

AGENDA

TOWN OF PHILLIPSBURG TOWN COUNCIL MEETING TUESDAY, August 02, 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 August 02, 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. BILLS LIST –

ROLL CALL

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

6. ANNOUNCEMENTS/PRESENTATIONS

O2022-06 – TBLD March 1, 2022

**Presentation of Results Analysis by RT Environmental Report regarding
675 Corliss Avenue**

7. Mayor's and Administrative Officers

8. PUBLIC DISCUSSION ON AGENDA ITEMS

9. ORDINANCES – SECOND READING

Discussion - Public

O2022-24

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE
OF NEW JERSEY, AMENDING CHAPTER 67-25, SCHEDULE IX, LEFT TURN
PROHIBITIONS, OF THE CODE OF THE TOWN OF PHILLIPSBURG IN ORDER TO
RESTRICT LEFT TURNS FROM STOCKTON STREET ONTO SOUTH MAIN**

ROLL CALL

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

Discussion – Public

O2022-25

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, PETITIONING THE CLERK OF WARREN COUNTY TO PLACE ON THE BALLOT A REFERENDUM TO GAUGE PUBLIC SENTIMENT FOR CONTINUING THE ANNUAL TAX LEVY FOR MUNICIPAL OPEN SPACE AND RECREATION TRUST FUND

ROLL CALL

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

10. 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						

R2022-161

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF A JOHN DEERE 1025R SUB-COMPACT UTILITY TRACTOR WITH LOADER, CAB WITH HEAT, HEAVY-DUTY SNOW BLOWER, FRONT BLADE, AND SPREADER

R2022-162

A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF A MODEL 250XP (12" DISC STYLE) BRUSH BANDIT CHIPPER

R2022-163

RESOLUTION AUTHORIZING THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY TO APPLY TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS (NJDCA) FOR A 2022 AMERICAN RESCUE PLAN FIREFIGHTER GRANT

R2022-164

RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR PROFESSIONAL SERVICES WITH RT ENVIRONMENTAL SERVICES, INC FOR PRELIMINARY ASSESSMENT AND SITE INVESTIGATION, MADISON PARK

R: 2022-165

A RESOLUTION DESIGNATING HANDICAP PARKING SPACES WITHIN THE TOWN OF PHILLIPSBURG

R: 2022-166

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

R: 2022-167

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

R2022-168

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE TOWN TO EXECUTE A TREATMENT WORKS APPROVAL APPLICATION SUBMITTED BY THE TOWNSHIP OF LOPATCONG ON BEHALF OF BRIDGE ACQUISITION LLC AND EXECUTION OF CONTRIBUTION AGREEMENT

R2022-169

RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE TOWN OF PHILLIPSBURG AND THE COUNTY OF WARREN REGARDING THE USE OF THE "RAVE SYSTEM"

R2022-170

RESOLUTION AUTHORIZING EXECUTION OF RIGHTSO-F-WAY AGREEMENT BY AND BETWEEN THE TOWN OF PHILLIPSBURG ("MUNICIPALITY") AND COMCAST BUSINESS COMMUNICATIONS, LLC, TO PERMIT THE INSTALLATION, USE AND MAINTENANCE OF TELECOMMUNICATIONS FACILITIES WITHIN PUBLIC RIGHTS-OF-WAY FOR PURPOSES OF PROVIDING TELECOMMUNICATIONS SERVICES

R2022-171

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

R2022-172

RESOLUTION TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY PROVIDING ADVICE AND CONSENT TO THE APPOINTMENT OF MATTHEW C. HALL, AS THE TOWN OF PHILLIPSBURG'S BUSINESS ADMINISISTRATOR

R2022-173

RESOLUTION TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY PROVIDING ADVICE AND CONSENT TO THE APPOINTMENT OF EDWARD "E.J." TARPEY, AS THE TOWN OF PHILLIPSBURG'S SUPERINTENDENT OF RECREATION

R2022 – 174

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN ELECTRONIC TAX LIEN CERTIFICATE SALE SERVICE AGREEMENT WITH THE TOWN OF PHILLIPSBURG AND REAL AUCTION.COM, LLC

R2022-175

A RESOLUTION OF Town of Phillipsburg AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

R2022-176

A RESOLUTION OF Town of Phillipsburg AUTHORIZING THE PURCHASE OF Natural Gas SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

R2022-177

A RESOLUTION OF Town of Phillipsburg AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

R2022-178

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AWARDING A CONTRACT TO SOUTH STATE INC., THROUGH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL CO-OP

R2022-179

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A CHANGE ORDER INCREASE TO SOUTH STATE INC. GENERAL CONTRACTORS IN THE AMOUNT OF \$69,830.00

ROLL CALL

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

11. NEW BUSINESS**12. PUBLIC PETITIONS****13. COUNCIL OPEN TIME****14. MOTIONS**

Westley A. Hutchison has applied for active fire duty with the Phillipsburg Fire Department.

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

15. 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 redevelopment

16. ADJOURNMENT

Bill List Summary
REGULAR BILL LIST AS OF August 2 , 2022

		<u>Check No</u>
1	Current Fund	68,923.36
2	State & Federal Grants	0.00
4	Capital Fund	51,462.77
7	Sewage Utility Fund	7,571.65
8	Sewage Capital Fund	43,655.00
12	Planning Board Trust Fund	4,312.00
12	Bridge Development	84.00
13	Dog Trust Fund	0.00
15	Public Defender Trust Fund	0.00
16	Section 8	165.00
17	General Trust Fund	0.00
17	Commerce Park Redevelopment	0.00
18	Bernards Township RCA	0.00
20	Agency Fund	0.00
21	Revolving Loan Fund	0.00
Total Regular Bill List as August 2, 2022		176,173.78


Pre-Paid Bill List as of August 2, 2022

1	Current Fund	587,125.63
2	State & Federal Grants	0.00
4	Capital Fund	0.00
7	Sewer Utility Fund	504,216.75
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
		1,093,088.28

Grand Total All Funds

1,269,262.06

Approved By:


Robert J. Merlo, CFO

Rob Bengivenga, Business Admin

List of Bills - CLAIMS CHECKING ACCOUNT Meeting Date: 08/02/2022 For bills from 07/20/2022 to 08/01/2022

