

AGENDA

**TOWN OF PHILLIPSBURG
TOWN COUNCIL MEETING
TUESDAY, JULY 05, 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 JULY 05, 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 Meeting 06.07.2022
- 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/PRESENTATIONS

Comcast Corporation is holding a Public Hearing at the July 5, 2022 TC Meeting – submitted an application for installation of fiber optic lines in Phillipsburg and surrounding communities.

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

BA Bengivenga spoke to the tabled O2022-06. Stated he and Engineer Tim O'Brien sent correspondence to RT Environmental. They responded they got results from the Corliss Bldg. and will finish their analysis and have it to us early next week. He continued would get it to CP Wyant for review before next meeting.

9. Mayor's and Administrative Officers

10. PUBLIC DISCUSSION ON AGENDA ITEMS

11. ORDINANCES – SECOND READING

O 2022-22

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 105 *POLICE DEPARTMENT*, OF THE CODE OF THE TOWN OF PHILLIPSBURG TO A NEW SECTION 105-1.1, *APPROPRIATE AUTHORITY*, OF THE CODE

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

Discussion - Public

12. ORDINANCES – FIRST READING

O2022-23

AN ORDINANCE GRANTING MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, NEW JERSEY.

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

Discussion - Council

13. RESOLUTIONS - CONSENT AGENDA **Matters listed on the Consent Agenda Resolution are considered routine and will be enacted by one motion of the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item to be removed for consideration.*

ROLL CALL CONSENT AGENDA

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

R2022-144

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

R2022-145

A RESOLUTION APPROVING THE PAYMENT OF THIRD QUARTER 2022 COUNTY TAX AND OPEN SPACE TAX, DUE AUGUST 15, 2022

R2022-146

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A REFUND OF SEPTIC REIMBURSEMENT IN THE AMOUNT OF \$11,256.50 TO RUSSELL REID

R2022-147

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF PERFORMANCE BOND NO. 015052548 IN THE AMOUNT OF \$784,847.40; SUBDIVISION BOND NO. 015202239 IN THE AMOUNT OF \$52,800.96; AND SUBDIVISION BOND NO. 015202240 IN THE AMOUNT OF \$5,000.00

R2022-148

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, REJECTING ALL BIDS FOR THE WALTER PARK AND PRIMARY SCHOOL PARKS UPGRADE PROJECT

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

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

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 July 5 , 2022**

		<u>Check No</u>
1	Current Fund	1,196,618.41
2	State & Federal Grants	5.18
4	Capital Fund	74,109.40
7	Sewage Utility Fund	1,018.94
8	Sewage Capital Fund	53,392.50
12	Planning Board Trust Fund	5,000.50
12	Bridge Development	36,247.00
13	Dog Trust Fund	0.00
15	Public Defender Trust Fund	0.00
16	Section 8	2,103.31
17	General Trust Fund	21,929.25
17	Commerce Park Redevelopment	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	1,911.10
21	Revolving Loan Fund	0.00
Total Regular Bill List as July 5, 2022		1,392,335.59

Pre-Paid Bill List as of July 5, 2022

1	Current Fund	0.00
2	State & Federal Grants	0.00
4	Capital Fund	0.00
7	Sewer Utility Fund	0.00
8	Sewer Utility Capital	0.00
12	Planning Board Trust Fund	0.00
16	Section 8	0.00
17	General Trust Fund	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	1,745.90
21	Revolving Loan Fund	0.00
		1,745.90

Grand Total All Funds

1,394,081.49

Approved By:



Robert J. Merlo, CFO

Rob Bengivenga, Business Admin

List of Bills - CLAIMS CHECKING ACCOUNT
Meeting Date: 07/05/2022 For bills from 06/22/2022 to 07/04/2022

