

## AGENDA

**TOWN OF PHILLIPSBURG  
TOWN COUNCIL MEETING  
TUESDAY, MAY 03, 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 MAY 03, 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. 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....

6. APPROVAL OF MINUTES - Town Council Meeting 04.19.2022

7. BILLS LIST -

ROLL CALL

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

**8. ANNOUNCEMENTS/PRESENTATIONS**

Peron Development - Riverside Way/Union Square Redevelopment Plan Presentation

**9. 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

**10. Mayor’s and Administrative Officers**

**11. PUBLIC DISCUSSION ON AGENDA ITEMS**

**12. ORDINANCES – SECOND READING -**

**O2022-14**

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY ESTABLISHING 2022-2026 SALARIES FOR AFSCME EMPLOYEES

**ROLL CALL**

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Kennedy						
Councilman Marino						
Councilman Piazza						

Council VP Clark						
Council President Wyant						

**Discussion - Public**

**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"

**ROLL CALL**

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

**Discussion - Public**

**O2022-16**

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

**ROLL CALL**

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

**Discussion - Public**

**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

**ROLL CALL**

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

**Discussion - Public**

**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

**ROLL CALL**

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Kennedy						

Councilman Marino						
Councilman Piazza						
Council VP Clark						
Council President Wyant						

**Discussion - Public**

**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

**ROLL CALL**

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

**Discussion - Public**

**13. ORDINANCES – FIRST READING - None**

**14. 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						

**R2022-87**

RESOLUTION OF THE TOWN OF PHILLIPSBURG, AWARDED A CONTRACT FOR THE 2021 ROAD PROGRAM - CHIP SEAL (previously pulled from April 05, 2022 due to non Cert of Funds)

**R2022-101**

RESOLUTION TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY TO OPT IN TO EXAMINATION EXEMPTION CIVIL SERVICE HIRING PROCEDURES

**R2022-102**

A RESOLUTION TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY FOR REIMBURSEMENT TO BE PAID TO PHILLIPSBURG EMERGENCY SQUAD FOR INSURANCE PAYMENT MADE TO TOP

**R: 2022-103**

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

**R: 2022-104**

A RESOLUTION DESIGNATING HANDICAP PARKING SPACES WITHIN THE TOWN OF PHILLIPSBURG

**R2022-105**

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A REFUND IN THE AMOUNT OF \$80.00 TO Samuel Aggrey

**R2022-106**

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1948) Design of the Howard Street Extension

**R2022-107**

A RESOLUTION PROVIDING FOR THE INSERTION OF SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S. 40A:4-87 (CHAPTER 159, P.L. 1948) Station House Adjustment Program

**R2022-108**

A RESOLUTION PROVIDING FOR A CHANGE ORDER TO CONTRACT WITH USA GENERAL CONTRACTORS CORP FOR REMOVAL/REPLACEMENT OF EXISTING EPDM ROOF MEMBRANE AT FIRE STATION 94-1 located at 324 Firth Street, Phillipsburg

**R2022-109**

GRANTING WAIVER TO OPEN, CUT OR EXCAVATE STREET TO PROVIDE UTILITY SERVICE TO PREEXISTING RESIDENCE PURSUANT TO § 545-39

**R2022-110**

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF PERFORMANCE BOND #015052548 IN THE AMOUNT OF \$784,847.40 AND #015202239 IN THE AMOUNT OF \$52,800.98

**15. NEW BUSINESS**

**16. PUBLIC PETITIONS**

**17. COUNCIL OPEN TIME**

**18. MOTIONS**

**19. ADJOURNMENT**

**ORDINANCE NO. 2022-14**

**ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF  
WARREN, STATE OF NEW JERSEY ESTABLISHING 2022-2026  
SALARIES FOR AFSCME EMPLOYEES**

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

**Section One.**

The attached basic table of numbered pay ranges for classified positions is adopted and establishes the rate of pay for classified employees of the AFSCME bargaining unit within the Town for the years 2022 (retroactive) through 2026 at the percentages of:

2022: 2.25%  
2023: 2.50%  
2024: 2.75%  
2025: 3.00%  
2026: 3.00%

**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  
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 05, 2022 meeting.

\_\_\_\_\_  
LORRAINE LOUDENBERRY,  
Acting Municipal Clerk

**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 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

**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.

**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

**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

DATED:



**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**

**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) <b>Administration:</b> 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) <b>Public Safety:</b> Purchase of various public safety equipment, including, but not limited to, cameras and computers;	\$127,000	\$120,650	\$6,350	7 years
(iii) <b>Public Safety:</b> Purchase of non-passenger vehicles for the Police Department;	\$200,000	\$190,000	\$10,000	5 years

(iv) <b>Fire Department:</b> 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) <b>Fire Department:</b> Upgrades to the Fire Station;	\$20,000	\$19,000	\$1,000	10 years
(vi) <b>Fire Department:</b> Replacement of a fire pumper for the Fire Department;	\$150,000	\$142,500	\$7,500	10 years
(vii) <b>Parks Department:</b> 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) <b>Public Works:</b> 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) <b>Public Works:</b> 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) <b>Redevelopment:</b> Demolition and purchase, as applicable, of buildings, as necessary, for redevelopment purposes;	\$100,000	\$95,000	\$5,000	20 years
(xi) <b>Infrastructure and Road Improvements:</b> 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) <b>Section 20 Costs:</b>	\$150,000	\$142,500	\$7,500	
<b>TOTALS</b>	<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

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TODD M. TERSIGNI, Mayor