

AGENDA

TOWN OF PHILLIPSBURG TOWN COUNCIL MEETING TUESDAY, APRIL 19, 2022 7:00 P.M.

(Town Council Meeting to be held in person at PHA Community Bldg., 535 Fisher Ave., Phillipsburg, NJ 08865)

(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 April 19, 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 - Town Council WS April 12, 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 Awaiting Results of RT Environmental Report
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

9. Mayor's and Administrative Officers

10. PUBLIC DISCUSSION ON AGENDA ITEMS

11. ORDINANCES – SECOND READING - None

ROLL CALL

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

O2022-15

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 67-3 OF THE TOWN CODE, ENTITLED “PARKING PROHIBITED AT ALL TIMES,” CREATING SECTION 67-3.3 ENTITLED “PARKING; ONE-WAY STREET” AND SECTION 67-3.4 ENTITLED “PLACES WHERE PARKING IS PROHIBITED”

O2022-16

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

BOND ORDINANCE NUMBER 2022-17

BOND ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF HUDSON STREET, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$550,000 THEREFOR (INCLUSIVE OF A STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$253,184) AND AUTHORIZING THE ISSUANCE OF \$550,000 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF

O2022-18

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING SECTION 67-23, SCHEDULE VII, STOP INTERSECTIONS, OF THE CODE OF THE TOWN OF PHILLIPSBURG TO ADD STOP INTERSECTION ON HUDSON STREET AT MILLER STREET

BOND ORDINANCE NUMBER 2022-19

BOND ORDINANCE PROVIDING FOR VARIOUS 2022 CAPITAL IMPROVEMENTS, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$2,467,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,343,650 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

13. RESOLUTIONS –

R2022-97

Authorizing the Public Hearing of the 2022 Municipal Budget

ROLL CALL

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

Council President opens the floor for public comment

Council President closes the floor for public comment

R2022-98

Authorizing the Adoption of the 2022 Municipal Budget (Copy available on Town's website)

ROLL CALL

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

R2022-99

RESOLUTION AUTHORIZING THE INCREASE OF THE BID AND QUOTE THRESHOLD
PURSUANT TO N.J.S.A. 40A:11-3

ROLL CALL

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

14. NEW BUSINESS

15. PUBLIC PETITIONS

16. COUNCIL OPEN TIME

17. MOTIONS

18. 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....

19. ADJOURNMENT

Bill List Summary
REGULAR BILL LIST AS OF April 19, 2022

		<u>Check No</u>
1	Current Fund	1,327,090.16
2	State & Federal Grants	0.00
4	Capital Fund	17,040.00
7	Sewage Utility Fund	6,074.90
8	Sewage Capital Fund	0.00
12	Planning Board Trust Fund	0.00
12	Bridge Development	0.00
13	Dog Trust Fund	155.30
15	Public Defender Trust Fund	0.00
16	Section 8	1,394.21
17	General Trust Fund	1,156.25
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 April 19, 2022		1,352,910.82

Pre-Paid Bill List as of April 19, 2022


1	Current Fund	5,649.00
2	State & Federal Grants	31,150.00
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	2,102,784.49
21	Revolving Loan Fund	0.00
		2,139,583.49

Grand Total All Funds

3,492,494.31

Approved By:


 Robert J. Merlo, CFO


 Rob Bergivenga, Business Admin

List of Bills - CLAIMS CHECKING ACCOUNT

Meeting Date: 04/19/2022 For bills from 04/06/2022 to 04/14/2022

Check#	Vendor	Description	Payment	Check Total
85442	52 - STAR DOLLAR CLEANERS INC	PO 37399 March Uniform cleaning	995.00	995.00
85443	81 - P H BARRON WELDING	PO 37311 Remove & replace steel plates in hopper	639.80	639.80
85444	109 - EPPEC UNIFORMS	PO 36860 Uniforms for Sullivan	933.70	
		PO 36861 Uniforms for Vazquez	933.70	
		PO 36862 Uniforms for Nick Marino	933.70	
		PO 36863 Uniforms for New Hire	933.70	
		PO 37442 Dress Uniforms for 4 new hires	1,612.00	5,346.80
85445	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37255 2022 Retainer - General Engineering	4,100.00	4,100.00
85446	288 - H.T. LYONS, INC	PO 37380 Replace booster for boiler - DPW	2,259.76	
		PO 37381 Repair gas leak - #1 Firehouse	314.85	2,574.61
85447	345 - N J FIRE EQUIPMENT	PO 37434 Purchase of Replacement Bolt Cutters	146.00	146.00
85448	365 - STORR TRACTOR COMPANY INC	PO 37428 Scraper blade for Toro	869.92	869.92
85449	368 - W B MASON CO., INC	PO 37395 Copy Paper - Fire Dept	474.00	474.00
85450	521 - IPD	PO 37440 Webinar	150.00	
		PO 37478 Webinar	50.00	
		PO 37479 Webinar	50.00	250.00
85451	537 - TP CONSTRUCTION COMPANY	PO 36576 Installation of Fire Doors @ Station 94-	10,752.00	
		PO 36578 Replace Exterior Door @ Station 94-1	2,043.00	12,795.00
85452	543 - SNAP-ON INDUSTRIAL	PO 37162 Solus legend w/euro	2,295.00	
		PO 37412 Smart smoke evap elite	2,695.00	4,990.00
85453	546 - GRAPHIC ACTION INC	PO 37404 window envelopes	110.00	110.00
85454	687 - INDUSTRIAL COMMUNICATIONS INC	PO 37509 Radio Maintenance Contract for April	750.00	
		PO 37510 Purchase of Re-Conditioned Portable Radi	575.00	1,325.00
85455	703 - FIRE LINE EQUIPMENT INC	PO 37365 Purchase of Lubricant for Tower Ladder T	187.73	187.73
85456	733 - NJ ADVANCE MEDIA, LLC	PO 37452 Public Notice/ Sewer Rates - 2nd Notice	378.10	
		PO 37452 Public Notice/ Sewer Rates - 2nd Notice	145.60	
		PO 37453 Town of Phillipsburg Bond O:2021-04 Adop	465.00	988.70
85457	816 - JOHN MACZKO	PO 37417 2022 Eyecare Reimbursement	170.00	170.00
85458	834 - READYREFRESH BY NESTLE	PO 37517 Water Rental	47.88	47.88
85459	843 - LAURI KAULIUS	PO 37436 TCMCA Seminar & Travel	99.12	99.12
85460	864 - FDB PROPERTY MAINTENANCE INC	PO 37387 Boots for Walsh	128.00	128.00
85461	908 - SARTINI PLUMBING,HEAT,COOL LLC	PO 37371 Replace flush valve cartridge - Emergenc	165.00	165.00
85462	974 - ROUTE 12 WASH & GAS INC	PO 37314 February Car Washes	25.35	25.35
85463	1060 - HORWITH TRUCKS INC	PO 37444 Oil filter for sanitation truck 26	50.49	50.49
85464	1073 - FIRE & SAFETY SERVICES LTD	PO 37402 Service & Repair of 94-73	1,230.00	
		PO 37403 Repairs to 94-67	2,529.63	
		PO 37405 Repairs to 94-68	2,124.46	5,884.09
85465	1100 - ADVANCE LOCAL HOLDINGS CORP	PO 37483 Land Use Revised Schedule	200.90	200.90
85466	1108 - OFFICE CONCEPTS GROUP INC	PO 37423 Office Supplies	208.04	208.04
85467	1180 - SERVICE ELECTRIC CABLE TV AND COMMUNICAT	PO 37469 Fiber Service for Police / Fire / DPW Co	2,040.00	2,040.00
85468	1237 - WARREN COUNTY TREASURER	PO 37477 2nd quarter 2022 County Taxes	1,233,095.59	1,233,095.59
85469	1311 - AMAZON CAPITAL SERVICES	PO 37515 Office Supplies for Multiple Departments	1,086.88	1,086.88
85470	1311 - AMAZON CAPITAL SERVICES	PO 37516 Office Supplies	1,186.17	1,186.17
85471	1313 - RYAN AMATO	PO 36103 Grind Off Existing Floor Coating & Patch	1,950.00	1,950.00
85472	1367 - BRIAN BERRIGAN	PO 37398 INSTALL 120 V TO ROOFTOP	650.00	650.00
85473	1369 - ROSSI CDJR, INC	PO 37431 Repair Durango - airbag light on	324.56	324.56
85474	1397 - NISIVOCCIA LLP	PO 37474 Interim billing on Professional fees rel	4,725.00	
		PO 37474 Interim billing on Professional fees rel	2,025.00	
		PO 37475 Billing for preparation of FAST 2021 AFS	1,684.20	
		PO 37475 Billing for preparation of FAST 2021 AFS	721.80	9,156.00
85475	1492 - OPOYKE'S SERVICES	PO 37309 Parts for vactor	420.44	
		PO 37443 Valves for sanitation truck 28	168.46	588.90
85476	1557 - CGP&H LLC	PO 33952 COF R:2020-177 Affordable housing planni	675.00	675.00
85477	1679 - CHRIN'S BROS INC	PO 37202 March Blanket Purchase Order	48,044.41	48,044.41
85478	1797 - SERVICE TIRE TRUCK CENTER	PO 37396 Tires for sanitation trucks	2,918.29	
		PO 37397 Tires for police cars	418.35	
		PO 37430 Tires for sanitation trucks	2,008.70	5,345.34
85479	1802 - PHILLIPSBURG MUNICIPAL COURT	PO 37437 PNC/AMEX Fees February 2022	106.66	106.66
85480	1849 - RYAN L EPPLE VMD	PO 37070 Vet Expenses	155.30	155.30
85481	1902 - U S MUNICIPAL SUPPLY, INC	PO 37313 Parts for sweeper	127.83	
		PO 37340 Parts for sweeper	259.83	
		PO 37415 Parts for sweeper	238.35	626.01
85482	1919 - CHARLES R GRUBB D.O.,PC	PO 37320 crossing guard physical	150.00	150.00
85483	1971 - FASTENAL CO	PO 37318 Parts for sanitation trucks	474.82	474.82
85484	2331 - REMINGTON & VERNICK ENGINEERS	PO 37438 Will Serve	663.75	663.75
85485	2331 - REMINGTON & VERNICK ENGINEERS	PO 37480 Professional Services through March 2022	481.25	481.25
85486	2331 - REMINGTON & VERNICK ENGINEERS	PO 37481 Professional Services March 2022	2,518.75	2,518.75
85487	6618 - HOFFMAN SERVICES, INC	PO 37413 Annual lift inspection	300.00	300.00
85488	6827 - VALLEY BUSINESS SYSTEMS INC	PO 37439 Service contract	520.00	520.00