Check#	Vendor	Description	Payment	Check Total
86599	37 - SANDER PUMP SALES INC	PO 38032 Pump-assy	51.29	
		PO 38096 Part for roller	332.84	384.13
86600	45 - WILENTZ, GOLDMAN & SPITZER P.A.	PO 38141 Professional Services Rendered	6,261.65	
		PO 38141 Professional Services Rendered	800.00	
		PO 38141 Professional Services Rendered	400.00	
		PO 38141 Professional Services Rendered	19,480.81	26,942.46
86601	130 - CINTAS FAS LOCKBOX 636525	PO 38080 Medical supplies for cabinets	1,037.80	
		PO 38115 Medical supplies for cabinets	610.55	1,648.35
86602	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 32672 R:2020-42 - COF - Admin Svcs-Warren St P	19,764.00	19,764.00
86603	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37527 R:2022-44 CoF Meeting Retainer	4,100.00	4,100.00
86604	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 38111 R:2022-139 COF Engineering Hudson St Pha	141.00	141.00
86605	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 38129 43-45 S. Main St Block 903 Lot 47	280.00	280.00
86606	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 38130 Bridge Point 78- Phase 2 Site Plan- Bloc	84.00	84.00
86607	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 38131 680 Memorial Parkway Arby's/Popeyes	168.00	168.00
86608	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 38132 Peron Construction 170 Howard St	3,752.00	3,752.00
86609	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 38133 Manor House/ Parkside Estates	112.00	112.00
86610	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 38138 R2021-282 Area in need of redevelopment	125.00	125.00
86611	188 - MGL FORMS SYSTEMS LLC	PO 37992 Sewer bills	1,310.00	1,310.00
86612	192 - EAST LAWN SUPPLY CO., INC	PO 37700 Closet spud	18.65	
		PO 38081 Plumbing parts for Senior Center	213.43	232.08
86613	281 - ELECTRONIC MEASUREMENT LABS INC	PO 38095 Calibration and Repair of Hazardous Gas	142.49	142.49
86614	293 - POWER PLACE INC	PO 38049 Parts for John Deere mower	78.86	78.86
86615	301 - P'BURG EMERGENCY SQUAD	PO 37871 CPR Re-Cert for 34 Officers	240.00	240.00
86616	365 - STORR TRACTOR COMPANY INC	PO 38046 Parts for toro mowers	116.69	116.69
86617	373 - VASSO WASTE SYSTEMS, INC	PO 38031 Clamp for sanitation truck #28	18.25	
		PO 38051 Parts for sanitation truck #28	899.19	917.44
86618	546 - GRAPHIC ACTION INC	PO 37549 Recycling magnets for truck	178.00	178.00
86619	697 - INDUSTRIAL COMMUNICATIONS INC	PO 38094 Purchase of Re-conditioned Radio	575.00	575.00
86620	733 - NJ ADVANCE MEDIA, LLC	PO 38159 NJ advance Budget notice from 2021	1,749.63	
		PO 38165 Public notice Comcast,0:2022-22, 0:2022-	575.05	2,324.68
86621	807 - THE TERMINIXINTERNATIONAL CO LP	PO 37861 Spray for bed bugs at #1 Firehouse	506.47	506.47
86622	863 - SYNCHRONY BANK	PO 38127 Paint for Riverside Way parking lot	271.40	271.40
86623	941 - RUSSELL REID WST HAUL/DISP.SVC INC	PO 38084 Temporary restroom - Boat Ramp	257.55	257.55
86624	942 - MCELWEE & QUINN LLC	PO 38135 Financial Printing	1,500.00	1,500.00
86625	953 - NORTHEAST PARTS GROUP LLC	PO 38008 Parts for garage	189.95	
		PO 38047 Parts for garage	259.50	
		PO 38087 Parts for garage	702.92	1,152.37
86626	953 - NORTHEAST PARTS GROUP LLC	PO 38117 Parts for garage	452.47	452.47
86627	972 - BLOSKY & ASSOCIATES LLC	PO 37740 Monthly VMS Submission	165.00	165.00
86628	988 - DELL MARKETING L.P.	PO 37813 New Computers For PD {Quote 300012029	6,971.21	6,971.21
86629	1032 - IDEMIA IDENTITY & SECURITY USA LLC	PO 36217 livescan yearly maintenance agreement Co	3,336.27	3,336.27
86630	1108 - OFFICE CONCEPTS GROUP INC	PO 38126 Office Supplies-Checks for Bills List	1,128.00	1,128.00
86631	1165 - STEVEN M SIEGEL	PO 38112 2022 Prosecutor Contract	3,333.33	3,333.33
86632	1218 - EASTERN COMMUNICATIONS LTD	PO 37876 4 Harris XG-25M Mobile radios	7,654.56	7,654.56
86633	1222 - SKYLINE EQUIPMENT LLC	PO 38118 Parts for mower trailer	28.10	28.10
86634	1223 - HOME DEPOT CREDIT SERVICES	PO 38082 Sprayer for blacktop	266.06	266.06
86635	1237 - WARREN COUNTY TREASURER	PO 38160 2022 Primary Election Ballot Expense	5,094.37	5,094.37
86636	1240 - ZOOM VIDEO COMMUNICATIONS INC	PO 38136 Cloud storage	40.00	40.00
86637	1287 - FRANK RYMON & SONS INC	PO 38079 Sharpen chainsaw	205.10	205.10
86638	1298 - SOLVIT.ROCKS, INC	PO 38137 Desktop Computers	6,223.00	
		PO 38176 Office 365	1,188.00	
		PO 38177 Monthly IT Support	1,375.00	
		PO 38178 IT Service	74.25	8,860.25
86639	1312 - PENNETTA INDUSTRIAL AUTOMATION, LLC	PO 36553 R:2021-175 COF WWTP Boiler Replacement	41,355.00	41,355.00
86640	1324 - ESI EQUIPMENT INC	PO 38063 Purchase of Extrication Gloves	741.00	741.00
86641	1342 - ELITE EMERGENCY LIGHTS LLC	PO 37709 Lights for Vactor	1,181.60	
		PO 38004 Repair Spotlight on 94-17	351.17	1,532.77
86642	1372 - REEGS INC	PO 38116 Batteries for garage	267.90	267.90
86643	1380 - QUADIENT INC	PO 37694 Folder Sealer DS64i2	9,443.00	9,443.00
86644	1388 - PIONEER MANUFACTURING CO INC	PO 37999 White traffic paint	192.92	192.92
86645	1389 - JOHN J CALECA, III	PO 38113 Professional Services rendered July 13,	200.00	200.00
86646	1679 - CHRIN'S BROS INC	PO 38114 Weekly disposal fees	9,925.00	9,925.00
86647	1758 - METZ INC	PO 38083 A/C repairs at Reliance Firehouse	347.00	347.00
86648	1797 - SERVICE TIRE TRUCK CENTER	PO 37757 Tire repair	440.45	440.45
86649	2048 - S. ROTONDI & SONS, INC	PO 37163 Leaf recycling	1,800.00	
		PO 37332 Brush recycling	550.00	2,350.00
86650	6551 - NJ STATE LEAGUE OF MUNICIPALITIES	PO 38158 NJ State League of Municipalities	375.00	375.00
86651	6588 - W.E. TIMMERMAN CO INC	PO 37492 Bearings for sweeper	3,080.04	
		PO 38090 Vibration mount/rubber motor mount	190.01	3,270.05

List of Bills - CLAIMS CHECKING ACCOUNT Meeting Date: 08/02/2022 For bills from 07/20/2022 to 08/01/2022