Check#	Vendor	Description	Payment	Check Total
86274	6 - MATTHEW AMEY	PO 38000 2022 Eyecare reimbursement	236.00	236.00
86275	88 - DELTA DENTAL OF NJ INC	PO 37995 July Payment - Group #03947-00001	1,196.00	
		PO 37995 July Payment - Group #03947-00001	5.18	
		PO 37995 July Payment - Group #03947-00001	199.78	
		PO 37995 July Payment - Group #03947-00001	3,901.82	5,302.78
86276	88 - DELTA DENTAL OF NJ INC	PO 37996 July Dental Payment - Group #03947-00003	19.16	
		PO 37996 July Dental Payment - Group #03947-00003	1,225.03	
		PO 37996 July Dental Payment - Group #03947-00003	74.96	
		PO 37996 July Dental Payment - Group #03947-00003	715.10	2,034.25
86277	89 - GRAINGER	PO 37305 Oil pump & hose reel kit, 55 gal	4,533.30	4,533.30
86278	118 - WEST GROUP PAYMENT CENTER	PO 37890 NJ Statutes June 1 -June 30, 2022	445.22	445.22
86279	130 - CINTAS FAS LOCKBOX 636525	PO 37850 AED Agreement	545.00	545.00
86280	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 32672 R:2020-42 - Cert of Funds - Admin Svcs-W	3,000.50	3,000.50
86281	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 36336 R:2021-248 COF Preparation of Grant Ap	359.00	359.00
86282	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37527 R:2022-44 CoF Meeting Retainer	4,100.00	4,100.00
86283	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37918 Professional Services Rendered	21,929.25	21,929.25
86284	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37921 Verizon Tower 1116 South Main St	238.00	238.00
86285	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37922 43-45 S. Main St Block 903 Lot 47	1,036.50	1,036.50
86286	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37923 Advantor 600 N. Broad St	362.00	362.00
86287	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37924 326 South Main Street Grace Baptist Chur	1,156.50	1,156.50
86288	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37925 OML0G Bridge Phase II Block 3401 Lot 8	62.50	62.50
86289	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37926 Bridge Point 78- Phase 2 Site Plan- Bloc	336.00	336.00
86290	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37927 680 Memorial Parkway Arby's/Popeyes	84.00	84.00
86291	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37928 Peron Construction	1,243.00	1,243.00
86292	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37929 Bridge Point 78- Phase 2 Site Plan- Bloc	18,666.50	18,666.50
86293	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37930 Manor House Parkside Estates	56.00	56.00
86294	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37931 Bridge Point 78- Phase 2 Site Plan- Bloc	16,602.50	16,602.50
86295	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37932 Ferron Riverview	56.00	56.00
86296	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37933 680 Memorial Parkway Arby's/Popeye	56.00	56.00
86297	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37934 Bridge Phase II Scotts Miracle Grow	112.00	112.00
86298	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37935 OML0G Bridge Phase II	467.50	467.50
86299	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37936 74 Stockton Street	467.50	467.50
86300	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37937 326 South Main Street Grace Baptist Chur	245.00	245.00
86301	215 - NAZARETH FORD INC	PO 37904 Parts for truck 11	919.66	
		PO 37905 Repairs for Baker 17	3,559.61	
		PO 37989 Parts for police cars	332.38	4,811.65
86302	251 - BITTONE EQUIPMENT SVCS LLC	PO 37856 Hose for sanitation truck #29	24.94	24.94
86303	258 - N J STATE ASSOC CHIEFS OF POLICE	PO 37815 Chiefs of Police Training Conference	790.00	790.00
86304	290 - FIRTH YOUTH CENTER	PO 37946 R:2022-123 COF Summer Youth Program	25,000.00	25,000.00
86305	302 - JESCO INC	PO 37919 Repairs for loader	5,084.44	5,084.44
86306	320 - CRAIG BROTONS	PO 37964 2022 Eyecare Reimbursement	273.94	273.94
86307	345 - N J FIRE EQUIPMENT	PO 37734 Purchase of Batteries for Hand Lights	268.08	
		PO 37880 Clean & Repair 11 Sets of Turnout Gear	1,102.50	1,370.58
86308	368 - W B MASON CO., INC	PO 37826 Copy Paper - (3) DIFFERENT LOCATIONS	1,738.00	1,738.00
86309	413 - ALTEK BUSINESS SYS INC	PO 37963 copier lease agreement	615.47	615.47
86310	452 - BOARD OF EDUCATION	PO 38014 Board of Education - General Fund	1,059,483.50	1,059,483.50
86311	477 - LANGUAGE SERVICES ASSOCIATES	PO 37912 Language line services May 2022	81.90	81.90
86312	493 - SIRUS COMPUTER SYSTEMS LLC	PO 37643 RENEW FIREWALL SUBSCRIPTION FOR SERVICE	2,340.00	2,340.00
86313	606 - FEDEX CUSTOM CRITICAL	PO 37851 FedEx shipping	41.75	41.75
86314	626 - THE TRAZONIC CO	PO 37898 Gloves for sanitation trucks	1,402.73	1,402.73
86315	687 - INDUSTRIAL COMMUNICATIONS INC	PO 38001 Purchase of 2 Reconditioned Portable Rad	1,150.00	1,150.00
86316	733 - NJ ADVANCE MEDIA, LLC	PO 37993 NJ Advance O:2022-20 & O:2022-21	544.00	544.00
86317	863 - SYNCHRONY BANK	PO 37916 Grass seed	213.47	213.47
86318	974 - ROUTE 12 WASH & GAS INC	PO 37873 May Car Washes	42.25	42.25
86319	987 - POWERDMS INC	PO 37735 PowerDMS Yearly Subscription, Policies a	6,130.90	6,130.90
86320	998 - GRIFFITH-ALLIED TRUCKING LLC	PO 37908 Gasoline usage	400.00	
		PO 37908 Gasoline usage	10,001.68	
		PO 37986 Gasoline usage	400.00	
		PO 37986 Gasoline usage	8,633.31	19,434.99
86321	1033 - CHRISTINA CRANDALL	PO 37692 2022 Eyecare Reimbursement	300.00	300.00
86322	1053 - TRIUS, INC	PO 37920 Misc parts	10.00	10.00
86323	1072 - DAVID WEBER OIL CO	PO 37807 DEF fluid	341.20	
		PO 37821 Antifreeze	318.90	660.10
86324	1097 - ASSOCIATION OF MUNICIPAL ASSESSORS OF NE	PO 37962 CONFERENCE	450.00	450.00
86325	1108 - OFFICE CONCEPTS GROUP INC	PO 37758 notary stamp	23.19	23.19
86326	1108 - OFFICE CONCEPTS GROUP INC	PO 37910 OFFICE SUPPLIES	207.56	207.56
86327	1152 - PRIMEPOINT, LLC	PO 37991 Payroll processing - June	1,884.00	1,884.00
86328	1165 - STEVEN M SIEGEL	PO 37939 2022 Prosecutor Contract	3,333.33	3,333.33
86329	1223 - HOME DEPOT CREDIT SERVICES	PO 37917 Material for garage	302.46	302.46