List of Bills - CLAIMS CHECKING ACCOUNT Meeting Date: 04/19/2022 For bills from 04/06/2022 to 04/14/2022

Check#	Vendor	Description	Payment	Check Total	
TOTAL				1,352,910.82	
Summary By Account					
ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-050	Business Administrator - O/E	97.88			
01-201-20-120-050	Municipal Clerk - O/E	1,039.62			
01-201-20-130-050	Financial Adminstration - O/E	76.98			
01-201-20-135-050	Financial Administration - Annual Audit	4,725.00			
01-201-20-145-050	Revenue Administration - O/E	1,110.82			
01-201-20-165-050	Engineering services	4,100.00			
01-201-22-195-050	Inspections Department - O/E	623.46			
01-201-23-220-050	Employee Group Insurance	170.00			
01-201-25-240-050	Police Department - O/E	3,560.35			
01-201-25-265-050	Fire Department - O/E	8,016.82			
01-201-26-300-050	Public Works Administration - O/E	110.00			
01-201-26-310-050	Building & Grounds - O/E	2,739.61			
01-201-26-315-050	Vehicle Maintenance - O/E	8,578.20			
01-201-31-440-050	Switchboard Expenses - O/E	2,040.00			
01-201-32-465-050	Landfill/Solid Waste Disposal Costs	48,044.41			
01-201-33-490-050	Municipal Court - O/E	205.78			
01-203-20-135-050	(2021) Financial Administration - Annual Audit		1,684.20		
01-203-25-240-050	(2021) Police Department - O/E		3,734.80		
01-203-26-315-050	(2021) Vehicle Maintenance - O/E		3,336.64		
01-208-55-000-000	County Taxes Payable			1,195,675.92	
01-211-55-000-000	County Open Space Taxes			37,419.67	
01-260-05-100	Current Fund - Due to Claims			0.00	1,327,090.16
TOTALS FOR	CURRENT FUND	85,238.93	8,755.64	1,233,095.59	1,327,090.16
04-215-55-936-000	2018 Improvements Authorized			3,993.00	
04-215-55-940-000	2020 Improvement Authorizations			2,295.00	
04-215-55-941-000	2021 Improvement Authorizations			10,752.00	
04-260-05-100	Capital - Due to Claims Fund			0.00	17,040.00
TOTALS FOR	CAPITAL FUND	0.00	0.00	17,040.00	17,040.00
07-201-55-510-050	Sewer Utility OE	4,689.35			
07-203-55-510-050	(2021) Sewer Utility OE		721.80		
07-260-05-100	Sewer Utility - Due to Claims Fund			0.00	6,074.90
07-275-55-000-000	Will Serve & TWA Review Fees			663.75	
TOTALS FOR	SEWER UTILITY	4,689.35	721.80	663.75	6,074.90
13-260-05-100	Dog Trust - Due To Claims Fund			0.00	155.30
13-288-56-000-851	Animal Control Expenditures			155.30	
TOTALS FOR	DOG TRUST FUND	0.00	0.00	155.30	155.30
16-260-05-100	Section 8 - Due to Claims Fund			0.00	1,394.21
16-289-56-081-000	Section 8 Spending Reserves			1,394.21	
TOTALS FOR	SECTION 8 PROGRAM	0.00	0.00	1,394.21	1,394.21
17-260-05-100	Trust - Due to Claims Fund			0.00	1,156.25
17-288-56-861-000	Sewer - TWA and Will Serves			481.25	
17-292-56-025-000	Dedicated by Rider			675.00	
TOTALS FOR	GENERAL TRUST FUND	0.00	0.00	1,156.25	1,156.25