Check#	Vendor	Description	Payment	Check Total	
86652	6827 - VALLEY BUSINESS SYSTEMS INC	PO 38142 MAINT CONTRACT	895.00	895.00	
TOTAL				176,173.78	
Summary By Account					
ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-050	Business Administrator - O/E	2,852.25			
01-201-20-120-050	Municipal Clerk - O/E	7,419.05			
01-201-20-130-050	Financial Adminstration - O/E	1,153.00			
01-201-20-145-050	Revenue Administration - O/E	920.00			
01-201-20-150-050	Tax Assessment Administration OE	25.00			
01-201-20-155-050	Legal Services	19,680.81			
01-201-20-165-050	Engineering services	4,100.00			
01-201-22-195-050	Inspections Department - O/E	25.00			
01-201-25-240-050	Police Department - O/E	616.17			
01-201-25-265-050	Fire Department - O/E	717.49			
01-201-25-275-050	Municipal Prosecutor O/E	3,333.33			
01-201-26-290-050	Street & Roads - O/E	642.32			
01-201-26-300-050	Public Works Adminstration - O/E	25.00			
01-201-26-301-050	PEOSHA	1,648.35			
01-201-26-310-050	Building & Grounds - O/E	1,609.16			
01-201-26-315-050	Vehicle Maintenance - O/E	8,495.16			
01-201-28-370-050	Recreation Service & Program - O/E	25.00			
01-201-32-465-050	Landfill/Solid Waste Disposal Costs	12,275.00			
01-201-33-490-050	Municipal Court - O/E	25.00			
01-203-25-240-050	(2021) Police Department - O/E		3,336.27		
01-260-05-100	Current Fund ~ Due to Claims			0.00	68,923.36
TOTALS FOR	CURRENT FUND	65,587.09	3,336.27	0.00	68,923.36
04-215-55-934-000	O:2017-06 Improvements Authorized			9,443.00	
04-215-55-937-000	O:2019-17 Improvements Authorized			741.00	
04-215-55-941-000	2021 Improvements Authorized			19,889.00	
04-215-55-942-000	O:2022-17 NJDOT Improvements Authorized			541.00	
04-215-55-943-000	O:2022-19 Improvements Authorized			20,848.77	
04-260-05-100	Capital - Due to Claims Fund			0.00	51,462.77
TOTALS FOR	CAPITAL FUND	0.00	0.00	51,462.77	51,462.77
07-201-55-510-050	Sewer Utility OE	7,455.65			
07-203-55-510-050	(2021) Sewer Utility OE		116.00		
07-260-05-100	Sewer Utility ~ Due to Claims Fund			0.00	7,571.65
TOTALS FOR	SEWER UTILITY	7,455.65	116.00	0.00	7,571.65
08-216-55-577-000	2021 Capital Improvements Authorized			43,255.00	
08-216-55-578-000	2022 Capital Improvements Authorized			400.00	
08-260-05-100	Sewer Capital - Due to Claims Fund			0.00	43,655.00
TOTALS FOR	SEWER CAPITAL	0.00	0.00	43,655.00	43,655.00
12-260-05-100	Planning Board - Due to Claims Fund			0.00	4,396.00
12-286-56-851-000	Land Use Escrows			4,312.00	
12-288-56-102-000	Escrow - Bridge Development			84.00	
TOTALS FOR	Land Use Board Escrow	0.00	0.00	4,396.00	4,396.00

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
16-260-05-100	Section 8 - Due to Claims Fund			0.00	165.00
16-289-56-081-000	Section 8 Spending Reserves			165.00	
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TOTALS FOR	SECTION 8 PROGRAM	0.00	0.00	165.00	165.00
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Total to be paid from Fund 01 CURRENT FUND	68,923.36
Total to be paid from Fund 04 CAPITAL FUND	51,462.77
Total to be paid from Fund 07 SEWER UTILITY	7,571.65
Total to be paid from Fund 08 SEWER CAPITAL	43,655.00
Total to be paid from Fund 12 Land Use Board Escrow	4,396.00
Total to be paid from Fund 16 SECTION 8 PROGRAM	165.00
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	176,173.78

Checks Previously Disbursed

211438	AFLAC	PO# 38192	Monthly Invoice	1,745.90	8/03/2022
564929438	NJEIT	PO# 37983	NJEIT Principal & Interest for S34	49,536.80	7/29/2022
632051669	The Depository Trust Company	PO# 38144	General obligation bond interest	47,125.63	7/29/2022
699029208	NJEIT	PO# 37982	NJEIT series 2014A loan agreement	314,985.66	7/29/2022
703410068	The Depository Trust Company	PO# 38143	General obligation bond Principal	540,000.00	7/29/2022
789942432	NJEIT	PO# 37981	NJEIT series 2010A loan agreement	139,694.29	7/29/2022
				<hr/>	
				1,093,088.28	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND	587,125.63	68,923.36	656,048.99
Fund 04 CAPITAL FUND		51,462.77	51,462.77
Fund 07 SEWER UTILITY	504,216.75	7,571.65	511,788.40
Fund 08 SEWER CAPITAL		43,655.00	43,655.00
Fund 12 Land Use Board Escrow		4,396.00	4,396.00
Fund 16 SECTION 8 PROGRAM		165.00	165.00
Fund 20 PAYROLL AGENCY FUND	1,745.90		1,745.90
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BILLS LIST TOTALS	1,093,088.28	176,173.78	1,269,262.06
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ORDINANCE 2022-24

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY
OF WARREN, STATE OF NEW JERSEY, AMENDING CHAPTER 67-25,
SCHEDULE IX, LEFT TURN PROHIBITIONS, OF THE CODE OF THE
TOWN OF PHILLIPSBURG IN ORDER TO RESTRICT LEFT TURNS
FROM STOCKTON STREET ONTO SOUTH MAIN**

WHEREAS, Chapter 67-25 of the Code of the Town of Phillipsburg designates restrictions on left turns are certain locations within the Town ; and

WHEREAS, there is a need to address left turns made by vehicles in excess of (4) four tons; and

WHEREAS, the State of New Jersey prohibits restricting truck movements without State authorization; and

WHEREAS, the Town due to State regulation and process requirements are seeking to address concerns with motor vehicle safety and operation with the streets of the Town by restricting left turn for all vehicles in excess of Gross Vehicle Weight of (4) four tons; and

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

Section 1

Chapter 67-25, Schedule IX, *Left Turn Prohibitions*, is hereby amended by adding the following left turn movements as restricted:

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>Prohibited Turn</u>	<u>Hours</u>	<u>At</u>
Stockton Street	North Easterly	North westerly	All	South Main Street

Section 2

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

1st Rdg. 07.19.2022

2nd Rdg. 08.02.2022

Section 3

If any article, section, subsection, paragraph, phrase or sentence of this ordinance is, for any reason, declared to be unconstitutional or invalid, such article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section 4

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

ATTEST:

TOWN OF PHILLIPSBURG

Lorraine Loudenberry
Acting Municipal Clerk
DATED:

TODD 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 July 19, 2022 meeting.

