		46.95	0.00	\$ 46.95
							\$ 29,133.02

Certification of Funds

17-292-56-025-001

\$ 29,133.02

and;

WHEREAS, Sergeant Larry Marino is willing to accept payment for accrued time as broken down above.

NOW, THEREFORE, BE IT RESOLVED by the Town Council, the Town of Phillipsburg, County of Warren, State of New Jersey, that the payment of accumulated sick, vacation and compensatory time as detailed above is hereby authorized and directed to be paid to Sergeant Larry Marino in the manner detailed above.

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Town Council at their August 3, 2021 meeting.

Victoria L. Kleiner
Municipal Clerk

R2021-192

**RESOLUTION AUTHORIZING PAYOUT OF ACCRUED SICK, VACATION
AND COMPENSATORY LEAVE FOR OFFICER DOMINIC BELCASTRO**

WHEREAS, Police Officer Dominic Belcastro departed this life on April 3, 2021; and

WHEREAS, Officer Belcastro had been a member of the Town of Phillipsburg Police Department for over nine years serving the Police Department and the citizens of the Town of Phillipsburg admirably; and

WHEREAS, Officer Belcastro is entitled to certain accrued sick, vacation and compensatory time for which pursuant to Contract he is entitled to reimbursement; and

WHEREAS, the Town has agreed to compensate Officer Belcastro for this accumulated sick, vacation and compensatory time as follows:

Dominic Belcastro

97,676.31	5	1,750.00	5,352.53	104,752.14	4,030.08	50,3760	75,5640
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Belcastro

<u>biweekly</u>	<u>daily pay</u>	<u>Computed at</u>	<u>Total # of sick</u>	<u>sick days @</u>	<u>Total</u>	<u>additional</u>	<u>Total payment</u>
4,030.08	403.008	<u>12 hrs</u> 604.512	<u>Days</u> 0.000	<u>55%</u> 0.0000	0.00	0.00	0.00
<u>biweekly</u>	<u>daily pay</u>	<u>Computed at</u>	<u>vacation days</u>				
4,030.08	403.008	<u>12 hrs</u> 604.512	<u>@ 12 hrs</u> 8.52		5,392.25	0.00	5,392.25
<u>biweekly</u>	<u>Hourly Rate</u>	<u>Overtime Rate</u>	<u>Comp Time</u>				
4,030.08	50.3760	75.5640	113.13		5,699.04	0.00	5,699.04
							11,091.28

Certification of Funds 17-292-56-025-001 \$ 11,091.28

and;

NOW, THEREFORE, BE IT RESOLVED by the Town Council, the Town of Phillipsburg, County of Warren, State of New Jersey, that the payment of accumulated sick, vacation and compensatory time as detailed above is hereby authorized and directed to be paid to Officer Belcastro's estate in the manner detailed above.

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Town Council at their August 3, 2021 meeting.

Victoria L. Kleiner
Municipal Clerk

TOWN OF PHILLIPSBURG

RESOLUTION 2021-193

A RESOLUTION DESIGNATING USW, LLC AS REDEVELOPER AS THE SUCCESSOR ENTITY OF STATELINER LLC FOR THE RIVERFRONT REDEVELOPMENT PLAN

WHEREAS, the Town of Phillipsburg has previously adopted the Riverfront Redevelopment Plan (the “Plan”) in accordance with the laws of the State of New Jersey and in particular the Local Redevelopment and Housing Law (“LRHL”), N.J.S.A. 40A:12A-1, *et. seq.* after declaring the area encompassed by the Riverfront Redevelopment Plan an area in need of redevelopment (“Riverfront Redevelopment Area”); and

WHEREAS, the Town Council, as the Redevelopment Entity, issued a Request for Proposals (“RFP”) seeking development proposals for a portion of the land located in the Riverfront Redevelopment Area, and more particularly an area designated as Sub Area – 1 (Waterfront North) in the Riverfront Redevelopment Plan (the “Property”); and

WHEREAS, the Town designated Stateliner LLC as the Redeveloper responsible for effectuating the purposes and intent of the Riverfront Redevelopment Plan, Sub Area 1 (Waterfront North) and constructing the project in accordance with the Riverfront Redevelopment Plan, Sub Area 1 (Waterfront North) and in the spirit of the proposal submitted by Stateliner United in response to the RFP (the “Project”); and

WHEREAS, Stateliner reorganized and formed a joint venture for the Project and is now known as USW, LLC with contact information as follows: c/o Fitzpatrick Lentz & Bubba, 645 Hamilton St Suite 800, Allentown, PA 18101, ATTN: Colin Keefe, Esq.; and

WHEREAS, the Town Council desires to reaffirm that USW, LLC is the designated redeveloper of the Property and that any rights heretofore given to Stateliner United, LLC shall inure to the benefit of USW, LLC

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren State of New Jersey that USW, LLC is designated as the redeveloper of the Property and that any rights heretofore given to Stateliner United, LLC shall inure to the benefit of USW, LLC.