List of Bills - CLAIMS CHECKING ACCOUNT

Meeting Date: 07/05/2022 For bills from 06/22/2022 to 07/04/2022

Check#	Vendor	Description	Payment	Check Total
86330	1240 - ZOOM VIDEO COMMUNICATIONS INC	PO 37980 Cloud storage	40.00	40.00
86331	1247 - SPORTSENGINE INC	PO 37845 Background Check Services	536.50	536.50
86332	1281 - SIGNS & SAFETY DEVICES SALES & SERVICE D	PO 37848 Signs for parking lot per estimate 05221	1,132.50	1,132.50
86333	1290 - CDW-G COMPUTER CENTERS INC	PO 37376 Panasonic toughbook 55 for garage	2,412.51	2,412.51
86334	1298 - SOLVIT.ROCKS, INC	PO 37976 IT Service	173.25	
		PO 37978 Monthly IT Support	1,375.00	1,548.25
86335	1312 - PENNETTA INDUSTRIAL AUTOMATION, LLC	PO 36553 R:2021-175 COF WWTP Boiler Replacement	53,392.50	53,392.50
86336	1326 - RECYCLE AMERICA HOLDINGS INC	PO 37985 Recycling fees	6,150.89	6,150.89
86337	1372 - REEGS INC	PO 37852 Batteries for garage	1,035.60	1,035.60
86338	1373 - USA GENERAL CONTRACTORS CORP	PO 37526 R:2022-30 CoF Removal & replacement of e	70,749.90	70,749.90
86339	1378 - STENDEL BROTHERS INC	PO 37906 Repairs for truck 29	4,409.79	4,409.79
86340	1379 - SCOTT F SHEPHERD	PO 37411 Motorized wheel balancer	4,671.65	4,671.65
86341	1389 - JOHN J CALECA, III	PO 38002 Professional Services rendered May 4, 20	400.00	400.00
86342	1492 - OPDYKE'S SERVICES	PO 37855 Parts for public works vehicles	419.06	419.06
86343	1648 - ANGELA HOADLEY	PO 37581 2022 Eyecare Reimbursement	30.00	30.00
86344	1679 - CHRIN'S BROS INC	PO 37899 Weekly disposal fees	11,133.80	
		PO 37968 Weekly disposal fees	10,507.80	21,641.60
86345	1681 - BOROUGH OF ALPHA	PO 37913 POSTAGE FEES MAY 2022	167.95	167.95
86346	1802 - PHILLIPSBURG MUNICIPAL COURT	PO 37914 PNC/AMEX FEES MAY 2022	90.59	90.59
86347	6799 - THE NELROD COMPANY	PO 36276 R:2021-230 COF Tech Assistance in the pr	1,999.00	1,999.00
86348	7066 - MRI SOFTWARE INC	PO 37495 WaitList Check	29.35	29.35
TOTAL				1,392,335.59

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-050	Business Administrator - O/E	1,588.25			
01-201-20-120-050	Municipal Clerk - O/E	1,976.72			
01-201-20-130-050	Financial Administration - O/E	1,884.00			
01-201-20-145-050	Revenue Administration - O/E	207.56			
01-201-20-150-050	Tax Assessment Administration OE	450.00			
01-201-20-155-050	Legal Services	400.00			
01-201-20-165-050	Engineering services	4,100.00			
01-201-23-220-050	Employee Group Insurance	5,688.61			
01-201-25-240-050	Police Department - O/E	10,534.31			
01-201-25-265-050	Fire Department - O/E	2,520.58			
01-201-25-275-050	Municipal Prosecutor O/E	3,333.33			
01-201-26-290-050	Street & Roads - O/E	3,545.01			
01-201-26-301-050	PEOSHA	545.00			
01-201-26-305-050	Solid Waste Collection - O/E	1,402.73			
01-201-26-310-050	Building & Grounds - O/E	264.98			
01-201-26-315-050	Vehicle Maintenance - O/E	25,911.48			
01-201-28-370-050	Recreation Service & Program - O/E	25,536.50			
01-201-31-460-050	Bulk Purchases - Gasoline	18,634.99			
01-201-32-465-050	Landfill/Solid Waste Disposal Costs	27,792.49			
01-201-33-490-050	Municipal Court - O/E	498.44			
01-201-47-390-050	Maintenance of Free Public Library	278.18			
01-203-26-300-050	{2021} Public Works Administration - O/E		41.75		
01-207-55-000-000	School Taxes Payable			1,059,483.50	
01-260-05-100	Current Fund - Due to Claims			0.00	1,196,618.41
TOTALS FOR CURRENT FUND		137,093.16	41.75	1,059,483.50	1,196,618.41
02-213-41-730-000				5.18	
02-260-05-100				0.00	5.18
TOTALS FOR STATE & FEDERAL GRANTS		0.00	0.00	5.18	5.18
04-215-55-936-000				5,758.90	
04-215-55-937-000				65,350.00	
04-215-55-941-000				3,000.50	
04-260-05-100				0.00	74,109.40
TOTALS FOR CAPITAL FUND		0.00	0.00	74,109.40	74,109.40