Lorraine Loudenberry,
Acting Municipal Clerk

ORDINANCE NO. 2022-25

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, PETITIONING THE CLERK OF WARREN COUNTY TO PLACE ON THE BALLOT A REFERENDUM TO GAUGE PUBLIC SENTIMENT FOR CONTINUING THE ANNUAL TAX LEVY FOR MUNICIPAL OPEN SPACE AND RECREATION TRUST FUND

WHEREAS, the Town of Phillipsburg is desirous of improving the recreational and conservational efforts of lands for the enjoyment of its residents; and

WHEREAS, the Town of Phillipsburg is interested in continuing the annual tax levy for Municipal Open Space and Recreation Trust Fund to be allocated toward improving recreational facilities, protecting water quality in rivers and streams, historic preservation, conserving natural areas, and developing, maintaining and acquiring lands for recreation and conservation; and

WHEREAS, the proposed funds would be dedicated from an annual tax levy not to exceed 0.02 per \$100 of assessed real property value; and

WHEREAS, the proposed annual tax levy would be imposed for a period not to exceed five years; and

WHEREAS, pursuant to N.J.S.A. 40:12-15.7, the question of the annual tax level for Open Space and Recreation Trust funds shall be submitted to the voters of the municipality.

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

Section 1: That Holly Mackey, Warren County Clerk, be requested to place a referendum on the ballot asking whether the voters in Town of Phillipsburg desire to continue the annual tax levy for Municipal Open Space Trust Fund.

Section 2: The question to be placed on the ballot shall read as follows:

Shall the Town of Phillipsburg enact an Ordinance authorizing the continuation of the Open Space and Recreation Fund through an annual levy of 0.02 per \$100 of assessed real value for a period not to exceed five years, for the purposes of improving recreational facilities; protecting water quality in rivers and streams; historic preservation; conserving natural areas; and developing, maintaining, and acquiring lands for recreation and conservation in the Town of Phillipsburg only; with spending based on the recommendations of a citizens oversight committee and full public disclosure?

[] Yes [] No

Interpretative Statement:

A “yes” vote will permit the Town of Phillipsburg to continue the funding the Open Space and Recreation Trust Fund via the annual levy of 0.02 per \$100 assessed real property value. The average owner would pay \$22 per year, which is equal to \$1.83 per month. After five years, the Fund would expire and require voter approval for it to continue. Funds can only be used for development, maintenance and acquisition of lands for recreation and land and water conservation purposes, as well as historic preservation in the Town of Phillipsburg. An oversight committee of local citizens would advise the Town on how the funds should be spent. There would be full public disclosure of all spending, and every year there would be a public audit of all expenditures. The fund would enable the Town of Phillipsburg to leverage matching grants from Warren County and the State of New Jersey.

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.

ATTEST:

TOWN OF PHILLIPSBURG

LORRAINE LOUDENBERRY,
Acting Town Clerk

TODD M. TERSIGNI,
Mayor

DATED: July 19, 2022

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Town Council on the first reading at a meeting of the Town Council of the Town of Phillipsburg, held July 19, 2022, and will be considered for a second reading and final passage at a regular meeting of the Town Council to be held on August 2, 2022, at 7:00 p.m., located at PHA Community Bldg., 535 Fisher Avenue, Phillipsburg, NJ 08865, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Lorraine Loudenberry, Acting Town Clerk

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN
STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF A JOHN DEERE
1025R SUB-COMPACT UTILITY TRACTOR WITH LOADER, CAB WITH HEAT,
HEAVY-DUTY SNOW BLOWER, FRONT BLADE, AND SPREADER**

WHEREAS, the Town of Phillipsburg is in need of (an additional)/a chipper and desires to purchase a John Deere 1025R Sub-Compact Utility Tractor with Loader, Cab with Heat, Heavy-Duty Snow Blower, Front Blade, and Spreader; and

WHEREAS, Deere & Company has provided an offer for the purchase of the tractor and accessories in the amount of \$34,974.70; and

WHEREAS, the offered amount for the purchase of the John Deere 1025R Sub-Compact Utility Tractor with Loader, Cab with Heat, Heavy-Duty Snow Blower, Front Blade, and Spreader is within the budget of the Town of Phillipsburg; and

WHEREAS, Deere & Company is an authorized vendor under State Contract ESCNJ Coop: NJ Grounds Equip ESCNJ 18/19-25 #65MCESCCPS; and

WHEREAS, the Town of Phillipsburg believes to be in the best interest of the Town to authorize said purchase.

NOW THEREFORE BE IT RESOLVED by the Town Council, Town of Phillipsburg, County of Warren, State of New Jersey that the purchase of a John Deere 1025R Sub-Compact Utility Tractor with Loader, Cab with Heat, Heavy-Duty Snow Blower, Front Blade, and Spreader from Deere & Company in the amount of \$34,974.70 is hereby approved.

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 August 2, 2022.

Lorraine Loudenberg, Acting Municipal Clerk

R2022-162

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG COUNTY OF WARREN
STATE OF NEW JERSEY AUTHORIZING THE PURCHASE OF A MODEL 250XP
(12" DISC STYLE) BRUSH BANDIT CHIPPER**

WHEREAS, the Town of Phillipsburg is in need of (an additional)/a chipper and desires to purchase a Brush Bandit Model 250XP Chipper; and

WHEREAS, Modern Group, LTD. has provided an offer for the purchase of the chipper in the amount of \$53,116.50; and

WHEREAS, the offered amount for the purchase of the Brush Bandit Model 250XP Chipper is within the budget of the Town of Phillipsburg; and

WHEREAS, Modern Group, LTD. is an authorized vendor under State Contract ESCNJ Coop BID# ESCNJ 18/19-25; and

WHEREAS, the Town of Phillipsburg believes to be in the best interest of the Town to authorize said purchase.

NOW THEREFORE BE IT RESOLVED by the Town Council, Town of Phillipsburg, County of Warren, State of New Jersey that the purchase of a Brush Bandit Model 250XP Chipper from Modern Group, LTD. in the amount of \$53,116.50 is hereby approved.

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 August 2, 2022.

Lorraine Loudenberg, Acting Municipal Clerk

RESOLUTION AUTHORIZING THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY TO APPLY TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS (NJDCA) FOR A 2022 AMERICAN RESCUE PLAN FIREFIGHTER GRANT

WHEREAS, the Town of Phillipsburg will apply for a 2022 American Rescue Plan Firefighter Grant from the New Jersey Department of Community Affairs (NJDCA) for much needed firefighting equipment including purchase of a washer extractor, express dryer, dosing pump, gloves, boots and SCBA;

WHEREAS, the purchase of the equipment will cost \$73,876 and the Town of Phillipsburg is requesting \$66,489 in 2022 American Rescue Plan Firefighter Grant funds and will provide a 10% match of \$7387 with local funds;

NOW, THEREFORE, BE IT RESOLVED

1. That the Town of Phillipsburg does hereby authorize the application for such a grant; and,
1. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of the grant agreement; and, also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the Town of Phillipsburg and the New Jersey Department of Community Affairs.