BE IT FURTHER RESOLVED that Todd M. Tersigni, Mayor of the Town of Phillipsburg, County of Warren, State of New Jersey is hereby authorized and directed to negotiate a redevelopment agreement in consultation with Town Counsel and to present same to Town Council for approval.

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 August 3, 2021

Victoria L. Kleiner, Municipal Clerk

R2021-194

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY APPROVING THE PURCHASE OF OFFICE SUPPLIES AND OFFICE PAPER SUPPLIES FROM THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL (“MCCPC”) FOR YEAR 2021 FOR THE TOWN OF PHILLIPSBURG

WHEREAS, the Town of Phillipsburg is in need to order office supplies and office paper supplies from the MCCPC for the year 2021;

WHEREAS, the MCCPC permits the purchase of goods and services without the need for public bidding or quote solicitation; and

WHEREAS, Town Council desires to authorize the purchase of said office supplies and office paper supplies of a cost not to exceed \$15,000.00 based on half year 2020 aggregate;

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

NOW THEREFORE, BE IT RESOLVED, by Town Council, Town of Phillipsburg, County of Warren, State of New Jersey, the purchase of office supplies and office paper supplies at a cost not to exceed \$15,000.00, based on half year 2020 aggregate, is hereby approved and that the following vendors are also approved:

MCCPC Contract #16 – office supplies

Vendor: Office Concepts Group

Address: 301 Greenwood Avenue, Midland Park, New Jersey 07432

Vendor: WB Mason

Address: 535 Secaucus Road, Secaucus, New Jersey 07094

MCCPC Identifier: 6MOCCP”, “MCCPC Contract #30 – Office Paper Supplies

Vendor: WB Mason Company, Inc

Address: 535 Secaucus Road, Secaucus, New Jersey 07094

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 August 3, 2021 meeting.

Victoria L. Kleiner
Municipal Clerk

R2021-195

**RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND
APPROPRIATION NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Phillipsburg in the County of Warren, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$416,000.00, which is now available from the State of New Jersey Department of Labor and Workforce Development Division of Workforce Grant and Program Management for an award in the amount of \$416,000.00.

BE IT FURTHER RESOLVED, that the like sum of \$416,000.00 is hereby appropriated under the caption FY 2022 New Jersey Youth Corps, and

BE IT FURTHER RESOLVED that the above is the result of funds from the State of New Jersey Department of Labor and Workforce Development Division of Workforce Grant and Program Management in the amount of \$416,000.00.

CERTIFICATION

I, Victoria 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 August 3, 2021.

Victoria Kleiner, Municipal Clerk

R2021-196
RESOLUTION OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY
TO ISSUE A REFUND FOR AN OVERPAYMENT FOR \$1,025.00 TO HANCE
CONSTRUCTION, INC.

WHEREAS, the Town wishes to issue a refund in the amount of \$1,025.00 to Hance Construction, Inc. for an overpayment for HADCO light pole replacement and lamp at 55 S. Main Street.

NOW THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Phillipsburg hereby authorizes a refund in the amount of \$1,025.00 to:

Hance Construction, Inc.
2171 Route 57
Washington, NJ 07882

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 August 3, 2021.

Victoria L. Kleiner, Municipal Clerk

R2021-197

**RESOLUTION AUTHORIZING THE CANCELLATION
OF CERTAIN LOANS RELATIVE TO THE SMALL
CITIES COMMUNITY DEVELOPMENT ECONOMIC
REVOLVING LOAN PROGRAM FOR PURPOSES OF
AUDITOR COMPLIANCE.**

WHEREAS, the Town of Phillipsburg, through its Small Cities Community Development Economic Revolving Loan Program (“RLP”) issued loans to local businesses and individuals in order to encourage economic development within the Town of Phillipsburg; and

WHEREAS, certain loans issued through the RLP have become uncollectible due to, *inter alia*, borrowers filing for bankruptcy protection.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Phillipsburg that the following loans shall and hereby are cancelled and discharged from the Town’s books:

21-125-03-000-002	880238122 The Gold Cup	89,729.53\$
21-125-03-000-005	880238130 Herbs Naturally Wellness Centr	1,788.89\$
21-125-03-000-017	880255798 Martha L Ramirez	10,026.13\$
21-125-03-000-022	880255893 Just Subs, Inc	275.63\$
21-125-03-000-027	880256122 Hi Qu Italian American Stone	23,615.42\$
21-125-03-000-028	880256123 Walters Park, LLC	89,303.46\$
21-125-03-000-029	880256125 The Golf Academy of Pburg, Inc	18,147.03\$

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 August 3, 2021.