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
07-201-55-510-050	Sewer Utility OE	1,018.94			
07-260-05-100	Sewer Utility - Due to Claims Fund			0.00	1,018.94
TOTALS FOR	SEWER UTILITY	1,018.94	0.00	0.00	1,018.94
08-216-55-577-000	2021 Capital Improvements Authorized			53,392.50	
08-260-05-100	Sewer Capital - Due to Claims Fund			0.00	53,392.50
TOTALS FOR	SEWER CAPITAL	0.00	0.00	53,392.50	53,392.50
12-260-05-100	Planning Board - Due to Claims Fund			0.00	41,247.50
12-286-56-851-000	Land Use Escrows			5,000.50	
12-288-56-102-000	Escrow - Bridge Development			36,247.00	
TOTALS FOR	Land Use Board Escrow	0.00	0.00	41,247.50	41,247.50
16-260-05-100	Section 8 - Due to Claims Fund			0.00	2,103.31
16-289-56-081-000	Section 8 Spending Reserves			2,103.31	
TOTALS FOR	SECTION 8 PROGRAM	0.00	0.00	2,103.31	2,103.31
17-260-05-100	Trust - Due to Claims Fund			0.00	21,929.25
17-286-56-858-000	Engineers Inspections			21,929.25	
TOTALS FOR	GENERAL TRUST FUND	0.00	0.00	21,929.25	21,929.25
20-260-05-100	Agency - Due to Claims Fund			0.00	1,911.10
20-291-55-070-000	Payroll Deductions			1,911.10	
TOTALS FOR	PAYROLL AGENCY FUND	0.00	0.00	1,911.10	1,911.10
Total to be paid from Fund 01 CURRENT FUND		1,196,618.41			
Total to be paid from Fund 02 STATE & FEDERAL GRANTS		5.18			
Total to be paid from Fund 04 CAPITAL FUND		74,109.40			
Total to be paid from Fund 07 SEWER UTILITY		1,018.94			
Total to be paid from Fund 08 SEWER CAPITAL		53,392.50			
Total to be paid from Fund 12 Land Use Board Escrow		41,247.50			
Total to be paid from Fund 16 SECTION 8 PROGRAM		2,103.31			
Total to be paid from Fund 17 GENERAL TRUST FUND		21,929.25			
Total to be paid from Fund 20 PAYROLL AGENCY FUND		1,911.10			
		1,392,335.59			

Checks Previously Disbursed

841030 AFLAC PO# 37940 Monthly Invoice 1,745.90 7/06/2022

 1,745.90

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND		1,196,618.41	1,196,618.41
Fund 02 STATE & FEDERAL GRANTS		5.18	5.18
Fund 04 CAPITAL FUND		74,109.40	74,109.40
Fund 07 SEWER UTILITY		1,018.94	1,018.94
Fund 08 SEWER CAPITAL		53,392.50	53,392.50

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
Fund 12	Land Use Board Escrow	41,247.50	41,247.50		
Fund 16	SECTION 8 PROGRAM	2,103.31	2,103.31		
Fund 17	GENERAL TRUST FUND	21,929.25	21,929.25		
Fund 20	PAYROLL AGENCY FUND	1,745.90	1,911.10		
	BILLS LIST TOTALS	1,745.90	1,392,335.59		<u>1,394,081.49</u>

ORDINANCE 2022-22

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 105 POLICE DEPARTMENT, OF THE CODE OF THE TOWN OF PHILLIPSBURG TO A NEW SECTION 105-1.1, APPROPRIATE AUTHORITY, OF THE CODE

BE IT ORDAINED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that Chapter 105, *Police Department*, is hereby amended to create a new section 1.1, *Appropriate Authority*, as follows:

§105-1.1 Appropriate Authority

The Mayor, or the Business Administrator as the Mayor's designee, is hereby declared to be the appropriate authority for the Town of Phillipsburg and subject to general and regulatory law governing the same.

BE IT FURTHER ORDAINED that Ordinance 2022-07 is hereby rescinded in its entirety.

Section 2:

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

Section 3:

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

Section 4:

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

ATTEST:

TOWN OF PHILLIPSBURG

LORRAINE LOUDENBERRY, AMC
Acting Municipal Clerk
DATED:

TODD M. TERSIGNI
Mayor

CERTIFICATION

I, Lorraine 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 June 21, 2022 meeting.

LORRAINE LOUDENBERRY,
Acting Municipal Clerk

O2022-23

AN ORDINANCE GRANTING MUNICIPAL CONSENT TO COMCAST TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN A CABLE TELEVISION AND COMMUNICATIONS SYSTEM IN THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, NEW JERSEY.

BE IT ORDAINED BY TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG AS FOLLOWS:

SECTION 1. PURPOSE OF THE ORDINANCE

The Town hereby grants to Comcast of its non-exclusive Municipal Consent to place in, upon, across, above, over and under highways, streets, alleys, sidewalks, easements, public ways and public places in the municipality, poles, wires, cables, underground conduits, manholes and other television conductors, fixtures, apparatus and equipment as may be necessary for the construction, operation and maintenance in the Town of a cable television and communications system. This consent is subject to the terms and conditions of this Ordinance and upon the condition that the Company accepts the provisions of this Ordinance and confirms that it shall comply with the commitments contained herein.

SECTION 2. DEFINITIONS

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. Such meaning or definition of terms is supplemental to those definitions of the Federal Communications Commission ("FCC") rules and regulations, 47 C.F.R. Subsection 76.1 et seq., and the Cable Communications Policy Act, 47 U.S.C. Section 521 et seq., as amended, and the Cable Television Act, N.J.S.A. 48:5A-1 et seq., and shall in no way be construed to broaden, alter or conflict with the federal and state definitions:

- a. "Town" or "Municipality" is Town of Phillipsburg, County of Warren, State of New Jersey.
- b. "Company" is the grantee of rights under this Ordinance and is known as Comcast of Northwest New Jersey, LLC.
- c. "Act" or "Cable Television Act" is Chapter 186 of the General Laws of New Jersey, and subsequent amendments thereto, N.J.S.A. 48:5A-1, et seq.
- d. "FCC" is the Federal Communications Commission.
- e. "Board" or "BPU" is the Board of Public Utilities, State of New Jersey.
- f. "Office" or "OCTV" is the Office of Cable Television of the Board.

- g. "Cable Service" means the one-way transmission to subscribers of (i) video programming or (ii) other programming service, and subscriber interaction, if required for the selection or use of such video programming or other programming service.
- h. "Application" is the Company's Application for of Municipal Consent.
- i. "Primary Service Area" or "PSA" consists of the area of the Municipality currently served with existing plant as set forth in the map annexed to the Company's Application for Municipal Consent.