NOW THEREFORE, BE IT RESOLVED that the persons whose names, titles and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement and any other documents in connection therewith:

Town Clerk

Mayor

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 a true and correct copy of a resolution adopted by Council at a meeting held on August 2, 2022.

AFFIX GOV'T, CORPORATE
OR NOTARY SEAL

**RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR
PROFESSIONAL SERVICES WITH RT ENVIRONMENTAL
SERVICES, INC FOR PRELIMINARY ASSESSMENT AND SITE
INVESTIGATION, MADISON PARK**

WHEREAS, the Town of Phillipsburg has a need to acquire professional services relative to the conducting of preliminary investigation and site assessment for Madison Park ("Project"); and

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

WHEREAS, RT Environmental Services, Inc., submitted a proposal dated July 21, 2022, to provide environmental engineering services relative to the Project, which is attached hereto and consists of two (2) distinct tasks; and

WHEREAS, the value of these services is NOT TO EXCEED the sum of \$12,145.00; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the Mayor and Acting Municipal Clerk are authorized to enter into a Contract with RT Environmental Services, Inc., for an amount NOT TO EXCEED the sum of \$12,145.00.

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

CERTIFICATION

I, Lorraine Loudenberry, 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 August 02, 2022.

Lorraine Loudenberry, Acting Municipal Clerk

R: 2022-165

**A RESOLUTION DESIGNATING HANDICAP PARKING
SPACES WITHIN THE TOWN OF PHILLIPSBURG**

BE IT RESOLVED by the Town Council of the Town of Phillipsburg that the following locations be designated as “Handicapped Parking Space” within the Town of Phillipsburg as permitted under Chapter 414 of the Town Code:

Name of Street	Side	Location
Filmore Street	West Side	In front of 244 Filmore Street
Glen Avenue	South Side	In front of 26 Glen Avenue
Grant Street	West Side	In front of 354 Grant Street

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 August 02, 2022 meeting.

Lorraine Loudenberg,
Acting Municipal Clerk

R: 2022-166

**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
36399	2022	1903	21	Falvey, Thomas	250.00
36399	2022	1903	21	Falvey, Thomas	250.00

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 Loudenberry, 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 August 02, 2022.

Lorraine Loudenberry, Acting Municipal Clerk

R: 2022-167

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

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

WHEREAS, said payment was due to a tax overpayment refund due to tax appeals,

ACCT	YEAR	BLOCK	LOT	NAME	AMOUNT
43702	2018	2420	09	843 Wilbur Ave Operation	11,943.00
43702	2018	2420	09	843 Wilbur Ave Operation	32,120.00
43702	2018	2420	09	843 Wilbur Ave Operation	40,420.00

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, Victoria L. Kleiner, Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey do hereby certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on August 02, 2022.

Lorraine Loudenberry, Acting Municipal Clerk

R2022-168

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE TOWN TO EXECUTE A TREATMENT WORKS APPROVAL APPLICATION SUBMITTED BY THE TOWNSHIP OF LOPATCONG ON BEHALF OF BRIDGE ACQUISITION LLC AND EXECUTION OF CONTRIBUTION AGREEMENT

WHEREAS, Bridge Acquisition LLC (“Developer”) requires the endorsement of the Town of Phillipsburg (“Town”) for a Treatment Works Approval (“TWA”) for a sanitary sewer extension related to the development of the Bridge Point 78 Phase III project to be located in Lopatcong Township, Warren County; and

WHEREAS, the Township of Lopatcong has submitted a TWA application to the Town for consent to the sanitary sewer extension; and

WHEREAS, the project as proposed conforms to the requirements of all municipal ordinances; and

WHEREAS, sanitary sewage flows from the project will be conveyed to the Town’s wastewater treatment plant via the main trunk line on Sawmill Road and the piping section between the Phillipsburg Housing Authority and Warren Street, which are at capacity during wet weather flows, as a result of which the United State Environmental Protection Agency via administrative order is requiring system modifications to increase capacity of the aforesaid sewer mains; and

WHEREAS, the Town is willing to consent to the TWA on the condition that Developer make a total contribution of \$125,700 to the Town for improvements to the sewer mains referenced above; and

WHEREAS, the TWA consent form requires a Resolution of the governing body of the Town authorizing the Mayor and Town sewer engineer to sign said TWA application.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren, State of new Jersey, that the Mayor and Dennis Yoder, PE, Town sewer engineer, are hereby authorized to sign the TWA application as required.

BE IT FURTHER RESOLVED by the Town Council that the Mayor is authorized to negotiate and execute an agreement with Developer for payment of the required contribution, subject to and consistent with the terms of this resolution and such revisions as deemed advisable by the Town Attorney or other Town professionals, along with other documents and/or agreements that may be necessary to implement the TWA and contribution agreement, and for the Town Clerk to witness same.

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 adopted by the Town Council at their August 02, 2022 meeting.

Lorrain Loudenberry, Acting Municipal Clerk

R2022-169

**RESOLUTION AUTHORIZING THE EXECUTION OF A
MEMORANDUM OF AGREEMENT BETWEEN THE
TOWN OF PHILLIPSBURG AND THE COUNTY OF
WARREN REGARDING THE USE OF THE “RAVE
SYSTEM”**

WHEREAS, the County of Warren is utilizing a RAVE system to provide for increased efficiencies and completeness in the emergency broadcast services communications system and has extended the program to local municipalities; and

WHEREAS, the Town is desirous of entering into a Memorandum of Understanding in the form attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg, Warren County, New Jersey, that the Mayor and Acting Clerk are hereby authorized to execute the Memorandum of Understanding on behalf of the Town of Phillipsburg in th

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 August 02, 2022 meeting.

