

**TOWN OF PHILLIPSBURG
TOWN COUNCIL MEETING
TUESDAY, October 04, 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 October 04, 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 Mtg. Mins – Sept. 20, 2022

ROLL CALL

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

6. BILLS LIST –

ROLL CALL

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

7. Executive Session R2022-

8. Habitability Hearing - 234 Filmore Street – Bl:1412 Lot 15

This was first heard on August 16, 2022.

Update to be given regarding submission of a structural analysis report and fence installation and addressing vermin.

9. ANNOUNCEMENTS/PRESENTATIONS

Pork Roll Palooza – October 08, 2022 10AM – 6PM – Shappell Park

Ole Towne Fall Festival – October 29, 2022 11AM - 6PM – Shappell Park

Train Ride – for more information and future dates visit:

<https://877trainride.com/thomas.htm>

10. Mayor's Report / Administrative Officers

PRESENTATION – Richard Colasuonno

11. PUBLIC DISCUSSION ON AGENDA ITEMS

12. ORDINANCES - Second Reading

O2022-26

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING ARTICLE V, *SPECIAL LAW ENFORCEMENT OFFICERS*, OF CHAPTER 105 *POLICE DEPARTMENT*, OF THE CODE OF THE TOWN OF PHILLIPSBURG TO INCLUDE SPECIAL LAW ENFORCEMENT OFFICER, CLASS III (SLEO III)

ROLL CALL

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

O2022-27 – Assembly Bill No. 2877, which standardized the Vacant Property Registration procedures for the municipalities of New Jersey was signed into law on January 18 of this year by Governor Murphy. As a result, NJ municipalities are required to amend their Vacant Property Ordinances to reflect the changes

ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, DELETING IN ITS ENTIRETY CHAPTER 448 ENTITLED “PROPERTY, MAINTENANCE AND REGISTRATION OF VACANT AND ABANDONED”, AND REPLACING SAME TO BE CONSISTENT WITH P.L. 2021, C. 444

ROLL CALL

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

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

R:2022-206

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A REFUND OF ESCROW IN THE AMOUNT OF \$269.50 TO The Apothecarium/Terrascend Corp

R: 2022-207

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, CONFIRMING APPOINTMENTS TO THE LOCAL EMERGENCY PLANNING COUNCIL

R2022-208

RESOLUTION OF THE TOWN OF PHILLIPSBURG, AWARDING A CONTRACT FOR THE 2022 ROAD PROGRAM

R2022-209

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

R2022-210

RESOLUTION OF THE TOWN OF PHILLIPSBURG AUTHORIZING SETTLEMENT WITH PBA LOCAL NO. 56 REGARDING PRORATION OF VACATION LEAVE UPON RETIREMENT

R2022-211

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A CHANGE ORDER DECREASE TO DERSTINE COMPANY, LLC IN THE AMOUNT OF \$22,500.00 AND AUTHORIZING FINAL PAYMENT

ROLL CALL CONSENT AGENDA

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

14. NEW BUSINESS

15. PUBLIC PETITIONS

16. COUNCIL OPEN TIME

17. MOTIONS

Special Event Application – Bernardine May Legion Post – Coin Toss – Nov. 5

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

Motions – continued

Seeking active membership in the Fire Department as a **Firefighters** are –
John R. Burrell and Andrew W. Farley

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

18. ADJOURNMENT

Bill List Summary
REGULAR BILL LIST AS OF October 04 , 2022

		<u>Check No</u>
1	Current Fund	3,415,774.53
2	State & Federal Grants	6,738.15
4	Capital Fund	65,770.09
7	Sewage Utility Fund	1,975.66
8	Sewage Capital Fund	2,517.75
12	Planning Board Trust Fund	1,344.00
12	Bridge Development	0.00
13	Dog Trust Fund	0.00
16	Section 8	1,649.96
17	General Trust Fund	2,475.00
17	Affordable Housing Trust	0.00
20	Agency Fund	901.10
21	Revolving Loan Fund	0.00
Total Regular Bill List as October 04, 2022		3,499,146.24

Pre-Paid Bill List as of October 04, 2022


1	Current Fund	0.00
2	State & Federal Grants	31,580.00
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
20	Agency Fund	159,103.13
21	Revolving Loan Fund	0.00
		190,683.13

Grand Total All Funds

3,689,829.37

Approved By:


Robert J. Merlo, CFO


Matthew Hall, Business Admin

List of Bills - CLAIMS CHECKING ACCOUNT Meeting Date: 10/04/2022 For bills from 09/21/2022 to 10/03/2022