SECTION 3. STATEMENT OF FINDINGS

A public hearing concerning the consent herein granted to the Company was held after proper public notice pursuant to the terms and conditions of the Act. Said hearing having been held and fully open to the public, and the municipality having received all comments regarding the qualifications of the Company to receive this consent, and the representations of the Company that the Company possesses the necessary legal, technical, character, financial and other qualifications and that the Company's operating and construction arrangements are adequate and feasible.

SECTION 4. DURATION OF FRANCHISE

The non-exclusive Municipal Consent granted herein shall expire 10 years from the Effective Date.

In the event that the Municipality shall find that the Company has not substantially complied with the material terms and conditions of this Ordinance, the Municipality shall have the right to petition the OCTV, pursuant to N.J.S.A. 48:5A-47, for appropriate action, including modification and/or termination of the Certificate of Approval; provided however, that the Municipality shall first have given the Company written notice of all alleged instances of non-compliance and an opportunity to cure same within ninety (90) days of that notification.

SECTION 5. FRANCHISE FEE

Pursuant to the terms and conditions of the Act, the Company shall, during each year of operation under the consent granted herein, pay to the Town two percent (2%) of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers for Cable Service in the Town or any higher amount permitted by the Act or otherwise allowable by law, whichever is greater.

SECTION 6. FRANCHISE TERRITORY

The consent granted under this Ordinance for the franchise shall apply to the entirety of the Municipality and any property subsequently annexed hereto.

SECTION 7. EXTENSION OF SERVICE

The Company shall be required to proffer Cable Service to any residence or business along any public right-of-way in the Primary Service Area, as set forth in the Company's Application. Any extension of plant beyond the Primary Service Area shall be governed by the Company's Line Extension Policy, as set forth in the Company's Application. For purposes of this section and the Company's implementation of the LEP, a home shall only be counted as a "dwelling unit" if such home is within two hundred seventy-five (275) feet of the public right of way.

SECTION 8. CONSTRUCTION REQUIREMENTS

- a. Restoration: In the event that the Company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways, or other surface in the natural topography, the Company shall, at its sole expense, restore and replace such places or things so disturbed in as reasonably good a condition as existed prior to the commencement of said work.
- b. Relocation: If at any time during the period of this consent, the City shall alter or change the grade of any street, alley or other way or place the Company, upon reasonable notice by the City, shall remove, re-lay or relocate its equipment, at the expense of the Company.
- c. Removal or Trimming of Trees: During the exercise of its rights and privileges under this franchise, the Company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks or other public places of the City so as to prevent the branches of such trees from coming in contact with the wires and cable of the Company. Such trimming shall be only to the extent necessary to maintain proper clearance of the Company's wire and cables.

SECTION 9. CUSTOMER SERVICE

In providing Cable Service to its customers, the Company shall comply with N.J.A.C. 14:18-1, et seq. and all applicable state and federal statutes and regulations. The Company shall strive to meet or exceed all voluntary company and industry standards in the delivery of customer service.

- a. The Company shall continue to comply fully with all applicable state and federal statutes and regulations regarding credit for outages, the reporting of same to regulatory agencies and notification of same to customers.
- b. The Company shall continue to fully comply with all applicable state and federal statutes and regulations regarding the availability of devices for the hearing impaired and the notification of same to customers.
- c. Nothing herein shall impair the right of any subscriber or the Town to express any comment with respect to telephone accessibility to the Complaint Officer or impair the right of the Complaint Officer to take any action that is permitted under applicable law.

SECTION 10. MUNICIPAL COMPLAINT OFFICER

The Office of Cable Television is hereby designated as the Complaint Officer for the Town pursuant to N.J.S.A. 48:5A-26(b). All complaints shall be received and processed in accordance with N.J.A.C. 14:17-6.5. The Town shall have the right to request copies of records and reports pertaining to complaints by Town customers from the OCTV.

SECTION 11. LOCAL OFFICE

During the term of this franchise, and any renewal thereof, the Company shall maintain a business office or agent in accordance with N.J.A.C. 14:18-5.1 for the purpose of receiving, investigating and resolving local complaints regarding the quality of service, equipment malfunctions, and similar matters.

SECTION 12. PERFORMANCE BONDS

During the life of the franchise the Company shall give to the municipality a performance bond in the amount of twenty-five thousand dollars (\$25,000.00). Such bond shall be to insure the faithful performance of all undertakings of the Company as represented in its application for municipal consent incorporated herein.

SECTION 13. SUBSCRIBER RATES

The rates of the Company shall be subject to regulation as permitted by federal and state law.

SECTION 14. COMMITMENTS BY THE COMPANY

- a. Subject to applicable law, the Company will provide courtesy cable television service on one (1) outlet, to the municipal building, fire department facility, first aid squad, library, community or senior center and public works facility, provided each facility is within 200 feet of active cable distribution plant. Each additional outlet installed, if any, shall be paid for on a materials plus labor basis by the school requesting service. Monthly service charges shall be waived on all additional outlets except for equipment.
- b. The Communications Act of 1934, as amended (47 U.S.C. §543(b)(4)), allows the Company to itemize and/or identify the amount on the monthly bill assessed to satisfy any requirements imposed on the Company by the cable franchise to support public, educational, and governmental channels, or the use of such channels or any other services required under the franchise. The Company reserves its external cost, pass-through rights to the extent permitted by law.

SECTION 15. PUBLIC, EDUCATIONAL AND GOVERNMENTAL ACCESS

- a. The Company shall continue to make available a system-wide public access channel maintained by the Company. Qualified individuals and organizations may utilize public

access for the purpose of cablecasting non-commercial access programming in conformance with the Company's published public access rules.

