

AGENDA

**TOWN OF PHILLIPSBURG
TOWN COUNCIL MEETING
TUESDAY, MARCH 22, 2022
7:00 P.M.**

(Virtual Zoom Code to Join: Meeting ID: 842 4134 9087 – instructions located on Town Website)

(subject to change pursuant to N.J.S.A. 10:4-8(d)-this agenda is tentative to the extent known at time of posting”

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 MARCH 22, 2022 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 - TC Meeting - March 1, 2022

6. BILLS LIST –

ROLL CALL

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Kennedy						
Councilman Marino						
Councilman Piazza						
Council VP Clark						
Council President Wyant						

7. ANNOUNCEMENTS -

8. OLD BUSINESS

O2022-06 – TBLD March 1, 2022

O2022-06

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 2019-07 FINALLY ADOPTED ON MAY 7, 2019, AS FURTHER AMENDED BY BOND ORDINANCE NUMBER 2021-05 FINALLY ADOPTED ON FEBRUARY 16, 2021, IN ORDER TO REVISE THE DESCRIPTION OF IMPROVEMENTS AUTHORIZED THEREIN

R2022-69

Moved from previous meeting

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE APPLICATION TO THE NJ CLEAN ENERGY PROGRAM COMMUNITY ENERGY PLANNING GRANT PROGRAM

9. Mayor's and Administrative Officers

10. PUBLIC DISCUSSION ON AGENDA ITEMS

11. ORDINANCES – SECOND READING

O2022-04 – Amended

Passed 1st Rdg 3-2

March 1, 2022

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING CHAPTER 67, *VEHICLES AND TRAFFIC*, SECTION 28, *PARKING LOTS*, OF THE CODE OF THE TOWN OF PHILLIPSBURG TO CLARIFY THE HOURS OF THE LOTS AND THE HOURS SUBJECT TO PAID PARKING

ROLL CALL

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Kennedy						
Councilman Marino						
Councilman Piazza						
Council VP Clark						
Council President Wyant						

Discussion - Public

O2022-09

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN AND STATE OF NEW JERSEY RENAMING THE PHILLIPSBURG SENIOR CENTER TO BE KNOWN AS “GLORIA A. DECKER SENIOR CENTER”

ROLL CALL

Passed 1st Rdg. 5-0

March 1, 2022

ROLL CALL

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Kennedy						
Councilman Marino						
Councilman Piazza						
Council VP Clark						
Council President Wyant						

Discussion - Public

O2022-10

AN ORDINANCE ESTABLISHING THE SALARY RANGE FOR CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF PHILLIPSBURG

ROLL CALL

Passed 1st Rdg 5-0

March 1, 2022

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Kennedy						
Councilman Marino						
Councilman Piazza						
Council VP Clark						
Council President Wyant						

Discussion - Public

12. ORDINANCES – FIRST READING

O2022-11

Anti-Nepotism Policy

ROLL CALL

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Kennedy						
Councilman Marino						
Councilman Piazza						
Council VP Clark						
Council President Wyant						

O2022-12

CALENDAR YEAR 2022

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK(N.J.S.A. 40A: 4-45.14)

ROLL CALL

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Kennedy						
Councilman Marino						
Councilman Piazza						
Council VP Clark						
Council President Wyant						

O2022-13

BOND ORDINANCE PROVIDING FOR INSPECTION AND REPAIRS OF SEWER LINES, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY, APPROPRIATING \$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

ROLL CALL

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Kennedy						
Councilman Marino						
Councilman Piazza						
Council VP Clark						
Council President Wyant						

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.*

ROLL CALL CONSENT AGENDA

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Kennedy						
Councilman Piazza						
Councilman Marino						
Council Vice Clark						
Council President Wyant						

R:2022-70

AUTHORIZING THE AWARD OF A NON-FAIR AND CLOSED CONTRACT FOR TOWN PROSECUTOR

R: 2022-71

A RESOLUTION APPROVING 2020-2021 LIQUOR LICENSE WITHIN TOWN OF PHILLIPSBURG WITH A SPECIAL RULING from ABC Director pursuant to N.J.S.A. 33:1 – 12.18 and 12.39 relief for the license term 2020-2021

R: 2022-72

A RESOLUTION TO PROVIDE FOR RENEWAL OF TAXI OPERATOR'S LICENSE FOR EDDY CHERISME

R2022-73

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH RT ENVIRONMENTAL SERVICES, INC FOR UPDATED ACM/HAZMAT/MOLD INSPECTION AND SPECIFICATIONS FOR REMEDIATION

R2022-74

A RESOLUTION TO PROVIDE FOR INTERFUND TRANSFERS

R2022-75

Willows at Greenwich Residential – TWA Endorsement Project

R: 2022-76

RESOLUTION AUTHORIZING PAYOUT OF ACCRUED SICK, VACATION AND COMPENSATORY LEAVE FOR PAUL SMITH OF INSPECTIONS

R: 2022-77

A RESOLUTION TO PROVIDE FOR THE ADOPTION OF EMERGENCY TEMPORARY APPROPRIATIONS FOR 2022 SEWER UTILITY IN ACCORDANCE WITH PROVISIONS OF N.J.S.A. 40A:4-20