Check#	Vendor	Description	Payment	Check Total
87227	88 - DELTA DENTAL OF NJ INC	PO 38501 October Payment - Group #03947-00001	4,962.90	
		PO 38501 October Payment - Group #03947-00001	7.59	
		PO 38501 October Payment - Group #03947-00001	283.32	
		PO 38501 October Payment - Group #03947-00001	388.00	5,641.81
87228	88 - DELTA DENTAL OF NJ INC	PO 38502 October Dental Payment - Group #03947-00	1,677.76	
		PO 38502 October Dental Payment - Group #03947-00	93.34	
		PO 38502 October Dental Payment - Group #03947-00	109.96	
		PO 38502 October Dental Payment - Group #03947-00	513.10	2,394.16
87229	95 - JEN ELECTRIC INC	PO 38538 Repairs for traffic light knock down fro	10,241.60	10,241.60
87230	118 - WEST GROUP PAYMENT CENTER	PO 38528 NJ Statutes September 2022	445.22	445.22
87231	130 - CINTAS FAS LOCKBOX 616525	PO 38455 Supplies for medical cabinets	1,380.67	1,380.67
87232	133 - COOPERFRIEDMAN ELECT.SUPPLY CO INC	PO 38493 Ballasts	187.28	187.28
87233	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 35308 R:2021-110 COF - Engineering svcs Warren	5,931.75	5,931.75
87234	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37527 R:2022-44 CoF Meeting Retainer	4,100.00	4,100.00
87235	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 37949 R:2022-142 COF Engineering Services for	21,985.50	21,985.50
87236	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 38111 R:2022-139 COF Engineering Hudson St Pha	6,766.00	6,766.00
87237	188 - MGL FORMS SYSTEMS LLC	PO 38477 sewer bills and envelopes	1,375.00	1,375.00
87238	204 - SIGNAL CONTROL PRODUCTS LLC	PO 38537 Module for crosswalks	420.00	420.00
87239	281 - ELECTRONIC MEASUREMENT LABS INC	PO 38494 Calibration of Hazardous Gas Detector	364.79	
		PO 38536 Calibration for gas alert meter	141.87	506.66
87240	293 - POWER PLACE INC	PO 38454 Parts for John Deere tractor	35.08	35.08
87241	345 - N J FIRE EQUIPMENT	PO 38289 Purchase of Name Patches for Turnout Coa	141.52	141.52
87242	380 - NORTHEAST REMOTE SURVEILLANCE & ALA	PO 38525 Avigilon camera and installation for evi	719.00	719.00
87243	413 - ALTEK BUSINESS SYS INC	PO 38530 lease agreement for copier	615.47	615.47
87244	426 - R K OCCUPATIONAL & ENVIR INC	PO 37945 R:2022-118 COF Right to Know services	2,835.20	2,835.20
87245	452 - BOARD OF EDUCATION	PO 38553 2022 - 2023 School Tax Levy	3,313,450.50	3,313,450.50
87246	579 - ALERT-ALL CORP	PO 38544 Purchase of Fire Prevention Week Materia	1,281.00	1,281.00
87247	677 - LAVERY, SELVAGGI & ABROMITIS PC	PO 37634 Monthly Meeting Retainer	1,000.00	
		PO 38541 Professional Services - August 2022	12,921.02	
		PO 38542 Professional Services Rendered - August	1,328.00	
		PO 38542 Professional Services Rendered - August	864.00	
		PO 38542 Professional Services Rendered - August	224.00	16,337.02
87248	687 - INDUSTRIAL COMMUNICATIONS INC	PO 38042 Radios for new trucks & sweeper	2,405.00	2,405.00
87249	706 - Current Fund	PO 38557 WATER REPLACEMENT PERMITS	2,475.00	2,475.00
87250	772 - ULINE INC	PO 37870 Police Accreditation	6,730.56	6,730.56
87251	941 - RUSSELL REID WST HAUL/DISP.SVC INC	PO 38490 Temporary restroom - Boat Ramp	257.55	257.55
87252	972 - BLOSKY & ASSOCIATES LLC	PO 38306 VMS Submission/Projections	375.00	
		PO 38307 VMS/Auditor Support/Budget	845.00	
		PO 38500 CARES Act Closeout/Projections/VMS	320.00	1,540.00
87253	974 - ROUTE 12 WASH & GAS INC	PO 38526 August Car Washes	50.70	50.70
87254	994 - DOCUMENT SYSTEMS LTD	PO 38568 Postage Meter Inkjet Cartridge #4145711	296.00	296.00
87255	1114 - THE SHERWIN WILLIAMS CO	PO 38539 Field marking paint	565.92	565.92
87256	1146 - H & K GROUP, INC	PO 38491 Macadam	534.00	534.00
87257	1165 - STEVEN M SIEGEL	PO 38546 2022 Prosecutor Contract	3,333.33	3,333.33
87258	1179 - SANDRA A CALLERY	PO 38543 MILEAGE REIMBURSEMENT	146.76	146.76
87259	1182 - CIVICPLUS LLC	PO 38518 Finance Charges	72.23	72.23
87260	1200 - ARCHIVESOCIAL INC	PO 38570 Standard Social Media Archiving Subscript	4,788.00	4,788.00
87261	1223 - HOME DEPOT CREDIT SERVICES	PO 38488 Keyless door locks - Municipal Bldg	298.00	298.00
87262	1240 - ZOOM VIDEO COMMUNICATIONS INC	PO 38561 Cloud storage	40.00	40.00
87263	1298 - SOLVIT.ROCKS, INC	PO 38558 Monthly IT Support	1,375.00	
		PO 38559 Office 365	1,326.00	
		PO 38560 IT Services	1,292.93	3,993.93
87264	1311 - AMAZON CAPITAL SERVICES	PO 38562 iPad protective covers	91.96	91.96
87265	1317 - THOMAS KOEPFLER	PO 38498 August 2022 Mileage Reimbursement	12.87	12.87
87266	1326 - RECYCLE AMERICA HOLDINGS INC	PO 38565 Recycling fees	5,500.82	5,500.82
87267	1372 - REEGS INC	PO 38440 Batteries for garage	511.80	511.80
87268	1386 - EASTERN WAREHOUSE DISTRIBUTORS LLC	PO 38451 Parts for garage	353.75	
		PO 38535 Parts for garage	141.85	495.60
87269	1406 - JOHN DANIELS	PO 38497 Work Shoes	159.95	159.95
87270	1407 - MATTHEW HALL	PO 38531 2022 Eyecare Reimbursement	69.00	69.00
87271	1609 - JOHN FRANCESCHINO	PO 38476 2022 Eyecare reimbursement	300.00	300.00
87272	1666 - CHRISTOPHER BITTENMASTER	PO 38556 2022 Eyecare Reimbursement	300.00	300.00
87273	1679 - CHRIN'S BROS INC	PO 38489 Weekly disposal fees - 8/29/22-9/2/22	10,940.80	
		PO 38540 Weekly disposal fees - 9/6/22-9/9/22	10,627.50	
		PO 38572 Weekly disposal fees - 9/12/22-9/16/22	11,045.45	32,613.75
87274	1919 - CHARLES A GRUBB D.O.,PC	PO 38459 Physical Exam for New Member	145.00	145.00
87275	1936 - NATIONAL WATER MAIN CLEANING	PO 36337 R:2021-249 COF Sanitary & Stormwater I	30,945.32	
		PO 36337 R:2021-249 COF Sanitary & Stormwater I	2,517.75	33,463.07
87276	6551 - NJ STATE LEAGUE OF MUNICIPALITIES	PO 38419 Job posting Full time or Part Time Build	115.00	115.00

List of Bills - CLAIMS CHECKING ACCOUNT **Meeting Date: 10/04/2022 For bills from 09/21/2022 to 10/03/2022**