- b. The Company shall continue to provide a system-wide leased access channel maintained by the Company for the purpose of cablecasting commercial leased access programming in conformance with the Company's guideline and applicable state and federal statutes and regulations.
- c. The Company shall not exercise editorial control over any educational or governmental use PEG Access channels, except Company may refuse to transmit any educational or governmental access program or portion of an educational or governmental access program that contains obscenity, indecency, or nudity.
- d. The Company shall take any steps that are necessary to ensure that the signals originated on the access channels are carried without material degradation, and with a signal whose quality is equal to that of the other standard channels that the Company transmits.

SECTION 16. EMERGENCY USES

- a. The Company will comply with the Emergency Alert System ("EAS") rules in accordance with applicable state and federal statutes and regulations.
- b. The Company shall in no way be held liable for any injury suffered by the municipality or any other person, during an emergency, if for any reason the Municipality is unable to make full use of the cable television system as contemplated herein.

SECTION 17. LIABILITY INSURANCE

The Company shall at all times maintain a comprehensive general liability insurance policy with a single limit amount of \$1,000,000 covering liability for any death, personal injury, property damages or other liability arising out of its construction and operation of the cable television system, and an excess liability (or "umbrella") policy in the amount of \$5,000,000.

SECTION 18. INCORPORATION OF THE APPLICATION

All of the statements and commitments contained in the Application or annexed thereto and incorporated therein, and any amendment thereto, except as modified herein, are binding upon the Company as terms and conditions of this consent. The Application and other relevant writings submitted by the Company shall be annexed hereto and made a part hereof by reference provided same do not conflict with applicable State or Federal law.

SECTION 19. COMPETITIVE EQUITY

Should the Municipality grant a franchise or other authorization to construct, operate and maintain a cable television system to any other person, corporation or entity on terms materially less

burdensome or more favorable than the terms contained herein, the Company may substitute such language that is more favorable or less burdensome for the comparable provision of this Ordinance subject to the provisions of N.J.A.C. 14:17-6.7.

SECTION 20. SEPARABILITY

If any section, subsection, sentence, clause, phrase, or other portion of this Ordinance is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body, or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

SECTION 21. THIRD PARTY BENEFICIARIES

Nothing in this Franchise or in any prior agreement is or was intended to confer third-party beneficiary status on any member of the public to enforce the terms of such agreements or Franchise.

SECTION 22. NEW DEVELOPMENTS

The Municipality shall endeavor to exercise reasonable efforts to require developers and utility companies to provide the Company with at least fifteen (15) days advance notice of an available open trench for the placement of necessary cable.

SECTION 23. EFFECTIVE DATE

This Ordinance shall take effect immediately upon issuance of a Certificate of Approval from the BPU.

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 July 05, 2022 meeting.

LORRAINE LOUDENBERRY,
Acting Municipal Clerk

R: 2022-144

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

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

WHEREAS, said overpayment due to Tax Overpayment

ACCT	YEAR	BLOCK	LOT	NAME	AMOUNT
37811	2022	2006	06	Lereta Corp/Govardhan Group Holdings LLC	496.90

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

CERTIFICATION

I, Lorraine Loudenberg, Acting Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey do hereby certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on July 05, 2022.

Lorraine Loudenberg, Acting Municipal Clerk



TOWN OF PHILLIPSBURG

OFFICE OF THE TAX COLLECTOR

120 FILMORE STREET ROOM #101

PHILLIPSBURG, NJ 08865

Phone 908-454-5500 Ext 307

Fax 908-213-1613

June 21, 2022

TO: Lori Loudenberry

FROM: Sandy Callery

SUBJECT: REFUND

Please list the following Refund OVERPAYMENT for Tax years 2022 at the next council meeting on June 21, 2022.

Account	Year	Block	Lot	Name	Amount
37811	2022	2006	06	Lereta Corp/ Govardhan Group Holdings LLC	496.90

R: 2022-145

A RESOLUTION APPROVING THE PAYMENT OF THIRD QUARTER 2022
COUNTY TAX AND OPEN SPACE TAX, DUE
AUGUST 15, 2022

BE IT RESOLVED by the Town Council of the Town of Phillipsburg
that:

The payment of County Taxes in the amount of \$1,233,095.59 is
hereby approved,

This payment represents THIRD QUARTER 2022 COUNTY TAX
and THIRD QUARTER 2022 OPEN SPACE TAX due AUGUST 15, 2022:

THIRD QUARTER 2022 TAXES -- \$1,195,675.92

THIRD QUARTER 2022 OPEN SPACE TAX -- \$37,419.67

AMOUNT DUE: \$1,233,095.59

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 July 05, 2022 meeting.

Lorraine Loudenberry, Acting Municipal Clerk

COUNTY OF WARREN

TREASURER'S OFFICE
165 County Road 519 South
Administration Building
Belvidere NJ 07823

Kim Francisco
Chief Financial Officer

Telephone: 908-475-6540
Fax: 908-475-6554

6/27/2022

Town of Phillipsburg
Lorraine Loudenberry, Acting Clerk
Municipal Building
120 Filmore Street
Phillipsburg, NJ 08865


TAX BILL

3rd Quarter 2022

County Taxes	\$1,195,675.92
Open Space Taxes	<u>37,419.67</u>
Total Due	<u>\$1,233,095.59</u>

APPROVAL FOR PAYMENT <i>I certify that the above articles have been received or services rendered as stated herein.</i>	
BY:	DATE
<i>I certify that this Voucher is correct and just, and payment is approved.</i>	
Department Head	DATE
Payment Approved	
_____ Mayor	_____ DATE

CERTIFICATION OF FUNDS	
_____	DATE

VENDOR'S CERTIFICATION & DECLARATION	
I do solemnly declare and certify under the penalties of the Law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons with the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing; and that the amount is a reasonable one.	
X 	6/27/2022
KIM FRANCISCO CHIEF FINANCIAL OFFICER	DATE

Due 8/15/2022 Please Note: Interest will be charged at the rate of 6% if not paid by the due date.