R: 2022-78

A RESOLUTION TO PROVIDE FOR THE ADOPTION OF EMERGENCY TEMPORARY APPROPRIATIONS FOR 2022 CURRENT FUND IN ACCORDANCE WITH PROVISIONS OF N.J.S.A. 40A:4-20

SEPARATE FROM CONSENT AGENDA

R2022-79A

AUTHORIZING THE INTRODUCTION OF THE 2022 MUNICIPAL BUDGET

ROLL CALL

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Kennedy						
Councilman Marino						
Councilman Piazza						
Council VP Clark						
Council President Wyant						

R2022-79B

AUTHORIZING THE ACTING MUNICIPAL CLERK TO READ THE PROPOSED 2022 BUDGET BY TITLE ONLY

ROLL CALL

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Kennedy						
Councilman Marino						
Councilman Piazza						
Council VP Clark						
Council President Wyant						

14. NEW BUSINESS

15. PUBLIC PETITIONS

16. DISCUSSION

445 James St. LLC Planning Board Application – requesting waiver from requirement to install curbing.

17. COUNCIL OPEN TIME

18. MOTIONS

SPECIAL EVENT PERMIT APPLICATIONS

Shad Tournament – April 21 daybreak – April 24 9PM

Awards Ceremony April 25 6PM (Mayor/Council invited to hand out prizes.)

1. Hope Day – June 4 – Community Festival event – Everything is Free

19. EXECUTIVE SESSION -

R: 2022-

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 March 15, 2022

		<u>Check No</u>
1	Current Fund	249,855.92
2	State & Federal Grants	120.00
4	Capital Fund	6,338.84
7	Sewage Utility Fund	237,608.94
8	Sewage Capital Fund	3,308.50
12	Planning Board Trust Fund	7,479.50
12	Bridge Development	16,323.50
13	Dog Trust Fund	0.00
15	Public Defender Trust Fund	0.00
16	Section 8	0.00
17	General Trust Fund	5,047.00
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 March 15, 2022		526,082.20

Pre-Paid Bill List as of March 15, 2022

1	Current Fund	23.50
2	State & Federal Grants	219,237.80
4	Capital Fund	504,352.17
7	Sewer Utility Fund	0.00
8	Sewer Utility Capital	2,432.00
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	1,745.90
21	Revolving Loan Fund	0.00
		727,791.37

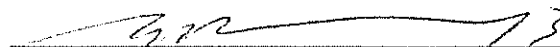
Grand Total All Funds

1,253,873.57

Approved By:



Robert J. Merlo, CFO



Rob Bengivenga, Business Admin

List of Bills - CLAIMS CHECKING ACCOUNT Meeting Date: 03/15/2022 For bills from 03/02/2022 to 03/14/2022