Check#	Vendor	Description	Payment	Check Total	
87277	6631 - SCOTT M. WILHELM, ESQ	PO 38486 Peron 170 Howard Street	480.00	480.00	
87278	6631 - SCOTT M. WILHELM, ESQ	PO 38575 Land Use Bill for Scott Wilhelm	570.00	570.00	
TOTAL				3,499,146.24	
Summary By Account					
ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-050	Business Administrator - O/E	4,148.93			
01-201-20-120-050	Municipal Clerk - O/E	5,529.22			
01-201-20-145-050	Revenue Administration - O/E	146.76			
01-201-20-155-050	Legal Services	15,249.02			
01-201-20-165-050	Engineering services	6,935.20			
01-201-21-180-050	Land Use Administration	570.00			
01-201-22-195-050	Inspections Department - O/E	264.78			
01-201-23-220-050	Employee Group Insurance	7,031.48			
01-201-25-240-050	Police Department - O/E	1,385.17			
01-201-25-265-050	Fire Department - O/E	1,790.79			
01-201-25-275-050	Municipal Prosecutor O/E	3,333.33			
01-201-26-290-050	Street & Roads - O/E	11,337.47			
01-201-26-301-050	PEOSHA	1,380.67			
01-201-26-310-050	Building & Grounds - O/E	1,308.75			
01-201-26-315-050	Vehicle Maintenance - O/E	3,447.48			
01-201-28-370-050	Recreation Service & Program - O/E	72.23			
01-201-32-465-050	Landfill/Solid Waste Disposal Costs	38,114.57			
01-201-47-390-050	Maintenance of Free Public Library	278.18			
01-207-55-000-000	School Taxes Payable			3,313,450.50	
01-260-05-100	Current Fund - Due to Claims			0.00	3,415,774.53
TOTALS FOR	CURRENT FUND	102,324.03	0.00	3,313,450.50	3,415,774.53
02-213-40-586-000	Public & Private Contrib - Public Safety			6,730.56	
02-213-41-730-000	2019 Grant Expenditures			7.59	
02-260-05-100	St/Fed Grants - Due to Claims Fund			0.00	6,738.15
TOTALS FOR	STATE & FEDERAL GRANTS	0.00	0.00	6,738.15	6,738.15
04-215-55-936-000	O:2018-15 Improvements Authorized			141.52	
04-215-55-941-000	2021 Improvements Authorized			36,877.07	
04-215-55-942-000	O:2022-17 NJDOT Improvements Authorized			6,766.00	
04-215-55-943-000	O:2022-19 Improvements Authorized			21,985.50	
04-260-05-100	Capital - Due to Claims Fund			0.00	65,770.09
TOTALS FOR	CAPITAL FUND	0.00	0.00	65,770.09	65,770.09
07-201-55-510-050	Sewer Utility OE	1,854.66			
07-203-55-510-050	{2021} Sewer Utility OE		121.00		
07-260-05-100	Sewer Utility - Due to Claims Fund			0.00	1,975.66
TOTALS FOR	SEWER UTILITY	1,854.66	121.00	0.00	1,975.66
08-216-55-578-000	2022 Capital Improvements Authorized			2,517.75	
08-260-05-100	Sewer Capital - Due to Claims Fund			0.00	2,517.75
TOTALS FOR	SEWER CAPITAL	0.00	0.00	2,517.75	2,517.75
12-260-05-100	Planning Board - Due to Claims Fund			0.00	1,344.00
12-286-56-851-000	Land Use Escrows			1,344.00	
TOTALS FOR	Land Use Board Escrow	0.00	0.00	1,344.00	1,344.00

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
16-260-05-100	Section 8 - Due to Claims Fund			0.00	1,649.96
16-289-56-081-000	Section 8 Spending Reserves			1,649.96	
TOTALS FOR	SECTION 8 PROGRAM	0.00	0.00	1,649.96	1,649.96
17-260-05-100	Trust - Due to Claims Fund			0.00	2,475.00
17-293-56-000-000	Reserve for:			2,475.00	
TOTALS FOR	GENERAL TRUST FUND	0.00	0.00	2,475.00	2,475.00
20-260-05-100	Agency - Due to Claims Fund			0.00	901.10
20-291-55-070-000	Payroll Deductions			901.10	
TOTALS FOR	PAYROLL AGENCY FUND	0.00	0.00	901.10	901.10

Total to be paid from Fund 01 CURRENT FUND	3,415,774.53
Total to be paid from Fund 02 STATE & FEDERAL GRANTS	6,738.15
Total to be paid from Fund 04 CAPITAL FUND	65,770.09
Total to be paid from Fund 07 SEWER UTILITY	1,975.66
Total to be paid from Fund 08 SEWER CAPITAL	2,517.75
Total to be paid from Fund 12 Land Use Board Escrow	1,344.00
Total to be paid from Fund 16 SECTION 8 PROGRAM	1,649.96
Total to be paid from Fund 17 GENERAL TRUST FUND	2,475.00
Total to be paid from Fund 20 PAYROLL AGENCY FUND	901.10
	=====
	3,499,146.24

Checks Previously Disbursed

87225	N J YOUTH CORP OF PHILLIPSBURG	PO# 38577 Reimbursement NJYC-2023-9/1-9/25	31,580.00	9/28/2022
25741218	St of NJ - Dept of Treasury	PO# 38514 September 2022 SHBP	159,103.13	9/15/2022

			190,683.13	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND		3,415,774.53	3,415,774.53
Fund 02 STATE & FEDERAL GRANTS	31,580.00	6,738.15	38,318.15
Fund 04 CAPITAL FUND		65,770.09	65,770.09
Fund 07 SEWER UTILITY		1,975.66	1,975.66
Fund 08 SEWER CAPITAL		2,517.75	2,517.75
Fund 12 Land Use Board Escrow		1,344.00	1,344.00
Fund 16 SECTION 8 PROGRAM		1,649.96	1,649.96
Fund 17 GENERAL TRUST FUND		2,475.00	2,475.00
Fund 20 PAYROLL AGENCY FUND	159,103.13	901.10	160,004.23
BILLS LIST TOTALS	190,683.13	3,499,146.24	3,689,829.37

MICHAEL B. LAVERY
MICHAEL S. SELVAGGI*
JOHN J. ABROMITIS
LAWRENCE P. COHEN*
KATHERINE E. INGRASSIA*
JAMES F. MOSCAGIURI
KATRINA L. CAMPBELL*
RICHARD W. WENNER*
WILLIAM H. PANDOS*
KYLE S. CLAUSS*
PAUL D. MITCHELL
WADE T. BALDWIN

*CERTIFIED BY THE SUPREME COURT OF
NEW JERSEY AS A CIVIL TRIAL ATTORNEY
*MEMBER OF NJ AND PA BAR
*MEMBER OF NJ AND NY BAR
*MEMBER OF NJ AND DC BAR

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RWENNER@LSACLAW.COM

August 17, 2022

Via Regular and Certified Mail, RRR

Karen L. Rose and Joseph Rose
234 Filmore Street
Phillipsburg, New Jersey 08865

**Re: Block 1412 Lot 15
234 Filmore Street, Phillipsburg, Warren County, New Jersey**

Dear Mr. & Mrs. Rose:

Please be advised that the Hearing to Determine the fitness of the building located at Block 1412 Lot 15 with a street address of **234 Filmore Street**, Phillipsburg, New Jersey, has been continued to **Tuesday, October 4, 2022, at 7:00 p.m.** at the **Phillipsburg Housing Authority 530 Heckman Street, Phillipsburg, New Jersey 08865.**

You are hereby required to submit a structural report **within 45 days** of the date of this letter and have a fence installed around the property **within 5 days** of the date of this letter. In the event you experience supply chain issues with regard to obtaining fencing, please contact Jack Daniels immediately. The vermin infestation must be remediated immediately and proof of remediation submitted to this office.