IF YOU PREFER TO WIRE YOUR PAYMENT, PLEASE CONTACT OUR OFFICE FOR INSTRUCTIONS. 908-475-6542

R2022-146

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A REFUND OF
SEPTIC REIMBURSEMENT IN THE AMOUNT OF \$11,256.50 RUSSELL REID**

WHEREAS, Russell Reid made an overpayment payment of \$11,256.50 to the Town of Phillipsburg for Septic Fees; and

WHEREAS, on June 30, 2022, Town of Phillipsburg became aware of the overpayment; and

WHEREAS, the Town desires to refund the Septic fees to Russell Reid.

NOW, THEREFORE, BE IT RESOLVED by Town Council, Town of Phillipsburg, County of Warren, State of New Jersey, that the CFO is hereby authorized and directed to refund in the amount of \$11,256.50 to Russell Reid for the reasons stated herein above.

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 July 05, 2022 meeting.

Lorraine Loudenberry,
Acting Municipal Clerk

Lorraine Loudenberg

From: Robert Merlo
Sent: Friday, July 1, 2022 1:32 PM
To: Lorraine Loudenberg
Subject: RE: R2022-146 Reimbursement Septic Fees - Russell Reid

Lori it's not a TWA.

Just a simple overpayment for a duplicate payment.

From: Lorraine Loudenberg <loudenberg@phillipsburgnj.org>
Sent: Friday, July 1, 2022 12:38 PM
To: Robert Merlo <bmerlo@phillipsburgnj.org>
Cc: Lorraine Loudenberg <loudenberg@phillipsburgnj.org>
Subject: R2022-146 Reimbursement Septic Fees - Russell Reid

Hi Bob,

Please review attached and advise of any needed changes. Shannon did not give me much info to go on except:

Septic Fees
\$11,256.50 – copy of ck
Russell Reid – company

I don't know if this is a TWA, probably not. Or Septic Fees for what? Please help.

Lori L.

PS Leaving for lunch, will be right back (have to let dogs out)

Lorraine Loudenberg

From: Shannon Quick
Sent: Thursday, June 30, 2022 10:43 AM
To: Lorraine Loudenberg
Subject: Re: Refund Resolution for Russell Reid

Sewer not Gen. Fund

Lori the check is for a septic reimbursement. The company is Russell Reid.

Thank you.

[Get Outlook for iOS](#)

From: Lorraine Loudenberg <loudenberg@phillipsburgnj.org>
Sent: Thursday, June 30, 2022 10:39:58 AM
To: Shannon Quick <squick@phillipsburgnj.org>
Cc: Lorraine Loudenberg <loudenberg@phillipsburgnj.org>; Robert Merlo <bmerlo@phillipsburgnj.org>
Subject: RE: Refund Resolution for Russell Reid

Good Morning Shannon,

Happy to oblige, but need more info. What is the reimbursement/check for? Is this a TWA or ??? The company appears to be Russell Reid or is trade name different. Need clarification.

Thanks,
Lori

-----Original Message-----

From: Shannon Quick <squick@phillipsburgnj.org>
Sent: Tuesday, June 28, 2022 12:54 PM
To: Lorraine Loudenberg <loudenberg@phillipsburgnj.org>
Cc: Robert Merlo <bmerlo@phillipsburgnj.org>; Richard Wenner <rwenner@lsaclaw.com>
Subject: FW: Refund Resolution for Russell Reid

Lori,

Can you please do a refund resolution for this meeting for the attached check? Thank you.

Shannon Quick
Accounting Assistant
Town of Phillipsburg
120 Filmore Street
Phillipsburg, NJ 08865
908-454-5500 ext 435

-----Original Message-----

From: copier@phillipsburgnj.org <copier@phillipsburgnj.org>
Sent: Tuesday, June 28, 2022 12:52 PM

R2022-144?
146

Lorraine Loudenberg

From: Shannon Quick
Sent: Tuesday, June 28, 2022 12:54 PM
To: Lorraine Loudenberg
Cc: Robert Merlo; Richard Wenner
Subject: FW: Refund Resolution for Russell Reid
Attachments: doc04597420220628115220.pdf

Lori,

Can you please do a refund resolution for this meeting for the attached check? Thank you.

Shannon Quick
Accounting Assistant
Town of Phillipsburg
120 Filmore Street
Phillipsburg, NJ 08865
908-454-5500 ext 435

-----Original Message-----

From: copier@phillipsburgnj.org <copier@phillipsburgnj.org>
Sent: Tuesday, June 28, 2022 12:52 PM
To: Shannon Quick <squick@phillipsburgnj.org>
Subject:

CS 2552ci
[00:17:c8:4e:7b:ae]

Russell Reid and Mr. John Companies 200 Smith Street • PO Box 130 • Keasbey, NJ 08832-0130

133480

Date	Invoice Number	Comment	Amount	Discount Amount	Net Amount
4/28/2022	03-2022.015 -3		11,256.50	0.00	11,256.50

Check: 133480 6/23/2022 TOWN OF PHILLIPSBURG Check Total: 11,256.50

THIS DOCUMENT CONTAINS MICROPRINTING AND HEAT SENSITIVE INK - RED IMAGE DISAPPEARS WITH HEAT - SEE REVERSE SIDE FOR COMPLETE SECURITY FEATURES