Lorraine Loudenberg
Acting Municipal Clerk

RESOLUTION AUTHORIZING EXECUTION OF RIGHTS-
OF-WAY AGREEMENT BY AND BETWEEN THE
TOWN OF PHILLIPSBURG ("MUNICIPALITY") AND
COMCAST BUSINESS COMMUNICATIONS, LLC, TO PERMIT THE INSTALLATION,
USE AND MAINTENANCE OF TELECOMMUNICATIONS
FACILITIES WITHIN PUBLIC RIGHTS-OF-WAY
FOR PURPOSES OF PROVIDING
TELECOMMUNICATIONS SERVICES

WHEREAS, Comcast Business Communications, LLC ("CBC"), a local exchange and interexchange telecommunications services provider, with offices located at 1701 JFK Boulevard, Philadelphia 19103, is authorized to provide local exchange and interexchange telecommunications services throughout the State of New Jersey pursuant to an Order dated February 15, 2001, issued by the New Jersey Board of Public Utilities ("NJBP") in Docket No. TE00100789; and

WHEREAS, CBC has requested the consent of the Municipality to occupy public rights-of-way within the Municipality for the purpose of constructing, installing, operating, repairing, maintaining, or replacing a telecommunications system; and

WHEREAS, it is deemed to be in the best interest of the Municipality and its citizenry, particularly including the commercial and industrial citizens, for the Municipality to grant municipal consent to CBC to occupy the public rights-of-way within the Municipality for this purpose; and

WHEREAS, the granting of such consent is and shall be conditional upon CBC's compliance with all existing and future applicable ordinances of the Municipality and its entering into a written agreement with the Municipality to, *inter alia*, indemnify and hold the Municipality harmless as to all claims and liability resulting from any injury or damage caused by CBC which may arise from the construction, installation, operation, repair, maintenance, disconnection,

replacement and removal of its telecommunications system within certain public rights-of-way and its provision of liability insurance coverage for personal injury and property damage;

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF PHILLIPSBURG:

1. That non-exclusive consent is hereby granted to CBC to occupy the public rights-of-way within the Municipality for the purpose of construction, installation, operation, repair, maintenance and replacement of a telecommunications system for a period of fifty (50) years;
2. That the within granted permission is conditioned upon CBC entering into the attached Rights-of-Way Use Agreement with the Municipality and providing liability and property damage insurance coverage;
3. That the Mayor and Municipal Clerk are hereby authorized to execute the attached Rights-of-Way Use Agreement; and
4. That a copy of this Resolution and the executed Rights-of-Way Use Agreement shall be filed in the Office of the Municipal Clerk.

Dated: _____

I, Lorraine Loudenberg, Acting, Municipal Clerk of the Town of Phillipsburg, do hereby certify that the above is a true copy of a Resolution adopted by the governing body of the Town of Phillipsburg at a meeting held on August 02, 2022.

Municipal Clerk

R2022-171
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year *FY2021* has been filed by a Registered Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the *Town Council* of the *Town of Phillipsburg* hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON August 02, 2022

Lorraine Loudenberg, Acting Municipal Clerk

NO PHOTO COPIES OF SIGNATURES

STATE OF NEW JERSEY
COUNTY OF *(Insert County Name)*

We, members of the governing body of the *(full name of local unit)*, in the County of *(county name)*,
being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the *(insert name of governing body)* of the
(full name of local unit) in the county of *(name of county)*;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized
ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to
N.J.S.A. 40A:5-6 for the year *(insert year)*;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the
sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.) _____	(L.S.) _____
(L.S.) _____	(L.S.) _____
(L.S.) _____	(L.S.) _____
(L.S.) _____	(L.S.) _____
(L.S.) _____	(L.S.) _____

Clerk

Sworn to and subscribed before me this
_____ Day of _____

Notary Public of New Jersey

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth
the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance,
Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

R2022-172

**RESOLUTION TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE
OF NEW JERSEY PROVIDING ADVICE AND CONSENT TO THE
APPOINTMENT OF MATTHEW C. HALL, AS THE TOWN OF
PHILLIPSBURG'S BUSINESS ADMINISISTRATOR**

WHEREAS, there is a vacancy in the position of business administrator for the Town of Phillipsburg due to the resignation of Robert A. Bengivenga, Jr.;

WHEREAS, pursuant to N.J.S.A. 40A: 9-137 and Chapter 5-60 "Article VIII" of the code of the Town of Phillipsburg provides for the appointment of a business administrator by the Mayor with the advice and consent of the Council;

WHEREAS, the Mayor has recommended and appointed Matthew C. Hall as the Town of Phillipsburg's business administrator in accordance with the laws of the State of New Jersey and Code of the Town of Phillipsburg;

WHEREAS, the Town Council desires to provide advice and consent to the Mayor's appointment of Matthew C. Hall as the Town's business administrator;

WHEREAS, the Mayor and Mr. Hall have negotiated the contract, in the form attached hereto;

WHEREAS, the Town Council desires to authorize the execution of the contract.

NOW, THEREFORE, BE IT RESOLVED by Town Council of Phillipsburg, County of Warren, State of New Jersey as follows: Matthew C. Hall is hereby confirmed as the business administrator of the Town of Phillipsburg effective August 25, 2022 at the agreed upon salary, benefits, and terms noted and set forth in the attached agreement. Matthew C. Hall shall receive other benefits generally provided to department heads within the Town.

A copy of this resolution shall be provided to Mr. Hall by the Town Clerk along with any documents to effectuate the appointment of Mr. Hall for the Mayor of the Town and any other reasonably necessary personnel hereby authorized to execute any documents necessary to effectuate the hiring and appointment of Mr. Hall as business administrator for the Town of Phillipsburg.

BE IT FURTHER RESOLVED, the Mayor and the Municipal Clerk are hereby authorized and directed to execute any documents which may be necessary to effectuate the foregoing.

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 August 02, 2022 meeting.

Lorraine Loudenberg
Acting Municipal Clerk

**RESOLUTION TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE
OF NEW JERSEY PROVIDING ADVICE AND CONSENT TO THE
APPOINTMENT OF EDWARD "E.J." TARPEY, AS THE TOWN OF
PHILLIPSBURG'S SUPERINTENDENT OF RECREATION**

WHEREAS, there is a vacancy in the position of Superintendent of Recreation for the Town of Phillipsburg;

WHEREAS, state law and the Code of the Town of Phillipsburg provides for the appointment of a Department Head by the Mayor with the advice and consent of the Council;

WHEREAS, the Mayor has recommended and appointed Edward "E.J." Tarpey as the Town of Phillipsburg's Superintendent of Recreation in accordance with the laws of the State of New Jersey and Code of the Town of Phillipsburg;

WHEREAS, Mr. Tarpey would be compensated at the rate of \$26.45 per hour and will work 25 hours per week; and

WHEREAS, the Town Council desires to provide advice and consent to the Mayor's appointment.

NOW, THEREFORE, BE IT RESOLVED by Town Council of Phillipsburg, County of Warren, State of New Jersey as follows: Edward "E.J." Tarpey is hereby confirmed as the Superintendent of Recreation of the Town of Phillipsburg effective August 22, 2022 at the level of compensation set forth above. Mr. Tarpey shall receive other benefits generally provided to department heads within the Town.

A copy of this resolution shall be provided to Mr. Tarpey by the Town Clerk along with any documents to effectuate the appointment of Mr. Tarpey for the Mayor of the Town and any other reasonably necessary personnel hereby authorized to execute any documents necessary to effectuate the hiring and appointment of Mr. Tarpey as recreation director for the Town of Phillipsburg.

BE IT FURTHER RESOLVED, the Mayor and the Municipal Clerk are hereby authorized and directed to execute any documents which may be necessary to effectuate the foregoing.