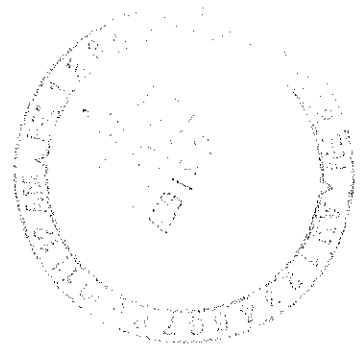
Please be guided accordingly.

Very truly yours,

Richard W. Wenner

Richard W. Wenner

cc: Service List



ORDINANCE 2022-26

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING ARTICLE V, *SPECIAL LAW ENFORCEMENT OFFICERS*, OF CHAPTER 105 *POLICE DEPARTMENT*, OF THE CODE OF THE TOWN OF PHILLIPSBURG TO INCLUDE SPECIAL LAW ENFORCEMENT OFFICER, CLASS III (SLEO III)

WHEREAS, the State of New Jersey enacted legislation allowing public and non-public schools and county colleges to hire retired law enforcement officers on a part-time basis to provide security on school grounds; and

WHEREAS, Bill S86/A3629 had bi-partisan support, which allowed for such legislation to be signed into law; and

WHEREAS, the Bill establishes an additional category of special law enforcement officers, specifically retired officers who are less than 65 years old, and authorizes them to provide security while on school or college premises during school hours; and

WHEREAS, the Town believes such amendment to Article V, Chapter 105 is in the Town and its residents' best interest.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that Article V, *Special Law Enforcement Officers*, of Chapter 105 *Police Department* is amended and supplemented to incorporate Special Law Enforcement Officers, Class III (SLEO III) as follows:

SECTION 1:

Additions to this Chapter shall be designated by underlined text. Deletions shall be designated by ~~strikethrough text~~.

§ 105-18. Appointment Deemed Necessary.

Pursuant to the authority granted to the Town of Phillipsburg by N.J.S.A. 40A:14-118 and the Special Law Enforcement Officers Act, N.J.S.A. 40A:14-146.8 et seq., the Town Council of the Town of Phillipsburg hereby authorizes the appointment of Class I, ~~and~~ Class II, and Class III Special Law Enforcement Officers deemed necessary to perform the duties and responsibilities as permitted by statute.

§ 105-19. Number of Officers Authorized.

- A. Up to five Class I Special Law Enforcement Officers ("Class I Specials") may be employed in accordance with the certification and other requirements established by the Special Law Enforcement Officers Act.

- B. Up to five Class II Special Law Enforcement Officers ("Class II Specials") may be employed in accordance with the certification and other requirements established by the Special Law Enforcement Officers Act.
- C. Up to five Class III Special Law Enforcement Officers ("Class III Specials") may be employed in accordance with the certification and other requirements established by the Special Law Enforcement Officers Act.

§ 105-20. Term of Appointment; Revocation.

The Class I, and Class II, and Class III Specials authorized by this Article may be appointed for terms not to exceed one year, and the appointments may be revoked for cause after adequate hearing, unless the appointment was for four months or less, in which event the appointment may be revoked without cause or hearing. Nothing herein shall be construed to require reappointment upon the expiration of the appointed term.

§ 105-21. Hours of Employment.

Class I, and Class II, and Class III Specials may not be employed for more than 20 hours per week, except during periods of emergency. However, the Mayor may designate one of the Town's Class I, or Class II, or Class III Specials for whom there shall be no weekly twenty-hour limitation on the number of hours worked.

§ 105-22. Qualifications.

- A. No person may be appointed as Class I or Class II Special unless the person:
 - (1) Is a resident of the State of New Jersey during the term of appointment;
 - (2) Is able to read, write, and speak English language well and intelligently and has a high school diploma or its equivalent;
 - (3) Is sound in body and of good health;
 - (4) Is of good moral character;
 - (5) Has not been convicted of any offense involving dishonesty or which would make him unfit to perform the duties of his office; and
 - (6) Has successfully undergone the same psychological testing that is required of a full-time police officer in the municipality.
- B. No person may be appointed as Class III Special unless the person:
 - (1) Is a retired officer who has previously served as a duly qualified, full time law enforcement officer in the municipality, and must be living in the State of New Jersey;
 - (2) Is retired from that agency in good standing (and must provide a letter of good standing issued by the agency from which the officer retired, listing the date and type of retirement. A copy will be submitted to the Police Training Commission);
 - (3) Is less than 65 years of age for appointment;
 - (4) Has passed a psychological exam;

- (5) Has passed a medical exam and have doctor complete the Medical Certification Form (also known as Form PTC 8A);
- (6) Has passed a Drug Test pursuant to Attorney General's Law Enforcement Drug Testing Policy;
- (7) And must have an updated background investigation.

- C. Every applicant for the position of Class I, ~~or~~ Class II, or Class III Special shall have fingerprints taken, which fingerprints shall be filed with the Division of State Police and the Federal Bureau of Investigation.
- D. Before any Class I, ~~or~~ Class II, or Class III Special is appointed, the Chief of Police, or, in the absence of the Chief, the senior law enforcement officer with the Police Department shall ascertain the eligibility and qualifications of the applicant and report these determinations in writing to the appointing authority.
- E. Any person who at any time prior to his appointment had served as a duly qualified, fully trained, full-time officer in any municipality of this state and who was separated from that prior service in good standing, shall be eligible to serve as a Class I, ~~and~~ Class II, and Class III Special consistent with guidelines promulgated by the Commission. These and any other training requirements set forth by statute may be waived by the Commission.

§ 105-23. Training Requirements.

No persons may commence their duties as Class I, ~~or~~ Class II, or Class III Specials unless they have successfully completed a training course approved by the Police Training Commission and have been certified by the Commission for Service. No Class I, ~~or~~ Class II, or Class III Specials may be issued a firearm unless they have successfully completed the basic firearms course approved by the Commission for permanent, regularly appointed police as well as the annual requalification examinations required by statute.