200 Smith Street
PO Box 130
Keasbey, NJ 08832-0130
732-225-2238



55-33/212 NJ

133480
133480

*ELEVEN THOUSAND TWO HUNDRED FIFTY-SIX AND 50 / 100

DATE AMOUNT
6/23/2022 *****11,256.50*

CUSTOMER #: 7911

PAY
TO THE
ORDER
OF:

TOWN OF PHILLIPSBURG
ACCOUNTS RECEIVABLE
120 FILMORE STREET
PHILLIPSBURG, NJ 08865

Russell Reid and Mr. John Companies

[Signature] MP

[Signature] MP

⑈ 133480⑈ ⑆021200339⑆ 381004904041⑈

R2022-147

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE
OF PERFORMANCE BOND NO. 015052548 IN THE AMOUNT OF \$784,847.40;
SUBDIVISION BOND NO. 015202239 IN THE AMOUNT OF \$52,800.96; AND
SUBDIVISION BOND NO. 015202240 IN THE AMOUNT OF \$5,000.00**

WHEREAS, the Town Engineer had advised that all required site work, within the Town of Phillipsburg, associated with the construction of the CVS store has been satisfactorily completed.

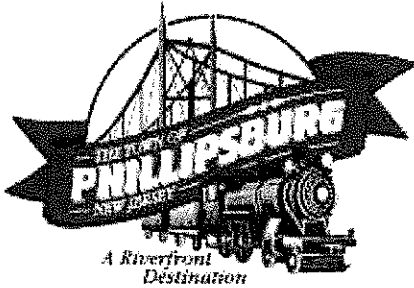
WHEREAS, the Town Engineer has recommended that Performance Bond #015052548 in the amount of \$784,847.40; #015202239 in the amount of \$52,800.98; and 015202240 in the amount of \$5,000.00 be released.

NOW, THEREFORE, BE IT RESOLVED by Town Council of Phillipsburg, County of Warren, State of New Jersey that Performance Bond #015052548 in the amount of \$784,847.40; #015202239 in the amount of \$52,800.98; and 015202240 in the amount of \$5,000.00 be released.

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 July 5, 2022 meeting.

Lorraine Loudenberry
Acting Municipal Clerk



**OFFICE OF THE
CFO**

120 Filmore Street
Phillipsburg, NJ 08865
Phone: 908-454-5500
Fax: 908-454-6511
Town Website: www.phillipsburgnj.org
Email: busadmin@phillipsburgnj.org

ATTN: Kimberly Shardlow MC2313
200 Highland Corporate Drive
Cumberland, RI 02864

Re: Phillipsburg CVS - Bond Release

Ms. Shardlow,

Per the request of CVS and First Hartford, the Town of Phillipsburg releases the following bonds which the originals could not be located by the Town. Further the release of these bonds has been authorized by Town of Phillipsburg's governing body via the enclosed Town Resolution. The following bonds are released:

1. Performance Bond No. 015052548 in the amount of \$784,847.40
2. Subdivision Bond No. 015202239 in the amount of \$52,800.96 with memo noting bond was for site work
3. Subdivision Bond No. 015202240 in the amount of \$5,000.00 with memo noting bond was for safety and stabilization

Yours Truly,

Robert Merlo, CFO

f:\projects\9100 phillipsburg\9102 pb\032 first hartford realty - cvs\review letters\2022-06-24 - bond release.docx

R2022-148

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, REJECTING ALL BIDS FOR THE WALTER PARK AND PRIMARY SCHOOL PARKS UPGRADE PROJECT

WHEREAS, the Town received sealed bids on June 9, 2022 for the Walters Park and Primary School Parks Upgrades project; and

WHEREAS, all bids were in excess of allocated funds; and

WHEREAS, because all bids were in excess of allocated funds for this project, it is necessary Town to reject all bids.

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

1. All bids received in response to the advertisement for the Walters Park and Primary School Parks Upgrades project are rejected and any bid bonds received are hereby released to the bidder.

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 July 5, 2022 meeting.

Lorraine Loudenberg, Acting Municipal Clerk

Lorraine Loudenberg

From: Dennis Yoder <Dennis.Yoder@rve.com>
Sent: Wednesday, June 22, 2022 3:29 PM
To: Business Administrator
Cc: Rich, Wenner (rwenner@lsaclaw.com); Robert Merlo; Lorraine Loudenberg; Jessica Hauber
Subject: FW: Walters Park 2119T037
Attachments: Rescindment letter.pdf

See bid rescind request. The recommendation is to reject all bids.

Regards;

Dennis K. Yoder
Principal - Director of Engineering

REMINGTON & VERNICK ENGINEERS, INC.
Please note our new address as of July 1, 2021
2059 Springdale Road
Cherry Hill, NJ 08003

856-795-9595 x1062 (o)
609-680-5835 (c)
Dennis.Yoder@rve.com

[Facebook](#) | [Twitter](#) | [LinkedIn](#)

From: Robert Samson <samsonconcrete@gmail.com>
Sent: Wednesday, June 22, 2022 2:43 PM
To: lloudenberg@phillipsburgnj.org
Cc: Jessica Hauber <Jessica.Hauber@rve.com>; Dennis Yoder <Dennis.Yoder@rve.com>; Claudia Pereira <claudiap@dalegroup.com>
Subject: Walters Park

Please see the attached correspondence. Feel free to reach out with any questions.

Thank you

Bob Samson

DISCLAIMER: This message and any documents attached may contain confidential information and are intended only for the individual(s) named. If you are not the intended recipient, or the employee or agent authorized to received for the intended recipient, you should not disseminate, distribute or copy this e-mail and any attached documents. If you have received this e-mail in error, please immediately notify the sender at Remington & Vernick Engineers by replying to this e-mail and delete the original e-mail and any reply e-mail messages from your system. E-mail transmission cannot be