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
Total to be paid from Fund 01	CURRENT FUND	1,327,090.16			
Total to be paid from Fund 04	CAPITAL FUND	17,040.00			
Total to be paid from Fund 07	SEWER UTILITY	6,074.90			
Total to be paid from Fund 13	DOG TRUST FUND	155.30			
Total to be paid from Fund 16	SECTION 8 PROGRAM	1,394.21			
Total to be paid from Fund 17	GENERAL TRUST FUND	1,156.25			
		=====			
		1,352,910.82			

Checks Previously Disbursed

85435	N J YOUTH CORP OF PHILLIPSBURG	PO# 37490	Reimbursement NJYC-2022-3/10/22-4/	31,150.00	4/11/2022
9011229	PUBLIC EMPLOYEES RET. SYS	PO# 37447	Annual Employer Appropriation	581,189.10	4/01/2022
9011241	POLICE & FIREMENS RETIRE.	PO# 37448	Annual Employer Appropriation	1,362,176.00	4/01/2022
9881262	St of NJ - Dept of Treasury	PO# 37489	April 2022 SHBP	159,419.39	4/14/2022
100459867	NJ DIVISION OF TAXATION	PO# 37488	1st qtr 2022 Recycling Tax	5,649.00	4/19/2022

				2,139,583.49	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND	5,649.00	1,327,090.16	1,332,739.16
Fund 02 STATE & FEDERAL GRANTS	31,150.00		31,150.00
Fund 04 CAPITAL FUND		17,040.00	17,040.00
Fund 07 SEWER UTILITY		6,074.90	6,074.90
Fund 13 DOG TRUST FUND		155.30	155.30
Fund 16 SECTION 8 PROGRAM		1,394.21	1,394.21
Fund 17 GENERAL TRUST FUND		1,156.25	1,156.25
Fund 20 PAYROLL AGENCY FUND	2,102,784.49		2,102,784.49

BILLS LIST TOTALS	2,139,583.49	1,352,910.82	3,492,494.31
			=====

ORDINANCE NO. 2022-15

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 67-3 OF THE TOWN CODE, ENTITLED “PARKING PROHIBITED AT ALL TIMES,” CREATING SECTION 67-3.3 ENTITLED “PARKING; ONE-WAY STREET” AND SECTION 67-3.4 ENTITLED “PLACES WHERE PARKING IS PROHIBITED”

WHEREAS, the Town Council of the Town of Phillipsburg, Warren County, New Jersey, in the interest of safety of all of the Town’s residents intends to effectuate a more uniform system of traffic control; and

WHEREAS, the Town wishes to enact comprehensive parking regulations and guidelines as to promote greater safety to the Town’s residents and all transient visitors thereof; and

WHEREAS, the Town Council of the Town of Phillipsburg believes that such amendment is in the best interest of the Town and all of its members.

NOW, THEREFORE, BE IT ORDAINED, that Section 67-3 of the Township Code, entitled “Parking Prohibited at All Times” be amended and supplemented by the creation of Section 67-3.3 entitled “Parking; One-Way Street” and Section 67-3.4 entitled “Places Where Parking Is Prohibited” as follows:

SECTION I

Section 67-3 is hereby amended and supplemented to create Section 67-3.3 entitled “Parking; One-Way Street” and Section 67-3.4 entitled “Places Where Parking Is Prohibited” as follows:

Section 67-3.3 – “Parking; One-Way Street”

The operator of vehicle shall not stop, stand, or park the vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of traffic, on the right-hand side of the road and with the curb side of the vehicle within six (6) inches of the edge of the roadway, except as follows:

- a. Upon those streets which have been designated by ordinance and have been marked or signed for angle parking, vehicles shall be parked at the angle to the curb designated and indicated by the ordinance and marks or signs.
- b. Upon one-way streets, local authorities may permit parking of vehicles parallel with the left-hand edge of the roadway headed in the direction of traffic, on the left-hand side of the road and with the curb side of the vehicle within six (6) inches of the edge of the roadway.

Any violation of this Section shall result in a fine in the amount of no less than twenty dollars (\$20) and no more than thirty dollars (\$30).