§ 105-24. Duties.

- A. Class I Specials shall be authorized to perform routine traffic detail, spectator control and similar duties. Class I officers shall have the power to issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances and violations of Title 39 of the Revised Statutes. The use of a firearm by any Class I Special is strictly prohibited, and no Class I Special shall be assigned any duties which may require the carrying or use of a firearm.
- B. Class II Specials shall be authorized to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer. The use of a firearm by a Class II Special may be authorized only after the Class II Special has been fully certified as successfully completing training as prescribed by the Commission.

- C. Class III Specials shall have the same authority and duties as a regular, full-time police officer while providing school security.
- D. The Commission may, in its discretion, except from the requirements of Subsections A, and B, and C above for any person who demonstrates to the Commission's satisfaction that he has successfully completed a police training course conducted by any federal, state or other public or private agency, the requirements of which are substantially equivalent to those required by law.

§ 105- 25. Supervision.

- A. All Class I, and Class II, and Class III Specials shall be under the supervision and direction of the Chief of Police or, in the absence of the Chief, other superior officer designated by the Chief of Police for said purpose.
- B. All Class I, and Class II, and Class III Specials shall comply with the rules and regulations applicable to the conduct and decorum of the permanent, regularly appointed police officers of the Town of Phillipsburg, as well as any rules and regulations applicable to the conduct and decorum of Class I, and Class II, and Class III Specials.

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

TODD M. TERSIGNI
Mayor

DATED:

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Town of Phillipsburg held on September 20, 2022 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Town Council to be held on October 4, 2022, at 7:00 p.m. or as soon thereafter as the Town Council may hear this Ordinance at Phillipsburg Housing Authority Community Bldg., 535 Fisher Avenue, Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Lorraine Loudenberry
Acting Municipal Clerk

ORDINANCE NO. 2022-27

**ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE
OF NEW JERSEY, DELETING IN ITS ENTIRETY CHAPTER 448 ENTITLED
“PROPERTY, MAINTENANCE AND REGISTRATION OF VACANT AND
ABANDONED”, AND REPLACING SAME TO BE CONSISTENT WITH P.L. 2021, C.
444**

WHEREAS, the Town of Phillipsburg is challenged to identify and locate responsible parties who can maintain the properties that are in the foreclosure process or that have been foreclosed; and

WHEREAS, the Town of Phillipsburg finds that the presence of vacant and abandoned properties can lead to a decline in property value, create attractive nuisances, and lead to a general decrease in neighborhood and community aesthetic; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the governing body of a municipality is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety, and welfare, and as may be necessary to carry out into effect the powers and duties conferred and imposed upon the Municipality by law; and

WHEREAS, pursuant to P.L. 2021, C. 444, the governing body of a municipality is authorized to adopt or amend ordinances creating a property registration program for the purpose of identifying and monitoring properties within the municipality for which a summons and complaint in an action to foreclose on a mortgage has been filed; regulate the care, maintenance, security, and upkeep of such properties; and impose a registration fee on the mortgagee of such properties; and

WHEREAS, the Town has adopted Ordinance 2016-09 regulating the registration and maintenance of vacant and abandoned properties; and

WHEREAS, the Town has a vested interest in protecting neighborhoods against decay caused by vacant and abandoned properties and concludes that it is in the best interest of the health, safety, and welfare of its citizens and residents to impose registration and certification requirements on abandoned, vacant, and foreclosed properties located within the Town’s borders; and

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:

The Phillipsburg Town Code, Chapter 448 entitled “Property, Maintenance and Registration of Vacant and Abandoned” is deleted in its entirety and is replaced as follows:

§ 448. Vacant Property Maintenance.

§ 448-1. Definitions.

The following words, terms, and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section, except when the context clearly indicates a different meaning.

VACANT AND ABANDONED REAL PROPERTY – As defined in accordance with N.J.S.A. 40:48-2.12s3(b)(8), shall mean property that is not legally occupied by a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, because of the presence or finding of at least two of the following:

- (a) Overgrown or neglected vegetation;
- (b) The accumulation of newspapers, circulars, flyers, or mail on the property;
- (c) Disconnected gas, electric, or water utility services to the property;
- (d) The accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- (e) The accumulation of junk, litter, trash, or debris on the property;
- (f) The absence of window treatments such as blinds, curtains, or shutters;
- (g) The absence of furnishings and personal items;
- (h) Statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
- (i) Windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
- (j) Doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- (k) A risk to the health and safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
- (l) An uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- (m) The mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- (n) A written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
- (o) Any other reasonable indicia of abandonment.

APPLICABLE CODES – means to include, but not be limited to, the Phillipsburg Town Code of Ordinances (Town Municipal Code), and the New Jersey Building Code.

CREDITOR – As defined in accordance with N.J.S.A. 40:48-2.12s2(d), means state-chartered bank, savings bank, savings and loan association or credit union, any person required to be licensed under the provisions of the “New Jersey Residential Mortgage Lending Act,” sections 1 through 39 of P.L. 2009, C. 53 (N.J.S.A. 17:11C-51 through 17:11C-89), and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to, servicers. For purposes of this section, a “creditor” shall not include the State, a political subdivision of the

State, or a State, county, or local government entity, or their agent or assignee, such as the servicer.

ENFORCEMENT OFFICER – means any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector or building inspector, or other person authorized by the Town of Phillipsburg to enforce the applicable code(s).

FORECLOSURE – means the legal process by which a mortgagee terminates a mortgagor's interest in real property either to obtain legal and equitable title to the real property pledged as security for a debt or to force a sale of said property to satisfy a debt. For purposes of this article, this process begins upon the service of a summons and a complaint on the mortgagor on any interested party. For purposes of this article, the process is not concluded until the property is sold to a bona fide purchaser not related to the mortgagee in an arm's length transaction, whether by Sheriff's sale, private sale following a Sheriff's sale, or private sale following the vesting of title in the mortgagee pursuant to a judgment.

MORTGAGEE – means the creditor, including but not limited to, lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee to the creditor's rights, interests, or obligations under the mortgage agreement, excluding governmental entities as assignee or owner.

PROPERTY MANAGEMENT COMPANY – means a local property manager, property Maintenance Company or similar entity responsible for the maintenance of abandoned property.

VACANT – means any building or structure that is not legally occupied.

§ 448-2. Applicability.

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the Town of Phillipsburg above and beyond any other state, county, or local provisions for same.