Check#	Vendor	Description	Payment	Check Total
85105	43 - ROSSNAGLE'S SERVICE CNTR INC	PO 37172 Labor to align front end - Truck #17	100.00	100.00
85106	48 - GEORGE W KISTLER INC	PO 37048 2022 Extinguisher Inspection	1,989.00	1,989.00
85107	52 - STAR DOLLAR CLEANERS INC	PO 37221 February Uniform Cleaning	995.00	995.00
85108	89 - GRAINGER	PO 37098 Needlestick-resist gloves	766.08	
		PO 37175 Motor for exhaust fan - Sr. Center	128.79	894.87
85109	118 - WEST GROUP PAYMENT CENTER	PO 37158 NJ Statutes 2/1-2/28/22	445.22	445.22
85110	129 - AMERIGAS CLINTON 7510	PO 37210 Propane for Walters Park garage	463.97	463.97
85111	130 - CINTAS FAS LOCKBOX 636525	PO 37104 Medical supplies for cabinets	384.46	
		PO 37198 Supplies for medical cabinets	443.27	827.73
85112	133 - COOPERFRIEDMAN ELECT.SUPPLY CO INC	PO 36972 Disconnect & Breaker for Air Compressor	239.98	
		PO 37035 Electrical supplies	47.49	287.47
85113	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 35308 Cert of Funds-Engineering svcs Warren St	314.00	314.00
85114	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 36338 R:2021-251 COF Engineering Services fo	1,901.15	1,901.15
85115	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 36550 R:2021-273 COF Engineering Services for	3,900.00	3,900.00
85116	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37211 Bridge Point 78- Phase 2 Site Plan- Bloc	16,100.00	16,100.00
85117	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37212 75 & 83 South Main St	375.00	375.00
85118	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37213 Perron Riverview	1,812.50	1,812.50
85119	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37214 CVS	56.00	56.00
85120	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37215 Popeye/Arby's Block 1004 Lot 3 680 Memor	532.00	532.00
85121	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37224 JAOR 246 Morris Street	577.50	577.50
85122	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37225 Bridge I-78 Phase II Scotts Miracle Grow	223.50	223.50
85123	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37228 Manor House P & F Assoc	392.00	392.00
85124	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37255 2022 Retainer - General Engineering	4,100.00	4,100.00
85125	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37269 150 Fleming Drive (Regan Development)	3,734.50	3,734.50
85126	147 - POWERCO INC	PO 36924 Couplings	198.00	198.00
85127	172 - DELAWARE RIVER BASIN COMMISSION	PO 37263 2022 Monitoring and Coordination Fee	887.00	887.00
85128	215 - HAZARETH FORD INC	PO 37200 Parts for police cars	315.37	
		PO 37232 Parts for police cars	412.04	727.41
85129	258 - N J STATE ASSOC CHIEFS OF POLICE	PO 37118 2022 membership dues	275.00	275.00
85130	281 - ELECTRONIC MEASUREMENT LABS INC	PO 37180 Calibration of Hazardous Gas Detector	146.29	146.29
85131	345 - N J FIRE EQUIPMENT	PO 36858 Purchase of Rear Hanging Name Patches	184.26	184.26
85132	440 - NJ DCA DIV CODES & STANDARDS	PO 37250 2021 DCA Training Fees	110,920.00	110,920.00
85133	441 - WHITELIGHT COMMUNICATIONS LLC	PO 37264 Services rendered for outside door box	804.00	804.00
85134	477 - LANGUAGE SERVICES ASSOCIATES	PO 37116 JAN 2022 LANGUAGE LINE SERVICES	68.25	
		PO 37258 Language Line Services February 2022	120.90	189.15
85135	499 - NATURAL SYSTEMS UTILITIES	PO 37204 March Service Fee	200,775.68	200,775.68
85136	499 - NATURAL SYSTEMS UTILITIES	PO 37227 NSU share of Septic per Agreement	20,081.96	20,081.96
85137	681 - RUTGER THE ST UNIVERSITY	PO 37241 2-Day Forum for Rob Bengivenga	375.00	375.00
85138	683 - WINDELS MARK LANE & MITTENDORF LLP	PO 37260 Services rendered for October 2021 to Fe	1,190.00	
		PO 37261 Services rendered for February 2022	2,992.50	4,182.50
85139	687 - INDUSTRIAL COMMUNICATIONS INC	PO 37077 Police / Fire / DPW Radio Contract for F	750.00	
		PO 37151 Radio for new garbage truck	975.00	
		PO 37173 Rewired ignition sense line	180.00	
		PO 37252 REPOGRAM PORTABLE RADIOS	90.00	1,995.00
85140	711 - INTERNATION ASSOC.OF CHIEFS OF POLI	PO 37094 MEMBERSHIP FOR 2022	190.00	190.00
85141	733 - NJ ADVANCE MEDIA, LLC	PO 37216 Legal Ads Publication - Sewer, Salary Or	3,481.40	
		PO 37248 TOP Bond Ord 0:2022-06	248.30	3,729.70
85142	741 - COOPER ALARM SYSTEMS INC	PO 37265 Alarm Monitoring	348.00	348.00
85143	761 - D & J TRUCK & RV REPAIR LLC	PO 37102 Repairs for sanitation truck #27	3,469.69	3,469.69
85144	772 - ULINE INC	PO 37112 Flammable storage cabinets	3,699.45	
		PO 37113 Gas cans	1,102.43	
		PO 37197 Shelves for flammable cabinets	179.02	4,980.90
85145	834 - READYREFRESH BY NESTLE	PO 37268 Water Rental	47.88	47.88
85146	847 - PENNSYLVANIA STATE UNIVERSITY	PO 37095 FTO Training / Tim Burger	499.00	499.00
85147	875 - DRAEGER INC	PO 37111 wet bath simulator solution	120.00	120.00
85148	941 - RUSSELL REID WST HAUL/DISP.SVC INC	PO 37169 Temporary restroom - Walters Park	191.00	191.00
85149	953 - NORTHEAST PARTS GROUP LLC	PO 37028 February Blanket Purchase Order	-341.06	-341.06
85150	953 - NORTHEAST PARTS GROUP LLC	PO 37028 February Blanket Purchase Order	1,663.28	1,663.28
85151	953 - NORTHEAST PARTS GROUP LLC	PO 37108 Booster cable for garage	141.99	
		PO 37156 Parts for public works vehicles	507.80	
		PO 37165 Automatic air hose reel	540.00	
		PO 37166 25 gallon drain evac	1,220.00	2,409.79
85152	974 - ROUTE 12 WASH & GAS INC	PO 37160 January Car Wash	8.45	8.45
85153	1060 - HORWITH TRUCKS INC	PO 37233 Parts for public works vehicles	166.59	
		PO 37236 Hose for truck #26	31.58	198.17
85154	1072 - DAVID WEBER OIL CO	PO 37106 Antifreeze	318.90	318.90
85155	1104 - KS STATE BANK	PO 37277 Lease Payment for Police Vehicles - Acco	4,185.30	4,185.30
85156	1104 - KS STATE BANK	PO 37278 2021 Police Vehicles-Police Interceptors	3,901.78	3,901.78
85157	1108 - OFFICE CONCEPTS GROUP INC	PO 37219 Storage Cabinet for CEDs and ID Holders	34.77	34.77

List of Bills - CLAIMS CHECKING ACCOUNT Meeting Date: 03/15/2022 For bills from 03/02/2022 to 03/14/2022