Section 67-3.4 – “Places Where Parking Is Prohibited”

Except when necessary to avoid conflict with other traffic or in compliance with the directions of a traffic or police officer or traffic sign or signal, no operator of a vehicle shall stand or park the vehicle in any of the following places:

- a. Within an intersection;
- b. On a crosswalk;
- c. Between safety zone and the adjacent curb or within at least twenty (20) feet of a point on the curb immediately opposite the end of a safety zone;
- d. In front of a public or private driveway;
- e.
 1. Within twenty-five (25) feet of the nearest crosswalk or side line of a street or intersecting highway, except at alleys and as provided in Section 67-3.1; or
 2. Within ten (10) feet of the nearest crosswalk or side line of a street or intersecting highway, if a curb extension or a bulb-out has been constructed on that crosswalk;
- f. On a sidewalk;
- g. In any appropriately marked “No Parking” space established pursuant to the duly promulgated regulations of the Commissioner of Transportation;
- h. Within twenty-five (25) feet of a “stop” sign except as provided in in Section 67-3.1;
- i. Within ten (10) feet of a fire hydrant;
- j. Within fifty (50) feet of the nearest rail of a railroad crossing;
- k. Within twenty (20) feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within seventy-five (75) feet of said entrance, when properly signposted;
- l. Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic, when properly signposted;
- m. On the roadway side of any vehicle stopped or parked at the edge or a curb of a street;
- n. Upon any bridge or other elevated structure upon a highway, or within a highway tunnel or underpass, or on the immediate approaches thereto except where space for parking is provided;
- o. In any space on public or private property appropriately marked for vehicles for persons with disabilities pursuant to N.J.S.A. 39:4-197.5, N.J.S.A. 52:27D-119 *et. seq.*, or any other applicable law unless the vehicle is authorized by law to be parked therein and a

person with a disability is either the driver or a passenger of that vehicle. State, county, or municipal law enforcement officers or parking enforcement authority officers shall enforce the parking restrictions on spaces appropriately marked for vehicles for persons with disabilities on both public and private property.

No person shall move a vehicle not lawfully under the person's control into any such prohibited area or away from a curb such distance as is unlawful.

Any violation of this Section shall result in a fine in the amount of no less than twenty dollars (\$20) and no more than thirty dollars (\$30).

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 of this Ordinance 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

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 April 19, 2022 meeting.

LORRAINE LOUDENBERRY,
Acting Municipal Clerk

ORDINANCE NO. 2022-16

**AN ORDINANCE AMENDING 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 amend 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 amended as follows:

SECTION I

<u>Classification Titles - Salaried</u>	<u>Minimum</u>	<u>Maximum</u>
Affordable Housing Trust Coordinator	\$ 10,000.00	\$ 20,000.00
Affordable House Trust Reporter	\$ 2,000.00	\$ 3,000.00
Mechanic Tool Stipend	\$ 1,500.00	\$ 3,000.00
Mechanic Helper Tool Stipend	\$ 500.00	\$ 1,500.00
Police Matron	\$ 2,000.00	\$ 3,000.00

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.

DATED:

ATTEST:

TOWN OF PHILLIPSBURG

LORRAINE LOUDENBERRY, AMC
Acting Municipal Clerk

TODD M. TERSIGNI
Mayor

DATED:

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 April 19, 2022 meeting.

LORRAINE LOUDENBERRY,
Acting Municipal Clerk

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

BOND ORDINANCE NUMBER 2022-17

**BOND ORDINANCE PROVIDING FOR THE
RECONSTRUCTION OF HUDSON STREET, BY AND IN
THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF
WARREN, STATE OF NEW JERSEY; APPROPRIATING
\$550,000 THEREFOR (INCLUSIVE OF A STATE OF NEW
JERSEY DEPARTMENT OF TRANSPORTATION GRANT
IN THE AMOUNT OF \$253,184) AND AUTHORIZING THE
ISSUANCE OF \$550,000 BONDS OR NOTES OF THE
TOWN TO FINANCE THE COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN
OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY (not
less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Town of Phillipsburg, in the County of Warren, State of New Jersey (the "Town"). For the said improvements or purposes stated in Section 3 hereof, there is hereby appropriated the amount of \$550,000, which amount includes a \$253,184 grant expected to be received from the Department of Transportation of the State of New Jersey (the "DOT Grant"). No down payment for said improvements or purposes is required pursuant to Section 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), as this bond ordinance involves a project funded by the DOT Grant, which is a grant provided by the State of New Jersey.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet said \$550,000 appropriation, negotiable bonds of the

Town are hereby authorized to be issued in a principal amount not exceeding \$550,000 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Town in a principal amount not exceeding \$550,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

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

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$550,000.

(c) The estimated cost of said improvements or purposes is \$550,000.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or the County of Warren make a contribution or grant in aid to the Town, for

the improvements and purposes authorized hereby and the same shall be received by the Town prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Warren. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Warren, shall be received by the Town after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Town as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Town, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery

thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

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

(b) The period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of

Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$550,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$65,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

SECTION 8. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Town for the payment of the principal of the bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Town reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or

notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

SECTION 10. The Town covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this bond ordinance on a tax-exempt basis.