§ 448-3. Establishment of Registry.

Pursuant to the provisions of § 448-4, the Town of Phillipsburg or its designee shall establish a vacant and abandoned property registry containing the information required by this Article.

§ 448-4. Registration of Property.

- a) Any creditor who holds a mortgage or equity lien on real property located within the Town shall perform an inspection of the property to determine vacancy or occupancy, upon the commencement of foreclosure as evidenced by a foreclosure filing. The creditor shall, within ten (10) day of the inspection, register the property with the Town Code Enforcement Official, or its designee, on forms or website access provided by the Town, and indicate whether the Property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.
- b) If the property is occupied but remains in foreclosure, it shall be inspected by the creditor or his designee monthly until (1) the mortgagor or other party remedies the foreclosure,

or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within ten (10) days of that inspection, update the property registration to a vacancy status on forms provided by the Town.

- c) Registration pursuant to this Section shall contain the name of the creditor and the servicing entity, if any, the direct mailing address of the mortgagee and the servicing entity, a direct contact name and telephone number for both parties, facsimile number and e-mail address for both parties, the folio or tax number, and the name and twenty-four (24) hour contact telephone number of the property management company responsible for the security and maintenance of the property.
- d) A non-refundable annual registration fee in the amount of five-hundred dollars (\$500.00) per property shall accompany the registration form or website registration. On each anniversary date of the initial registration, the creditor shall submit a renewal registration fee as follows: 1) five hundred dollars (\$500.00) per property annually for any property that is required to be registered because a summons and a complaint in an action to foreclose was filed by the creditor; and 2) an additional two thousand dollars (\$2,000.00) per property annually if the property is vacant and abandoned pursuant to the definition in the ordinance when the summons and complaint in complaint in an action to foreclose is filed, or becomes vacant and abandoned pursuant to the definition in the ordinance at any time thereafter while the property is in foreclosure.
- e) If the property is not registered, or the registration fee is not paid within thirty (30) days of when the registration or renewal is required pursuant to this section, a late fee equivalent to ten percent (10%) of the annual registration fee shall be charged for every thirty-day period (30), or portion thereof, that the property is not registered and shall be due and payable with the registration.
- f) All registration fees must be paid directly from the creditor, Mortgagee, Servicer, or Trustee. Third Party Registration fees are not allowed without the consent of the Town and/or its authorized designee.
- g) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.
- h) Properties subject to this section shall remain under the annual registration requirement, and the inspection, security, and maintenance standards of this section as long as they remain in foreclosure.
- i) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.
- j) Failure of the creditor to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this Chapter is a violation of the Chapter and shall be subject to enforcement.
- k) Pursuant to any administrative or judicial finding and determination that any property is in violation of this Chapter, the Town may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

- l) Registration of foreclosure property does not alleviate the creditor from obtaining all required licenses, permits, and inspections required by applicable codes or applicable State Statutes.
- m) If the mortgage and/or servicing on a property is sold or transferred, the new creditor is subject to all terms of this Chapter. Within ten (10) days of the transfer, the new creditor shall register the property or update the existing registration. The previous Mortgagee(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during the creditor's involvement with the Registrable Property.
- n) If the creditor sells or transfers the Registrable Property in a non-arm's length transaction to a related entity or person, the transferee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the transferee shall register the property or update the existing registration. Any and all previous unpaid fees, fines, and penalties, regardless of who the Mortgagee was at the time registration was required, including but not limited to unregistered periods during the Foreclosure process, are the responsibility of the transferee and are due and payable with the update registration. The previous creditor will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that creditor's involvement with the Registrable Property.

§ 448-5. Maintenance Requirements.

- a) Properties subject to this Article shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state, or local law, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.
- b) Properties subject to this Article shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- c) Front, side, and rear yards, including landscaping, shall be maintained in accordance with all applicable code(s) at the time registration was required.
- d) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt, or similar material.
- e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.
- f) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).
- g) Failure of the mortgagee and/or owner to properly maintain the property may result in a violation of the applicable Code(s) and issuance of a citation or Notice of Violation in accordance with this Chapter, Chapter 391 ("Nuisances, Public Health") and Chapter 447 ("Property Maintenance") of the Town Code. Pursuant to a finding and determination by

the Town Code Enforcement Officer or a Court of competent jurisdiction, the Town may take the necessary action to ensure compliance with this Section.

- h) In addition to the above, the property is required to be maintained in accordance with the applicable Code(s).

§ 448-6. Security Requirements.

- a) Properties subject to this Chapter shall be maintained in a secure manner so as not to be accessible to unauthorized persons.
- b) A “secure manner” shall include, but not be limited to, the closure and locking of windows, doors, gates, and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates, and other openings of such size may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing of the window.
- c) If a mortgage on a property is in default, and the property has become vacant and abandoned, a property manager shall be designated by the mortgagee to perform the work necessary to bring the property into compliance with the applicable code(s), and the property manager must perform regular inspections to verify compliance with the requirements of this Chapter, and any other applicable law(s).

§ 448-7. Public Nuisance.

All vacant and abandoned real property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the Town.

§ 448-8. Violations and Penalties.

Any person who shall violate the provisions of this Chapter shall be cited and fined by one or more of the following: imprisonment in the county jail or in any place provided by the municipality for the detention of prisoners, for any term not exceeding ninety (90) days; or by a fine not less than five hundred dollars (\$500.00) or exceeding one thousand two hundred and fifty dollars (\$1,250.00); or by a period of community service not exceeding ninety (90) days.

Any person who is convicted of violating this Chapter within one year of the date of a previous violation of the same Section, and who was fined for the previous violation, shall be sentenced by a Court to an additional fine as a repeat offender. The additional fine imposed by the Court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of this Chapter, but shall be calculated separately from the fine imposed for the violation of this Chapter.

§ 448-9. Inspections for Violations.

Adherence to this Chapter does not relieve any person, legal entity, or agent from any other obligations set forth in any applicable Code(s), which may apply to the property. Upon sale or transfer of title to the property, the owner shall be responsible for all violations of the applicable Code(s).

§ 448-10. Additional Authority.