Check#	Vendor	Description	Payment	Check Total
85158	1108 - OFFICE CONCEPTS GROUP INC	PO 37222 office supplies	87.16	87.16
85159	1114 - THE SHERWIN WILLIAMS CO	PO 37234 Curb paint	327.20	327.20
85160	1152 - PRIMEPOINT, LLC	PO 37240 Payroll processing - February	2,714.05	2,714.05
85161	1155 - FERGUSON WATERWORKS	PO 36699 Pipe for sewer line repairs	206.95	206.95
85162	1243 - ROBERT BENGIVENGA	PO 37244 2021 Eyecare Reimbursement	121.00	121.00
85163	1298 - SOLVIT.ROCKS, INC	PO 37266 IT Service	123.75	123.75
85164	1309 - The Rodgers Group LLC	PO 37262 R:2021-172 COF Police Accreditation	3,325.00	3,325.00
85165	1311 - Amazon Captial Services	PO 37251 Supplies	189.61	189.61
85166	1326 - RECYCLE AMERICA HOLDINGS INC	PO 37209 Recycling fees	3,116.65	3,116.65
85167	1340 - O'TOOLE SCRIVO LLC	PO 37134 Professional Services Rendered - January	10,230.00	
		PO 37135 Professional Services Rendered - Decembe	2,775.00	
		PO 37271 Professional Services Rendered - Februar	870.00	
		PO 37272 Professional Services Rendered - Februar	5,595.00	19,470.00
85168	1350 - HARMONY PRODUCTS INC	PO 36680 Security Screening for Police Department	9,200.00	9,200.00
85169	1357 - FB ELECTRONICS	PO 37096 Repair Genesis VP Handheld Radar Unit	230.00	230.00
85170	1492 - OPDYKE'S SERVICES	PO 37121 Parts for public works vehicles	400.91	
		PO 37201 Parts for public works vehicles	279.26	680.17
85171	1627 - OK AUTO 4WD & TIRE, INC	PO 36914 Replace Running Boards on 94-94	955.99	955.99
85172	1648 - ANGELA HODLEY	PO 37218 reimbursement for dictation software	39.95	39.95
85173	1679 - CHRIN'S BROS INC	PO 37029 February Blanket Purchase Order	33,009.94	33,009.94
85174	1681 - BOROUGH OF ALPHA	PO 37239 POSTAGE REIMBURSEMENT FEB 2022	290.25	290.25
85175	1719 - ABE MATERIALS EASTON	PO 37170 Cold patch	256.00	
		PO 37196 Cold patch	446.72	
		PO 37231 Cold patch	339.20	1,041.92
85176	1919 - CHARLES R GRUBB D.O.,PC	PO 37110 Cicala physical	275.00	275.00
85177	1942 - STATEWIDE INSURANCE FUND	PO 37267 Deductible Recovery - Ingerman Developme	16,719.65	16,719.65
85178	2331 - REMINGTON & VERNICK ENGINEERS	PO 35545 R:2021-102 COF Engineering Svcs-Replac	393.75	393.75
85179	2331 - REMINGTON & VERNICK ENGINEERS	PO 36721 R:2021-307 COF Engineering Services for	2,914.75	2,914.75
85180	2331 - REMINGTON & VERNICK ENGINEERS	PO 37208 Professional Services for October 2021	333.00	333.00
85181	2331 - REMINGTON & VERNICK ENGINEERS	PO 37226 September Professional Services Rendered	814.00	814.00
85182	2331 - REMINGTON & VERNICK ENGINEERS	PO 37270 Professional Services February 2022	4,626.25	4,626.25
85183	2366 - MUNICIPAL SOFTWARE INC	PO 36999 TAX FINANCE SEWER SUPPORT 2022	10,027.45	
		PO 36999 TAX FINANCE SEWER SUPPORT 2022	7,055.55	17,083.00
85184	6551 - NJ STATE LEAGUE OF MUNICIPALITIES	PO 37223 Seminar - Budgeting for Elected Official	75.00	75.00
TOTAL				526,082.20

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-050	Business Administrator - O/E	596.26			
01-201-20-110-050	Mayor & Council - O/E	75.00			
01-201-20-120-050	Municipal Clerk - O/E	4,174.92			
01-201-20-130-050	Financial Administration - O/E	7,492.79			
01-201-20-145-050	Revenue Administration - O/E	5,248.71			
01-201-20-155-050	Legal Services	34,584.65			
01-201-20-165-050	Engineering services	4,100.00			
01-201-25-240-050	Police Department - O/E	5,959.33			
01-201-25-265-050	Fire Department - O/E	3,931.28			
01-201-26-290-050	Street & Roads - O/E	2,650.57			
01-201-26-301-050	PEOSHA	827.73			
01-201-26-305-050	Solid Waste Collection - O/E	766.08			
01-201-26-310-050	Building & Grounds - O/E	715.28			
01-201-26-315-050	Vehicle Maintenance - O/E	10,521.33			
01-201-31-440-050	Switchboard Expenses - O/E	804.00			
01-201-31-446-050	Utility Expenses - Natural Gas	463.97			
01-201-32-465-050	Landfill/Solid Waste Disposal Costs	36,126.59			
01-201-33-490-050	Municipal Court - O/E	479.40			
01-201-45-942-050	Capital Lease Obligations	8,087.08			
01-203-20-155-050	(2021) Legal Services		1,605.00		
01-203-23-220-050	(2021) Employee Group Insurance		121.00		
01-203-25-240-050	(2021) Police Department - O/E		9,200.00		
01-203-26-290-050	(2021) Street & Roads - O/E		206.95		
01-203-26-315-050	(2021) Vehicle Maintenance - O/E		198.00		
01-260-05-100	Current Fund - Due to Claims			0.00	249,855.92
01-271-55-000-000	Reserve for DCA State Training Fees			110,920.00	