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

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

ADOPTED ON FIRST READING
DATED: April 19, 2022

LORRAINE LOUDENBERRY,
Acting Clerk of the Town of Phillipsburg

ADOPTED ON SECOND READING
DATED: _____, 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 April 19, 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 _____, 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 THE RECONSTRUCTION OF HUDSON STREET, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$550,000 THEREFOR (INCLUSIVE OF A STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$253,184) AND AUTHORIZING THE ISSUANCE OF \$550,000 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF

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

Appropriation: \$550,000

Bonds/Notes Authorized: \$550,000

Grants Appropriated: \$253,184, New Jersey Department of Transportation Grants

Section 20 Costs: \$65,000

Useful Life: 10 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 _____, 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 THE RECONSTRUCTION OF HUDSON STREET, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$550,000 THEREFOR (INCLUSIVE OF A STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$253,184) AND AUTHORIZING THE ISSUANCE OF \$550,000 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF

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

Appropriation: \$550,000

Bonds/Notes Authorized: \$550,000

Grants Appropriated: \$253,184, New Jersey Department of Transportation Grants

Section 20 Costs: \$65,000

Useful Life: 10 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 April 19, 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 _____, 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

ACTING 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 April 19, 2022 and finally adopted on _____, 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 _____ (name of newspaper).

3. Following the passage of the bond ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the principal municipal building of the Town at the place where public notices are customarily posted, a copy of said bond ordinance or a summary thereof and a notice that copies of the bond ordinance would be made available to the members of the general public of the Town who requested copies, up to and including the time of further consideration of the bond ordinance by the governing body of the Town. Copies of the bond ordinance were made available to all who requested same.

4. After final adoption, the bond ordinance was duly approved by the Mayor of the Town (if applicable) and duly published as required by law on _____, 2022 in the _____ (name of newspaper). No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body of the Town or to me or filed in my office within twenty (20) days after said publication or at any other time after the final adoption thereof.

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town this ____ day of _____, 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 April 19, 2022, that such Supplemental Debt Statement was filed in my office on April 19, 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

ORDINANCE 2022-18

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING SECTION 67-23, SCHEDULE VII, STOP INTERSECTIONS, OF THE CODE OF THE TOWN OF PHILLIPSBURG TO ADD STOP INTERSECTION ON HUDSON STREET AT MILLER STREET

BE IT ORDAINED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that Section 67-23, Schedule VII, Stop Sections, of the Code of the Town of Phillipsburg, is hereby amended by adding the following as designated Stop Intersections:

STOP SIGN ON

Hudson Street

AT INTERSECTION OF

Miller Street

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
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 April 19, 2022 meeting.

Lorraine Loudenberg,
Acting Municipal Clerk

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

BOND ORDINANCE NUMBER 2022-19

**BOND ORDINANCE PROVIDING FOR VARIOUS 2022
CAPITAL IMPROVEMENTS, BY AND IN THE TOWN OF
PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE
OF NEW JERSEY; APPROPRIATING \$2,467,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF
\$2,343,650 BONDS OR NOTES OF THE TOWN TO
FINANCE PART OF 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 the members thereof affirmatively concurring), **AS
FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Town of Phillipsburg, in the County of Warren, State of New Jersey (the "Town"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$2,467,000, said sum being inclusive of the sum of \$123,350 as the aggregate amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Town for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$2,467,000 appropriation not provided for

by the \$123,350 down payment, negotiable bonds of the Town are hereby authorized to be issued in the aggregate principal amount of \$2,343,650 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Town in an aggregate principal amount not exceeding \$2,343,650 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 purposes for the financing of which said obligations are to be issued, including, but not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Debt Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) <u>Administration</u> : Purchase of various equipment and vehicles for the Administration Department, including, but not limited to, (a) the purchase of computers, office equipment and furniture for various municipal departments, (b) the purchase of a computer software programs for all municipal departments from Spatial Data Logic, (c) and the acquisition of non-passenger inspection vehicles;	\$250,000	\$237,500	\$12,500	5 years
(ii) <u>Public Safety</u> : Purchase of various public safety equipment, including, but not limited to, cameras and computers;	\$127,000	\$120,650	\$6,350	7 years
(iii) <u>Public Safety</u> : Purchase of non-passenger vehicles for the Police Department;	\$200,000	\$190,000	\$10,000	5 years