- a) If the Enforcement Officer has reason to believe that a property subject to the provisions of this Chapter is posing a serious threat to the public health, safety, and welfare, the Code Enforcement Officer may temporarily secure the property at the expense of the mortgagee and/or owner, and may bring the violations before a Court of competent jurisdiction as soon as possible to address the conditions of the property.
- b) The Code Enforcement Officer shall have the authority to require the mortgagee and/or owner of record of any property affected by this Section, to implement additional maintenance and/or security measures including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.
- c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety, and welfare, then the Code Enforcement Officer may direct the Municipality to abate the violations and charge the mortgagee with the cost of abatement.
- d) If the mortgagee does not reimburse the Town for the cost of temporarily securing the property, or of any abatement directed by the code enforcement board of special magistrate, within thirty (30) days of the Town sending the mortgagee the invoice, then the Town may lien the property with such cost, along with an administrative fee of five hundred dollars (\$500.00) to recover the administrative personnel services.

§ 448-11. Opposing, Obstructing Enforcement Officer; Penalty.

Whoever opposes, obstructs, or resists any enforcement officer or any person authorized by the Code Enforcement Office in the discharge of duties as provided in this Chapter shall be punishable as provided in the applicable Code(s) or a Court of competent jurisdiction.

§ 448-12. Immunity of Enforcement Officer.

Any enforcement officer or any person authorized by the Town to enforce the Sections contained herein shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this Chapter.

Section 2. Repealer.

Any article, section, paragraph, subsection, clause, or other provision of the Code of the Town of Phillipsburg inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

Section 3. 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 to be unconstitutional or invalid by a court of competent jurisdiction the remainder of this Ordinance shall remain in full force and effect.

Section 4. Effective Date.

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

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Town of Phillipsburg held on September 20, 2022 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Town Council to be held on October 4, 2022, at 7:00 p.m. or as soon thereafter as the Town Council may hear this Ordinance at the PHA Community Bldg., 535 Fisher Avenue, Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Lorraine Loudenberry
Acting Municipal Clerk

R2022-206

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG,
COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A REFUND OF
ESCROW IN THE AMOUNT OF \$269.50 TO The Apothecarium/Terrascend Corp**

WHEREAS, Project Applicant, **The Apothecarium/Terrascend Corp** had filed an application and made an escrow deposit with the Land Use Board for a Project Name 55 South Main Street, Phillipsburg, NJ 08865

WHEREAS, on September 27, 2022, **The Apothecarium/Terrascend Corp** has complied with all provisions set forth by the Town of Phillipsburg Planning Board of Adjustment

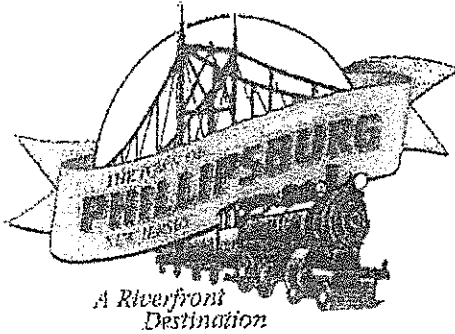
WHEREAS, the Town desires to refund the escrow to **The Apothecarium/Terrascend Corp**

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 \$269.50 to **The Apothecarium/Terrascend Corp** for the reasons stated herein above.

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 October 04, 2022 meeting.

Lorraine Loudenberg,
Acting Municipal Clerk



Town of Phillipsburg

120 Filmore Street

PHILLIPSBURG, NJ 08865

Phone: 908-454-5500 EXT. 370

Email: klefner@phillipsburgnj.org

Town Website: www.phillipsburgnj.org

9/27/2022

DATE

APPLICATION FOR RELEASING ESCROWS AND/OR BONDS

Permit # 19-0412+A

C-20-00311

PROJECT NAME The Apothecarium Retail Renovation **FILE/CASE #**

BLOCK 903 **LOT(S)** 46

STREET ADDRESS 55 S Main St, Phillipsburg, NJ 08865

PROJECT OWNER/APPLICANT The Apothecarium/Terrascend Corp

ADDRESS

This form certifies that the applicant has complied with all provisions set forth by the Town of Phillipsburg Planning Board and/or Zoning Board of Adjustment.

Applicant Signature Required Michael Kind Michael Kind, Construction Manager

BY SIGNING THIS DOCUMENT YOU ARE HEREBY REQUESTING THE RELEASE OF:
(Please check below one or all that may apply)

- ☒ ESCROW ACCOUNT
☐ MAINTENANCE BOND
☐ PERFORMANCE BOND

APPROVED BY:

(Signatures are required by both for all Planning Board files.)

Scott M. Willard
Planning Board Attorney

Board Engineer
Board Engineer

DATE SUBMITTED TO THE LAND USE TECHNICAL ASSISTANT 9/27/22 Key

R: 2022-207

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN,
STATE OF NEW JERSEY, CONFIRMING APPOINTMENTS TO THE LOCAL
EMERGENCY PLANNING COUNCIL**

WHEREAS, the State of New Jersey requires the Town of Phillipsburg's Emergency Operations Plan ("EOP") be recertified by the New Jersey State Police Office of Emergency Management every 4 years; and

WHEREAS, the Town's EOP is due for recertification in 2022; and

WHEREAS, in order for the EOP to be certified, the Town of Phillipsburg must appoint members to the Local Emergency Planning Council ("LEPC") which is a working group that prepares, plans, and mitigates any disaster or emergency which the Town of Phillipsburg may face; and

WHEREAS, the Resolution of Appointment is required to accompany the LEPC roster when it is submitted with the Town's EOP for recertification; and

WHEREAS, a roster has been prepared in the form attached hereto.

NOW THEREFORE IT BE RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that appointments to the Local Emergency Planning Council as evidenced by the attached exhibits are 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 October 04, 2022 meeting.

Lorraine Loudenberg,
Acting Municipal Clerk

EMERGENCY MANAGEMENT COUNCIL LEDGER

JURISDICTION: Town of Phillipsburg COUNTY: Warren

DATE OF RESOLUTION OF APPOINTMENT: October 4, 2022

NAME	WORKING TITLE	GROUP
Todd M. Tersigni	Mayor	1
Harry L. Wyant, Jr.	Town Council President	1
Richard A. Hay	Fire Chief / EMC	2
Matthew Hall	Business Administrator	2
Lorraine Loudenberry	(Acting)Town Clerk	2
Robert Stettner	Police Chief	2
Steven Davis	Supervisor of Public Works	2
James Campbell	Chief, PES	2
Gary A. Ricker, Sr.	Deputy Fire Chief	2
Robert Merlo	Chief Financial Officer	2
Mabel G. Cook	DEMC	2
Travis Zechman	Police Captain, 9-1-1- Coord.	2
Timothy Hoadley	PERT Chief, Avantor, Inc.	3
Daniel Baransky	Phillipsburg Sewer Utility	2
Johan Reyes	American Red Cross	4