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
TOTALS FOR	CURRENT FUND	127,604.97	11,330.95	110,920.00	249,855.92
02-213-41-732-000	2021 Grant Expenditures			120.00	
02-260-05-100	St/Fed Grants - Due to Claims Fund			0.00	120.00
TOTALS FOR	STATE & FEDERAL GRANTS	0.00	0.00	120.00	120.00
04-215-55-940-000	2020 Improvement Authorizations			3,699.45	
04-215-55-941-000	2021 Improvement Authorizations			2,639.39	
04-260-05-100	Capital - Due to Claims Fund			0.00	6,338.84
TOTALS FOR	CAPITAL FUND	0.00	0.00	6,338.84	6,338.84
07-201-55-510-050	Sewer Utility OE	216,406.98			
07-203-55-510-050	(2021) Sewer Utility OE		1,120.00		
07-260-05-100	Sewer Utility - Due to Claims Fund			0.00	237,608.94
07-277-55-000-000	Reserve for Septic Payments			20,081.96	
TOTALS FOR	SEWER UTILITY	216,406.98	1,120.00	20,081.96	237,608.94
08-216-55-577-000	2021 Capital Improvements Authorized			393.75	
08-260-05-100	Sewer Capital - Due to Claims Fund			0.00	3,308.50
08-269-55-000-000	Reserve for Prelim Exp out of CIF of SCap			2,914.75	
TOTALS FOR	SEWER CAPITAL	0.00	0.00	3,308.50	3,308.50
12-260-05-100	Planning Board - Due to Claims Fund			0.00	23,803.00
12-286-56-851-000	Land Use Escrows			7,479.50	
12-288-56-102-000	Escrow - Bridge Development			16,323.50	
TOTALS FOR	Land Use Board Escrow	0.00	0.00	23,803.00	23,803.00
17-260-05-100	Trust - Due to Claims Fund			0.00	5,047.00
17-288-56-861-000	Sewer - TWA and Will Serves			1,147.00	
17-292-56-025-000	Dedicated by Rider			3,900.00	
TOTALS FOR	GENERAL TRUST FUND	0.00	0.00	5,047.00	5,047.00

Total to be paid from Fund 01 CURRENT FUND	249,855.92
Total to be paid from Fund 02 STATE & FEDERAL GRANTS	120.00
Total to be paid from Fund 04 CAPITAL FUND	6,338.84
Total to be paid from Fund 07 SEWER UTILITY	237,608.94
Total to be paid from Fund 08 SEWER CAPITAL	3,308.50
Total to be paid from Fund 12 Land Use Board Escrow	23,803.00
Total to be paid from Fund 17 GENERAL TRUST FUND	5,047.00
	526,082.20

Checks Previously Disbursed

85101	MONTANA CONSTRUCTION CO INC	Multiple:	198,424.29	3/09/2022
85102	SOUTH STATE INC	Multiple:	493,697.68	3/09/2022
85103	SPORTSENGINE INC	PO# 37273 Background Check Services	23.50	3/09/2022
85104	N J YOUTH CORP OF PHILLIPSBURG	PO# 37274 Reimbursement NJYC-2022-2/8/22-3/1	33,900.00	3/10/2022
553188	AFLAC	PO# 37256 Monthly Invoice	1,745.90	3/16/2022
			727,791.37	

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
<hr/>					
Totals by fund	Previous Checks/Voids	Current Payments	Total		
<hr/>					
Fund 01 CURRENT FUND	23.50	249,855.92	249,879.42		
Fund 02 STATE & FEDERAL GRANTS	219,237.80	120.00	219,357.80		
Fund 04 CAPITAL FUND	504,352.17	6,338.84	510,691.01		
Fund 07 SEWER UTILITY		237,608.94	237,608.94		
Fund 08 SEWER CAPITAL	2,432.00	3,308.50	5,740.50		
Fund 12 Land Use Board Escrow		23,803.00	23,803.00		
Fund 17 GENERAL TRUST FUND		5,047.00	5,047.00		
Fund 20 PAYROLL AGENCY FUND	1,745.90		1,745.90		
<hr/>					
BILLS LIST TOTALS	727,791.37	526,082.20	1,253,873.57		
			<u>1,253,873.57</u>		

**TOWN OF PHILLIPSBURG
ORDINANCE NUMBER 2022-06**

*TBLD. OLD
March 8 Bills.*

**BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER
2019-07 FINALLY ADOPTED ON MAY 7, 2019, AS FURTHER
AMENDED BY BOND ORDINANCE NUMBER 2021-05 FINALLY
ADOPTED ON FEBRUARY 16, 2021, IN ORDER TO REVISE THE
DESCRIPTION OF IMPROVEMENTS AUTHORIZED THEREIN**