(iv) <u>Fire Department:</u> Purchase and/or replacement of various equipment for the Fire Department, including, but not limited to, personal protection equipment, radio equipment, and hose and power tools;	\$80,000	\$76,000	\$4,000	5 years
(v) <u>Fire Department:</u> Upgrades to the Fire Station;	\$20,000	\$19,000	\$1,000	10 years
(vi) <u>Fire Department:</u> Replacement of a fire pumper for the Fire Department;	\$150,000	\$142,500	\$7,500	10 years
(vii) <u>Parks Department:</u> various park improvements, including, but not limited to, improvements to the Town tennis courts and basketball courts, construction of additional parking spaces as needed at various Town park facilities, and handicap accessibility improvements in order to be ADA compliant;	\$50,000	\$47,500	\$2,500	15 years
(viii) <u>Public Works:</u> Purchase of various vehicles for the Department of Public Works, including, but not limited to, a garbage truck and related equipment, and a mason dump truck;	\$300,000	\$285,000	\$15,000	10 years
(ix) <u>Public Works:</u> Purchase of various equipment for the Department of Public Works, including, but not limited to, maintenance and mechanical equipment;	\$40,000	\$38,000	\$2,000	5 years
(x) <u>Redevelopment:</u> Demolition and purchase, as applicable, of buildings, as necessary, for redevelopment purposes;	\$100,000	\$95,000	\$5,000	20 years
(xi) <u>Infrastructure and Road Improvements:</u> Improvements to various Town roads as referenced on a list on file with the Town Clerk's office, which list is hereby approved and incorporated herein; and	\$1,000,000	\$950,000	\$50,000	10 years
(xii) <u>Section 20 Costs:</u>	\$150,000	\$142,500	\$7,500	
TOTALS	<u>\$2,467,000</u>	<u>\$2,343,650</u>	<u>\$123,350</u>	8.58 years

(b) The above improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, demolition and excavation, paving, resurfacing and reconstruction of the roadways, roadway painting and striping, replacing the castings on catch basins and manholes, the repairing and/or removal and installation of sidewalks, driveway aprons, curbing, retaining walls and curb ramps, guardrails, and concrete improvements, and all other related improvements, surveying, design work, preparation of plans and specifications, permits, bid documents, contract inspection and contract administration, environmental testing and remediation, and also all work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$2,343,650.

(d) The aggregate estimated cost of said improvements or purposes is \$2,467,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the sum of the down payments for said improvements or purposes in the aggregate amount of \$123,350.

SECTION 4. In the event the United States of America, the State of New Jersey and/or the County of Warren make a contribution or grant in aid to the Town for the improvements and purposes authorized hereby and the same shall be received by the Town prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Warren. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Warren shall be received by the

Town after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply however, with respect to any contribution or grant in aid received by the Town as a result of using 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 (the "Chief Financial Officer"), 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 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 Section 40A:2-8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average 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 8.58 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$2,343,650

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 \$150,000 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 improvements or purposes herein before 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 principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Town reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2.

SECTION 10. The Town covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance on a tax-exempt basis.

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

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

**ADOPTED ON FIRST READING
DATED: April 19, 2022**

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

**ADOPTED ON SECOND READING
DATED: _____, 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 April 19, 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 _____, 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 VARIOUS 2022 CAPITAL IMPROVEMENTS, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$2,467,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,343,650 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

Purpose(s): The Bond Ordinance provides for (i) purchase of various equipment and vehicles for the Administration Department, (ii) purchase of various public safety equipment, (iii) purchase of non-passenger vehicles for the Police Department, (iv) purchase and/or replacement of various equipment for the Fire Department, (v) upgrades to the Fire Station, (vi) replacement of a fire pumper for the Fire Department, (vii) various park improvements, (viii) purchase of various vehicles and equipment for the Department of Public Works, (ix) demolition and purchase, as necessary, of buildings for redevelopment purposes, and (x) various road improvements. For a more detailed description of the improvements, please refer to the full text of the Bond Ordinance.

Appropriation: \$2,467,000

Bonds/Notes

Authorized: \$2,343,650

Section 20

Costs: \$150,000

Useful Life: 8.58 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 _____, 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 VARIOUS 2022 CAPITAL IMPROVEMENTS, BY AND IN THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$2,467,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,343,650 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

Purpose(s): The Bond Ordinance provides for (i) purchase of various equipment and vehicles for the Administration Department, (ii) purchase of various public safety equipment, (iii) purchase of non-passenger vehicles for the Police Department, (iv) purchase and/or replacement of various equipment for the Fire Department, (v) upgrades to the Fire Station, (vi) replacement of a fire pumper for the Fire Department, (vii) various park improvements, (viii) purchase of various vehicles and equipment for the Department of Public Works, (ix) demolition and purchase, as necessary, of buildings for redevelopment purposes, and (x) various road improvements. For a more detailed description of the improvements, please refer to the full text of the Bond Ordinance.

Appropriation: \$2,467,000

**Bonds/Notes
Authorized:** \$2,3343,650

**Section 20
Costs:** \$150,000

Useful Life: 8.58 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 April 19, 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 _____, 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

ACTING 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 April 19, 2022 and finally adopted on _____, 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 _____ (name of newspaper).