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 August 02, 2022 meeting.

Lorraine Loudenberg
Acting Municipal Clerk

R2022 – 174

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE
EXECUTION OF AN ELECTRONIC TAX LIEN CERTIFICATE SALE SERVICE
AGREEMENT WITH THE TOWN OF PHILLIPSBURG AND REAL AUCTION.COM,
LLC**

WHEREAS, the Division of Local Government Services, Department of Community Affairs of the State of New Jersey has adopted regulations authorizing the electronic sale of tax lien certificate.

WHEREAS, Real Auction.com, LLC (doing business as ROK Industries/NJ Tax Lien Investor.com) is engaged in the business of conducting electronic tax lien certificate sales.

WHEREAS, the parties desire to enter into a contract for the provision of such electronic tax lien certificate sale, a copy of said contract is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by Town Council of Phillipsburg, County of Warren, State of New Jersey, that the Town of Phillipsburg is hereby authorized to enter into an agreement in the form attached hereto with Real Auction.com and its subsidiaries for the purposes of conducting electronic tax lien certificate sales.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized and directed to execute and attest to the contract.

CERTIFICATION

I, Victoria L. Kleiner, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their August 02, 2022 meeting.

Lorraine Loudenberry,
Acting Municipal Clerk

R2022 – 174

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE
EXECUTION OF AN ELECTRONIC TAX LIEN CERTIFICATE SALE SERVICE
AGREEMENT WITH THE TOWN OF PHILLIPSBURG AND REAL AUCTION.COM,
LLC**

WHEREAS, the Division of Local Government Services, Department of Community Affairs of the State of New Jersey has adopted regulations authorizing the electronic sale of tax lien certificate.

WHEREAS, Real Auction.com, LLC (doing business as ROK Industries/NJ Tax Lien Investor.com) is engaged in the business of conducting electronic tax lien certificate sales.

WHEREAS, the parties desire to enter into a contract for the provision of such electronic tax lien certificate sale, a copy of said contract is attached hereto.

NOW, THEREFORE, BE IT RESOLVED by Town Council of Phillipsburg, County of Warren, State of New Jersey, that the Town of Phillipsburg is hereby authorized to enter into an agreement in the form attached hereto with Real Auction.com and its subsidiaries for the purposes of conducting electronic tax lien certificate sales.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized and directed to execute and attest to the contract.

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 August 02, 2022 meeting.

Lorraine Loudenberry,
Acting Municipal Clerk

R2022-175

A RESOLUTION OF Town of Phillipsburg AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, Town of Phillipsburg has determined to move forward with the EMEX Reverse Auction in order to procure electricity for Town of Phillipsburg; and

WHEREAS, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the "Act") authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

WHEREAS, Town of Phillipsburg will utilize the online auction services of EMEX, LLC, a division of Mantis Innovation, an approved vendor pursuant to the Act; and

WHEREAS, EMEX, LLC, a division of Mantis Innovation, is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and

WHEREAS, if the auction achieves a price of \$0.1341/kWh or less for a 12 month term, a price of \$0.117/kWh or less for a 24 month term, a price of \$0.1105/kWh or less for a 36 month term, a price of \$0.1062/kWh or less for a 48 month term, a price of \$0.1049/kWh or less for a 60 month term; Town of Phillipsburg may award a contract to the winning supplier for the selected term.

NOW THEREFORE BE IT RESOLVED, that the <INSERT TITLE> of the Town of Phillipsburg be and [he/she] hereby is authorized to execute on behalf of the Town of Phillipsburg any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.1341/kWh or less for a 12 month term, a price of \$0.117/kWh or less for a 24 month term, a price of \$0.1105/kWh or less for a 36 month term, a price of \$0.1062/kWh or less for a 48 month term, a price of \$0.1049/kWh or less for a 60 month term; Town of Phillipsburg may award a contract to the winning supplier for the selected term.

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 August 02, 2022 meeting.

Lorraine Loudenberg
Acting Municipal Clerk

A RESOLUTION OF Town of Phillipsburg AUTHORIZING THE PURCHASE OF Natural Gas SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, Town of Phillipsburg has determined to move forward with the EMEX Reverse Auction in order procure natural gas for Town of Phillipsburg; and

WHEREAS, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the "Act") authorizes the purchase of natural gas supply service for public use through the use of an online auction service; and

WHEREAS, Town of Phillipsburg will utilize the online auction services of EMEX, LLC, a division of Mantis Innovation, an approved vendor pursuant to the Act; and

WHEREAS, EMEX, LLC, a division of Mantis Innovation, is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and

WHEREAS, if the auction achieves a price of \$1.439/Therm or less for a 12 month term, a price of \$1.2586/Therm or less for an 18 month term, a price of \$1.2145/Therm or less for a 24 month term, a price of \$1.1026/Therm or less for a 36 month term; Town of Phillipsburg may award a contract to the winning supplier for the selected term.

NOW THEREFORE BE IT RESOLVED, that the <INSERT TITLE> of the Town of Phillipsburg be and [he/she] hereby is authorized to execute on behalf of the Town of Phillipsburg any natural gas contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$1.439/Therm or less for a 12 month term, a price of \$1.2586/Therm or less for an 18 month term, a price of \$1.2145/Therm or less for a 24 month term, a price of \$1.1026/Therm or less for a 36 month term; Town of Phillipsburg may award a contract to the winning supplier for the selected term.

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 August 02, 2022 meeting.

Lorraine Loudenberry
Acting Municipal Clerk

A RESOLUTION OF Town of Phillipsburg AUTHORIZING THE PURCHASE OF ELECTRICITY SUPPLY SERVICES FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE

WHEREAS, Town of Phillipsburg has determined to move forward with the EMEX Reverse Auction in order procure electricity for Town of Phillipsburg; and

WHEREAS, the Local Government Electronic Procurement Act (P.L. 2018, c. 156) (the "Act") authorizes the purchase of electricity supply service for public use through the use of an online auction service; and

WHEREAS, Town of Phillipsburg will utilize the online auction services of EMEX, LLC, a division of Mantis Innovation, an approved vendor pursuant to the Act; and

WHEREAS, EMEX, LLC, a division of Mantis Innovation, is compensated for all services rendered through the participating supplier that a contract is awarded to; and

WHEREAS, the auction will be conducted pursuant to the Act; and

WHEREAS, if the auction achieves a price of \$0.1486/kWh or less for a 12 month term, a price of \$0.1392/kWh or less for an 18 month term, a price of \$0.1301/kWh or less for a 24 month term; Town of Phillipsburg may award a contract to the winning supplier for the selected term.