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 bond ordinance number 2019-07 finally adopted by
the Town Council of the Town of Phillipsburg, in the County of Warren, State of New
Jersey (the "Town"), on May 7, 2019, as further amended by bond ordinance number
2021-05 finally adopted by the Town Council of the Town on February 16, 2021
(collectively, the "Prior 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 to be issued
are including, but not limited to, (i) the acquisition and renovation of
120 Filmore Street for municipal purposes; (ii) the demolition and/or
renovation and rehabilitation of the old municipal building located at
675 Corliss Avenue; (iii) upgrades to the municipal owned building
located at 220 Broubalow Way; (iv) improvements to the community
pool and bath house, and (v) upgrades to the Town-owned garage
located at the intersection of 3rd 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

ORDINANCE NO. 2022-04

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING CHAPTER 67, *VEHICLES AND TRAFFIC*, SECTION 28, *PARKING LOTS*, OF THE CODE OF THE TOWN OF PHILLIPSBURG TO CLARIFY THE HOURS OF THE LOTS AND THE HOURS SUBJECT TO PAID PARKING

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

Section One.

Chapter 67, *Vehicles and Traffic*, Section 28, *Parking Lots*, of the Code of the Town of Phillipsburg, subsection I entitled *Municipal Lots, Payment Required* of the Code of the Town of Phillipsburg is hereby amended as follows and all other portions of this subsection I shall be unchanged except as indicated below:

§67-28(I) Municipal Lots, Payment Required

(I) *****.

The municipal parking lots will be open twenty-four hours a day and will be paid parking subject to enforcement from 8:00 am until 8:00 pm daily. During special events, the paid parking subject to enforcement for lot hours will be extended from 8:00 am until 10:00 pm. The rate of parking fees per vehicle will be as follows:

Section Two.

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 Three.

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

Section Four.

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

ATTEST:

TOWN OF PHILLIPSBURG

LORRAINE LOUDENBERRY, AMC
Acting Municipal Clerk
DATED:

TODD M. TERSIGNI
Mayor

CERTIFICATION

I, Lorraine Loudenberry, 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 March 1, 2022 meeting.

LORRAINE LOUDENBERRY,
Acting Municipal Clerk

O2022-09

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN AND
STATE OF NEW JERSEY RENAMING THE PHILLIPSBURG SENIOR CENTER TO
BE KNOWN AS “GLORIA A. DECKER SENIOR CENTER”**

Section 1.

WHEREAS, Gloria A. Decker is a lifelong Phillipsburg resident who has selflessly and ably served the residents of Phillipsburg and beyond through public service; and

WHEREAS, Gloria A. Decker was a trailblazer for women, a person who was not afraid to fight for what she believed in and who overcame gender barriers to achieve great heights; and

WHEREAS, Gloria A. Decker was instrumental in getting the funding for the Phillipsburg Senior Center, a center which does so much for the senior residents of Phillipsburg; and

WHEREAS, March is Women’s History Month, a time to reflect upon and recognize the many great contributions women have made and continue to make to our society; and

WHEREAS, the Town of Phillipsburg desires to honor Gloria A. Decker, and recognize her by renaming the Phillipsburg Senior Center in her honor.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Phillipsburg, County of Warren and State of New Jersey that the Phillipsburg Senior Center shall henceforth be officially known as the “Gloria A. Decker Senior Center” 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.

ATTEST:

TOWN OF PHILLIPSBURG

LORRAINE LOUDENBERRY, AMC
Acting Municipal Clerk
DATED:

TODD M. TERSIGNI
Mayor

CERTIFICATION

I, Lorraine Loudenberg, 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 March 1, 2022 meeting.

LORRAINE LOUDENBERRY,
Acting Municipal Clerk

ORDINANCE NO. 2022-10

**AN ORDINANCE ESTABLISHING THE SALARY RANGE FOR
CERTAIN OFFICERS AND EMPLOYEES OF THE TOWN OF PHILLIPSBURG**

WHEREAS, the Town Council of the Town of Phillipsburg, Warren County, New Jersey, is required to establish by Ordinance the salary or salary ranges of officers and employees of the Town of Phillipsburg; and

WHEREAS, the Town wishes to establish the salary range for certain officers and employees of the Town.

NOW, THEREFORE, BE IT ORDAINED, that the salary range for the following positions is hereby established as follows:

SECTION I

<u>Classification Titles - Salaried</u>	<u>Minimum</u>	<u>Maximum</u>
Zoning Official	\$10,000.00	\$20,000.00
Building Inspector	\$10,000.00	\$20,000.00
Plumbing Inspector/Sub-Code Official	\$10,000.00	\$20,000.00
Qualified Purchasing Agent	\$10,000.00	\$15,000.00
Housing Inspector	\$10,000.00	\$20,000.00

SECTION II

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This Ordinance shall take effect immediately upon final publication as provided by law.

ATTEST:

TOWN OF PHILLIPSBURG

LORRAINE LOUDENBERRY, AMC
Acting Municipal Clerk
DATED:

TODD M. TERSIGNI
Mayor

CERTIFICATION

I, Lorraine Loudenberg, 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 March 01, 2022 meeting.