3. Following the passage of the bond ordinance on first reading, and at least seven (7) days prior to the final adoption thereof, I caused to be posted in the principal municipal building of the Town at the place where public notices are customarily posted, a copy of said bond ordinance or a summary thereof and a notice that copies of the bond ordinance would be made available to the members of the general public of the Town who requested copies, up to and including the time of further consideration of the bond ordinance by the governing body of the Town. Copies of the bond ordinance were made available to all who requested same.

4. After final adoption, the bond ordinance was duly approved by the Mayor of the Town (if applicable) and duly published as required by law on _____, 2022 in the _____ (name of newspaper). No protest signed by any person against making any improvement or incurring the indebtedness authorized therein, nor any petition requesting that a referendum vote be taken on the action proposed in the bond ordinance has been presented to the governing body of the Town or to me or filed in my office within twenty (20) days after said publication or at any other time after the final adoption thereof.

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Town this ____ day of _____, 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 April 19, 2022, that such Supplemental Debt Statement was filed in my office on April 19, 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

**TOWN OF PHILLIPSBURG
IN THE COUNTY OF WARREN, STATE OF NEW JERSEY
DOWN PAYMENT CERTIFICATE FOR BOND ORDINANCE**

I, the undersigned Chief Financial Officer of the Town of Phillipsburg, in the County of Warren, State of New Jersey, DO HEREBY CERTIFY that prior to final adoption of the ordinance entitled,

"BOND ORDINANCE PROVIDING FOR VARIOUS 2022
CAPITAL IMPROVEMENTS, BY AND IN THE TOWN OF
PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF
NEW JERSEY; APPROPRIATING \$2,467,000 THEREFOR
AND AUTHORIZING THE ISSUANCE OF \$2,343,650
BONDS OR NOTES OF THE TOWN TO FINANCE PART OF
THE COST THEREOF",

there was available as a down payment for the improvements or purposes authorized by said ordinance \$123,350 by virtue of provisions in a previously adopted budget or budgets of the Town for down payment or capital improvement purposes.

IN WITNESS WHEREOF, I have hereunto set my hand on behalf of the Town as of this ____ day of _____, 2022.

ROBERT J. MERLO,
Chief Financial Officer

R2022-97

Authorizing the Public Hearing of the 2022 Municipal Budget

BE IT RESOLVED by the Town Council of the Town of Phillipsburg that it hereby approves and confirms the public hearing of the 2022 municipal budget:

(Copy available on Town's website)

Council President opens the floor for public hearing

Council President closes the public hearing

CERTIFICATION

I, Lorraine Loudenberg, Acting 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 April 19, 2022 meeting.

Lorraine Loudenberg

Acting Municipal Clerk

R2022-98

Authorizing the Adoption of the 2022 Municipal Budget (Copy available on Town's website)

BE IT RESOLVED by the Town Council of the Town of Phillipsburg that it hereby approves and confirms the adoption of the 2022 Municipal Budget pursuant to the attached budget document

CERTIFICATION

I, Lorraine Loudenberry, Acting 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 April 19, 2022 meeting.

Lorraine Loudenberry

Acting Municipal Clerk

R2022-99

**RESOLUTION
AUTHORIZING THE INCREASE OF THE BID AND QUOTE THRESHOLD
PURSUANT TO N.J.S.A. 40A:11-3**

WHEREAS effective July 1, 2020 the Governor has authorized an adjustment to the bid and quote thresholds for contracting units subject to the Local Public Contracts Law which allows local contracting units with an appointed Qualified Purchasing Agent to increase their bid threshold to a maximum of \$44,000.00 and their quote threshold to a maximum of \$6,600.00; and

WHEREAS N.J.S.A. 40A:11-3 permits an increase in the bid and quote thresholds if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid and quote thresholds; and

WHEREAS Robert A. Bengivenga Jr. possesses the designation of Qualified Purchasing Agent issued by the Director of the Division of Local Government Services Certification Number Q-2291 in accordance with N.J.A.C. 5:34-5 et. Seq; and

WHEREAS Robert A Bengivenga Jr. was officially appointed the Qualified Purchasing Agent by the Town Council of the Town of Phillipsburg which is on file with the Director of the Division of Local Government Services for the Town of Phillipsburg and the Town of Phillipsburg desires to take advantage of the increased bid thresholds;

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Town of Phillipsburg, in the County of Warren, in the State of New Jersey hereby increases its bid threshold to \$44,000.00 and its quote threshold to \$6,600.00; and

BE IT FURTHER RESOLVED that in accordance with N.J.A.C. 5:34-5.4, the local unit is hereby authorized and directed to forward a certified copy of this resolution and a copy of Robert A. Bengivenga Jr.'s certification to the Director of the Division of Local Government Services.

CERTIFICATION

I, Lorraine Loudenberg, Acting 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 April 19, 2022 meeting.

Lorraine Loudenberg
Acting Municipal Clerk