Victoria L. Kleiner, CMC

R2021-198

**RESOLUTION AMENDING RESOLUTION 2021- 186 IN ORDER TO CORRECT THE
BLOCK/LOT IDENTIFIED THEREIN**

WHEREAS, Resolution 2021- 186 was adopted on July 20, 2021 by the Town Council whereby the Town Council approved the construction of a light industrial/manufacturing/warehouse project on property owned by Peron Construction, L.L.C. and identified in the Resolution as Block 2102 Lots 2 and 11 (Howard Street); and

WHEREAS, said Block and Lots were the prior Block/Lots assigned by the Town to the property and were subsequently changed when the Town underwent a revaluation of properties located within its borders; and

WHEREAS, the current Block/Lot for the property is Block 2102, Lot 2.02; and

WHEREAS, the Town Council desires to amend Resolution 2021- 186 in order to have said Resolution properly reflect the Block/Lot.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren and State of New Jersey that Resolution 2021- 186 is hereby amended by replacing Block 2102 Lots 2 and 11 (Howard Street) with Block 2102, Lot 2.02 (Howard Street) throughout said Resolution.

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 August 3, 2021 meeting.

Victoria L. Kleiner, Municipal Clerk

R2021-199

**RESOLUTION APPOINTING THE ELECTRICAL SUB CODE OFFICIAL/
ELECTRICAL INSPECTOR**

WHEREAS, there is a vacancy in the office of the electrical subcode/electrical inspector for the Town; and

WHEREAS, Thomas E. Koepfler has been nominated for the position by the Mayor; and

WHEREAS, Mr. Koepfler holds all necessary licenses and is qualified to hold the position; and

WHEREAS, the Town Council desires to provide advice and consent to the appointment of Mr. Koepfler as the Electrical Subcode Official/Electrical Inspector with an effective date of August 5th, 2021, subject to any required background checks at a rate of \$45/hour.

NOW THEREFORE BE IT RESOLVED that the appointment of THOMAS E. KOEPFLER to the position of Electrical Subcode Official and Electrical Inspector for the Town of Phillipsburg is hereby approved on the terms and conditions set forth above.

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their August 3, 2021 meeting.

Victoria L. Kleiner, Municipal Clerk

R2021-200

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A REFUND OF
ESCROW IN THE AMOUNT OF \$1,272.00 TO MANUEL MONTESINO**

WHEREAS, Property owner, Manuel Montesino, filed an application and made an escrow deposit with the Land Use Board for an apartment conversion at Block 903, Lot 47, 43-45 South Main Street, Phillipsburg; and

WHEREAS, on June 10, 2021, Mr. Montesino rescinded his apartment conversion Application; and

WHEREAS, the Town desires to refund the escrow to Manuel Montesino.

NOW, THEREFORE, BE IT RESOLVED by Town Council, Town of Phillipsburg, County of Warren, State of New Jersey, that the CFO is hereby authorized and directed to refund in the amount of \$1,272.00 to Manuel Montesino for the reasons stated herein above.

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their August 3, 2021 meeting.

Victoria L. Kleiner
Municipal Clerk

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR
PROFESSIONAL SERVICES WITH VAN CLEEF ENGINEERING
ASSOCIATES FOR ENGINEERING SERVICES FOR 401 SOUTH
MAIN STREET ADA IMPROVEMENTS**

WHEREAS, the Town of Phillipsburg has a need to acquire professional services relative to engineering services required for the design and construction/administration phases; and

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

WHEREAS, Van Cleef Engineering Associates, Inc., submitted a proposal dated July 28, 2021, to provide services relative to the Project; and

WHEREAS, the value of these services shall not exceed \$1,375.00; and

WHEREAS, Van Cleef Engineering Associates, Inc. shall provide the following:

- (1.) Bid Documents and Bid Solicitation; and
- (2.) Construction Administration/Observation; and

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

WHEREAS, funding for is available by appropriation in the budget of the Town, as evidenced by the attached certification of funds.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the Mayor and Municipal Clerk are authorized to enter into a Contract with Van Cleef Engineering Associates, Inc., NOT TO EXCEED \$1,375.00, as described therein, subject to the certification of funds.

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