LORRAINE LOUDENBERRY,
Acting Municipal Clerk

ORDINANCE NO. 2022-11

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 100 ENTITLED “PERSONNEL POLICY AND PRACTICES” OF THE PHILLIPSBURG TOWN CODE TO CREATE SECTION 100-20 ENTITLED “ANTI-NEPOTISM POLICY”

WHEREAS, the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, seeks to provide fair and equal opportunities by developing and adopting sound personnel practices which are based upon merit and safeguard against the potential for undue influence and/or favoritism; and

WHEREAS, the Town Council has deemed it in the best interest of the public health, safety, and welfare to amend Chapter 100, entitled “Personnel Policy and Practices” of the Code of the Town of Phillipsburg to establish an anti-nepotism policy.

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

SECTION 1:

Chapter 100 of the Code of the Town of Phillipsburg, entitled “Personnel Policy and Practices” is hereby amended and supplemented by creating a new section, Section 100-20 entitled “Anti-Nepotism Policy” as follows:

§ 100-20.1 Title.

This Section shall be cited as the “Anti-Nepotism Policy” of the Town of Phillipsburg.

§ 100-20.2 Purpose.

This policy is not for the purpose of depriving any citizen of an equal chance for employment with the Town of Phillipsburg but is solely intended to eliminate the potential for preferential treatment of relatives of certain government and/or municipal personnel.

§ 100-20.3 Applicability.

- A. The prohibitions set forth in this Section shall not apply to appointments to the various Boards, Commissions, and/or Ad Hoc Committees of the Town.
- B. This Section and the prohibition against certain hiring contained herein shall be applied prospectively only from the effective date of its enactment and shall not in any way be construed to prohibit or make unlawful any current employment relationship or situation or promotion of any person currently employed by the Town as of the effective date of this Section, which may technically be violative of the terms hereof but for its prospective application. For purposes of interpreting this Section, persons appointed to positions of employment with the Town for a set term

shall be considered current employees, notwithstanding the fact that the term may have ended. Such persons holding positions of employment with the Town under a set term may be hired to any position in the Town, rehired, reappointed or promoted, as the case may be without violating this Section.

§ 100-20.4 Definitions.

As used in this Section, the following terms shall have the meaning indicated:

ELECTED OFFICIAL – An individual holding the position of Mayor or Town Councilman.

RELATIVE – A spouse, domestic partner, cohabitant, parent, child, adopted child, sibling, grandparent, grandchild, aunt, uncle, niece, nephew, first cousin, in-law, (applies to parents and siblings of a spouse), half-relative (applies to parents and siblings of a spouse), half-relative or step-relative (applies to parents and siblings), or a person with whom a significant committed relationship exists (living together for more than twelve (12)) months).

DEPARTMENT HEAD, MANAGERIAL EXECUTIVE AND UNCLASSIFIED SUPERVISORY EMPLOYEE – Any employee of the Town having supervisory duties and powers over another employee(s) within the respective department of the Town.

§ 100-20.5 Restriction in Hiring, Promoting, and Supervision of Employees.

The following restrictions shall apply in the hiring and promotion of employees to employment positions for the Town of Phillipsburg:

Hiring: Unless otherwise prohibited by law or New Jersey Department of Personnel Rules, but notwithstanding the terms of any collective bargaining agreement to the contrary:

- A. No person who is relative, as defined in Section 100-20.4, of an elected official, department head, managerial executive, or unclassified supervisory employee shall be appointed, hired, employed or permitted to work for the Town of Phillipsburg in any unclassified position.
- B. No person who is a relative, as defined in Section 100-20.4, shall be employed by or transferred to a position of employment with the Town, where that person will be supervisor of or be supervised by another relative who is an existing employee within the same department.
- C. Promotion. Notwithstanding the prospective application as to the remainder of this Chapter as described above, no elected official or supervisor, as defined in Section 100-20.4, in any department may participate in the promotion process or hiring process in that department of any existing employee who is a relative, as defined in Section 100-24.5, of such elected official or supervisor, as the case may be, unless otherwise required by law or New Jersey Department of Personnel

Rules. Such elected official or supervisor shall abstain from participation in such personnel action as it applies to such relative.

- D. If an existing employee of the Town becomes subject to this policy because of changes in marital, domestic partner/cohabitant or relationship status, one of the related persons must resign their unclassified position within ninety (90) days.
- E. It shall be the affirmative duty of a related elected official, department head, managerial executive, unclassified supervisory employee, or employee to immediately disclose any circumstances which may constitute a violation of this policy. Failure to do so will result in disciplinary and/or legal action which can include removal from employment position.

§ 100-20.6 Current Employees

Except as may be otherwise expressly provided for herein, this Chapter shall not affect the employment of any present Town employee and/or any existing contractual obligations with employees by the Town of Phillipsburg, nor shall this Chapter affect seasonal part-time employment. The application of this policy only applies prospectively to all individuals seeking employment with the Town of Phillipsburg following the effective date of this Ordinance.

SECTION 2:

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

SECTION 3:

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

SECTION 4:

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

ATTEST:

TOWN OF PHILLIPSBURG

Lorraine Loudenberg,
Acting Municipal Clerk

Todd M. Tersigni
Mayor

DATED:

CERTIFICATION

I, Lorraine Loudenberg, 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 March 22, 2022 meeting.