NOW THEREFORE BE IT RESOLVED, that the <INSERT TITLE> of the Town of Phillipsburg be and [he/she] hereby is authorized to execute on behalf of the Town of Phillipsburg any electricity contract proffered by the participating supplier that submits the winning bid in the EMEX Reverse Auction if the auction achieves a price of \$0.1486/kWh or less for a 12 month term, a price of \$0.1392/kWh or less for an 18 month term, a price of \$0.1301/kWh or less for a 24 month term; Town of Phillipsburg may award a contract to the winning supplier for the selected term.

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 August 02, 2022 meeting.

Lorraine Loudenberry
Acting Municipal Clerk

R2022-178

**RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE
OF NEW JERSEY AWARDING A CONTRACT TO SOUTH STATE INC., THROUGH
THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL CO-OP**

NOW THEREFORE, BE IT RESOLVED, by Town Council, Town of Phillipsburg, County of Warren, State of New Jersey, that road resurfacing on various streets throughout the Town of Phillipsburg is hereby awarded to South State, Inc. through the Morris County Cooperative Pricing Council Contract No. 6 in the amount of \$17,500.00. in accordance with the terms therein and as evidenced by the attached certification of funds.

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 August 2, 2022 meeting.

Lorraine Loudenberry
Acting Municipal Clerk

July 29, 2022
Mayor & Council
120 Filmore Street
Phillipsburg, New Jersey 08865

Re: Recommendation of Award
2022 Road Program – Paving Part 1
Town of Phillipsburg
Our Proj. No. 9110.031

Dear Mayor & Council:

Our office has discussed with South State Inc. who is the contractor for Road Paving contract for the Morris County Co-op contract no. 6 (see attached contract) the Towns 2022 paving program. As result of that discussion and the contractor recommended paving Lynn at the same time as Warren Street to obtain the best paving results. In addition, we are recommending funds are provided to resurface a portion of the fire house parking lot located at the intersection of Firth and Marshall.

We recommend a contract award in the amount of \$17,500.00 to South State, Inc. under the Co-op contract to improve this locations.

Please advise should there be any questions.

Very truly yours,

VAN CLEEF ENGINEERING ASSOCIATES INC.

Timothy M. O'Brien

Timothy M. O'Brien, PE, PP, CME
Associate/Project Manager

cc: Rob Bengivenga, Jr., Business Administrator
Robert Merlo, CFO
Lorraine Loudenberg, Acting Clerk
Richard Wenner, Esq.

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OFFICE LOCATIONS

www.vancleefengineering.com

Lebanon, NJ 908-735-9500	Hamilton, NJ 609-689-1100	Toms River, NJ 732-573-0490	Freehold, NJ 732-303-8700	Bethlehem, PA 610-332-1772
Hillsborough, NJ 908-359-8291	Mt. Arlington, NJ 862-284-1100	Phillipsburg, NJ 908-454-3080	Doylestown, PA 215-345-1876	Leesport, PA 610-670-6630

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A CHANGE ORDER INCREASE TO SOUTH STATE INC. GENERAL CONTRACTORS IN THE AMOUNT OF \$69,830.00

WHEREAS, the Town of Phillipsburg awarded a contract for paving services in the amount of \$848,273.07 to South State Inc.; and

WHEREAS, Van Cleef Engineering associates submitted correspondence dated July 29, 2022 recommending approval of a change order increasing the value of the contract to \$69,830.00 (8.23% increase) ; and

WHEREAS, the Town Council desires to authorize and approve the change order.

NOW, THEREFORE, BE IT RESOLVED by Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that a change order for a increase in the amount of \$69,830.00 is hereby approved.

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 August 2, 2022 meeting.

Lorraine Loudenberg
Acting Municipal Clerk

July 29, 2022

Lorraine Loudenberg, Acting Town Clerk
Town of Phillipsburg
120 Filmore Street
Phillipsburg, NJ 08865

Re: Change Order No. 1
Warren Street Phase 1 & 2
Town of Phillipsburg
Our Proj. No. 9110.023

Dear Mrs. Loudenberg:

Attached, please find attached Change Order No. 1 for the above reference project to address project cost escalations related to fuel and asphalt, additional sidewalk improvements and incidental construction. The total contract increase is \$69,830.00 for a 8.23% increase.

Please advise should there be any questions.

Very truly yours,
VAN CLEEF ENGINEERING ASSOCIATES INC.

Timothy M. O'Brien
Timothy M. O'Brien, PE, , PP, CME
Associate/Project Manager

cc: Todd M. Tersigni, Mayor
Robert Merlo, CFO
Rob Bengivenga, Jr., Business Administrator

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OFFICE LOCATIONS

www.vancleefengineering.com

Lebanon, NJ 908-735-9500	Hamilton, NJ 609-689-1100	Toms River, NJ 732-573-0490	Freehold, NJ 732-303-8700	Bethlehem, PA 610-332-1772
Hillsborough, NJ 908-359-8291	Mt. Arlington, NJ 862-284-1100	Phillipsburg, NJ 908-454-3080	Doylestown, PA 215-345-1876	Leesport, PA 610-670-6630

CHANGE ORDER NUMBER - 1

Project	Warren Street Phase 1 & 2
Municipality	Town of Phillipsburg
County	8/1/2022
Contractor	South State

In accordance with the project Supplementary Specification, the following are changes in the contract.
 Location and Reason for Change (Attach additional sheets if required)

Contract adjustment to closeout project based on actual work completed due to field conditions.

Extras

Item No.	Description	Quantity (+/-)	Unit	Unit Price	Amount
6	FUEL PRICE ADJUSTMENT	1.00	DOLLAR	\$ 18,000.00	\$ 18,000.00
7	ASPHALT PRICE ADJUSTMENT	1.00	DOLLAR	\$ 25,000.00	\$ 25,000.00
22A	CONCRETE SIDEWALK, 4" THICK (NON-ADA RAMP)	86.00	SY	\$ 75.00	\$ 6,450.00
41	MODULAR BLOCK RETAINING WALL	715.00	SF	\$ 32.00	\$ 22,880.00
Sub-total Extras					\$ 72,330.00

Supplemental

Item No.	Description	Quantity (+/-)	Unit	Unit Price	Amount
42	CONSTRUCTION ALLOWANCE	1.00	LS	\$ 15,000.00	\$ 15,000.00
Sub-total Supplemental					\$ 15,000.00

Reductions

Item No.	Description	Quantity (+/-)	Unit	Unit Price	Amount
40	SANITARY LATERAL REPLACEMENT (WITHIN ROAD)	-7.00	UNIT	\$ 2,500.00	\$ (17,500.00)
Sub-total Reductions					\$ (17,500.00)

Amount of Original Contract \$848,273.07

Adjusted Amount Based on Change
 Order Nos. 1 \$918,103.07

Extra \$ 72,330.00

Supplemental \$ 15,000.00

Reduction \$ (17,500.00)

Total Charge \$ 69,830.00

% Change in Contract (+) Increase or (-) Decrease 8.23%

Timothy M. O'Brien

7/29/2022

(Engineer)

(Date)

(Municipal Presiding Officer)

(Date)

(Contractor)

(Date)