Lorraine Loudenberg
Acting Municipal Clerk

O2022-12

**CALENDAR YEAR 2022
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Town Council of the Town of Phillipsburg in the County of Warren finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Town Council hereby determines that a 1% increase in the budget for said year, amounting to \$152,428.47 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Town Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Town Council of the Town of Phillipsburg in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Town of Phillipsburg shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$533,499.65 and that the CY 2022 municipal budget for the Town of Phillipsburg be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

ATTEST:

TOWN OF PHILLIPSBURG

Lorraine Loudenberry
Acting Municipal Clerk

Todd M. Tersigni
Mayor

DATE:

CERTIFICATION

I, Lorraine Loudenberry, 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 March 22, 2022 meeting.

Lorraine Loudenberry
Acting Municipal Clerk

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

ORDINANCE NUMBER 2022-13

**BOND ORDINANCE PROVIDING FOR INSPECTION AND
REPAIRS OF SEWER LINES, BY AND IN THE TOWN OF
PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE
OF NEW JERSEY; APPROPRIATING \$750,000 THEREFOR
AND AUTHORIZING THE ISSUANCE OF \$750,000 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 \$750,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law of the State of New Jersey, 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 or purposes described in Section 3 hereof, negotiable bonds of the Town are hereby authorized to be issued in the aggregate principal amount of \$750,000 pursuant to, and within all 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 an aggregate

principal amount not exceeding \$750,000 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 improvements and repairs to, and inspections of various sewer lines throughout the Town, including, but not limited to, video documentation of the existing sewer lines and repairs thereto.

(b) All improvements shall include, as applicable, all field work, materials, equipment, engineering, design, architectural, environmental consulting work, preparation of plans and specifications, permits, bid documents, conducting and preparation of reports and studies, equipment rental, labor and appurtenances necessary therefore or incidental thereto.

(c) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$750,000.

(d) The estimated cost of said improvements or purposes is \$750,000.

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. 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 such 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. 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 20 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 \$750,000, 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 \$75,000 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. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation as to rate or amount unless paid from other sources.

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 Section 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 are "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 Internal Revenue Code of 1986, as amended, 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: March 22, 2022**

**LORRAINE LOUDENBERRY,
Acting Clerk of the Town of Phillipsburg**

**ADOPTED ON SECOND READING
DATED: April 5, 2022**

**LORRAINE LOUDENBERRY,
Acting Clerk of the Town of Phillipsburg**

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2022

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 March 22, 2022. It will be further considered for final passage, after public hearing thereon, at the Phillipsburg Housing Authority, 535 Fisher Avenue, Phillipsburg, in said County on April 5, 2022 at 7:00 p.m. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE PROVIDING FOR INSPECTION AND REPAIRS OF SEWER LINES, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

Purpose(s): The Bond Ordinance provides for improvements and repairs to, and inspections of various sewer lines throughout the Town, including, but not limited to, video documentation of the existing sewer lines and repairs thereto.

Appropriation: \$750,000

Bonds/Notes

Authorized: \$750,000

Section 20

Costs: \$75,000

Useful Life: 20 years

LORRAINE LOUDENBERRY,
Acting 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 April 5, 2022, 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 INSPECTION AND REPAIRS OF SEWER LINES, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$750,000 BONDS OR NOTES TO FINANCE THE COST THEREOF
Purpose(s):	The Bond Ordinance provides for improvements and repairs to, and inspections of various sewer lines throughout the Town, including, but not limited to, video documentation of the existing sewer lines and repairs thereto.
Appropriation:	\$750,000
Bonds/Notes Authorized:	\$750,000
Section 20 Costs:	\$75,000
Useful Life:	20 years

LORRAINE LOUDENBERRY,
Acting Clerk of the Town of Phillipsburg

CERTIFICATE OF INTRODUCTION

I, the undersigned Acting Clerk of the Town of Phillipsburg, in the County of Warren, State of New Jersey, DO HEREBY CERTIFY that the foregoing is an extract from the Minutes of a meeting of the governing body of the Town duly called and held on March 22, 2022 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 _____, 2022.

(SEAL)

LORRAINE LOUDENBERRY,
Acting Clerk of the Town of Phillipsburg

CERTIFICATE OF FINAL ADOPTION

I, the undersigned Acting 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 April 5, 2022 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 _____, 2022.

(SEAL)

LORRAINE LOUDENBERRY,
Acting Clerk of the Town of Phillipsburg

CLERK'S CERTIFICATE

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

1. Attached hereto is the bond ordinance introduced on March 22, 2022 and finally adopted on April 5, 2022 and approved by the Mayor, as applicable, on _____, 2022.

2. After introduction, the bond ordinance was published as required by applicable law on _____, 2022 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 _____,

2022 in The Express Times. No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body of the Town or to me or filed in my office within twenty (20) days after said publication or at any other time after the final adoption thereof.

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town this ____ day of _____, 2022.

(SEAL)

LORRAINE LOUDENBERRY,
Acting Clerk of the Town of Phillipsburg

CERTIFICATE OF SUPPLEMENTAL DEBT STATEMENT

I, the undersigned, Acting 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 March 22, 2022, that such Supplemental Debt Statement was filed in my office on or prior to March 22, 2022 and with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs on _____, 2022.

LORRAINE LOUDENBERRY,
Acting Clerk of the Town of Phillipsburg