Group Representation Key

1. Elected Officials (Mayor, Town Council Member)
2. Police, Fire Emergency Management, First Aid, Health, Environmental, Hospital, Public Works
3. Owners / Operators of facilities subject to SARA Title III.
4. Community Groups

R2022-208
RESOLUTION OF THE TOWN OF PHILLIPSBURG,
AWARDING A CONTRACT FOR THE 2022 ROAD
PROGRAM

WHEREAS, the Town need to procure services relative to the 2022 Road Program – Paving Part 2 within the Town (“Project”); and

WHEREAS, the Town participates in the Morris County Co-op; and

WHEREAS, South State, Inc. is an approved vendor through the Morris County Co-op; and

WHEREAS, South State, Inc.’s cost for the Project is \$821,000.00; and

WHEREAS, the Town’s Engineer, Van Cleef Engineering Associates, LLC, submitted correspondence dated September 16, 2022 recommending an award to South State, Inc.; and

WHEREAS, the Town Council believes it to be in the best interest of the Town to award the Project to South State, Inc. as discussed above; and

WHEREAS, the cost share of this award will be supported by \$80,800.00 in Aqua Road Escrow funds, \$449,500.00 in Elizabethtown Gas road escrow (02-219-40-871-005 - \$268,075.00, 02-219-40-871-006 \$113,055.00 and 02-219-40-871-006 \$68,270.00) and the balance through Town capital funds; and

WHEREAS, sufficient funding is 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 contract for the Project is hereby awarded to South State, Inc. in the amount NOT TO EXCEED \$821,000.00 and

BE IT FURTHER RESOLVED that the Mayor and Acting Municipal Clerk are hereby authorized and directed to execute a contract for same.

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 October 04, 2022.

Lorraine Loudenberry,
Acting Municipal Clerk

Lorraine Loudenberry

From: Tim O'Brien <tobrien@vancleefengineering.com>
Sent: Friday, September 16, 2022 9:32 AM
To: Business Administrator; Lorraine Loudenberry; Robert Merlo
Cc: 'Rich, Wenner'; 'Paul Mitchell'; Todd Tersigni
Subject: Phillipsburg - 2022 Road Program - Paving Contract No. 2
Attachments: 2022-09-16 - 2022 paving Award Recommendation No. 2.pdf

Attached is a recommendation of award for South State for Paving 2022 Part 2 various roads, this would be similar resolution to R2022-178



Tim O'Brien, PE, PP, CME
Associate, Project Manager

Main: (908) 454-3080 Ext 1640

Direct: (908) 849-6012

tobrien@vancleefengineering.com

755 Memorial Pkwy Suite 110, Phillipsburg, NJ 08865

www.vancleefengineering.com



This message, and any attachments, is for the intended recipient(s) only, may contain information that is privileged, confidential and/or proprietary, and is subject to important terms and conditions available by contacting the sender of this e-mail. If you are not the intended recipient, please delete this message. This e-mail does not constitute consent to the use of sender's contact information for direct marketing purposes or for transfers of data to third parties.

September 16, 2022
Mayor & Council
120 Filmore Street
Phillipsburg, New Jersey 08865

Re: Recommendation of Award
2022 Road Program – Paving Part 2
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 the Town awarding a contractor for sanitary sewer repairs to a separate contractor we are recommending a second contract to South State Inc. for additional paving under the co-op paving.

We recommend a contract award in the amount of \$821,000.00 to South State, Inc. under the Co-op contract. Our office has estimated the cost share of this award to be supported by \$80,800.00 in Aqua Road Escrow funds, \$449,500.00 in Elizabethtown Gas road escrow (02-219-40-871-005 - \$268,075.00, 02-219-40-871-006 \$113,055.00 and 02-219-40-871-006 \$68,270.00) and balance is through Town capital funds.

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
Town Engineer

cc: Matthew Hall, Business Administrator
Robert Merlo, CFO
Lorraine Loudenberg, Acting Clerk
Richard Wenner, Esq.

f:\projects\9100 phillipsburg\9110 -- ci roads\031 2022 road program\letters\2022-09-16 - 2022 paving award recommendation no. 2.docx

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

R2022-209

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

WHEREAS, Josie Martinez previously paid to the Town \$80.00 for purchase use of Green Street Park Pavillion

WHEREAS, the Town charged \$50.00 for Cleaning Deposit, and \$30.00 for Pavillion Rental for September 17, 2022 8AM-8PM.

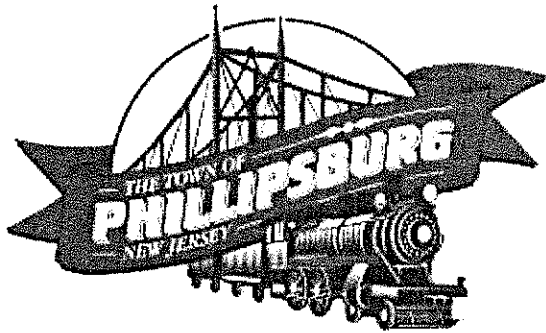
WHEREAS, the Town Council desires to reimburse the fee as the Renter was disappointed with the cleanliness of the Pavillion;

NOW, THEREFORE, BE IT RESOLVED by Town Council of Phillipsburg, County of Warren, State of New Jersey, refund in the amount of \$80.00 Total is hereby authorized and directed to be paid to Josie Martinez for the reasons set forth above.

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 October 04, 2022 meeting.

Lorraine Loudenberg, Acting Municipal Clerk



Phillipsburg Recreation
120 Filmore Street
Phillipsburg, NJ 08865
908-454-5500
recreation@phillipsburgnj.org
www.phillipsburgnj.org/

Refund/Credit Receipt 45757961

09/21/2022 10:44 AM

Account Information

Josie Martinez
562 Roseberry Street
Phillipsburg, NJ 08865

Payment

User Credit (\$80.00)

Received By

Dawn Parry at Walters Park

Item	Amount Paid
Refund of Green Street Park Pavilion Sep 17, 2022 8:00 AM-8:00 PM - Resident - Weekend: \$30/12 Hours	(\$30.00)
Refund of Cleaning Deposit	(\$50.00)
Total Credit	(\$80.00)

Thank you for registering with Phillipsburg Recreation

RESOLUTION NO. 2022-210

**RESOLUTION OF THE TOWN OF PHILLIPSBURG
AUTHORIZING SETTLEMENT WITH PBA LOCAL NO. 56
REGARDING PRORATION OF VACATION LEAVE UPON
RETIREMENT**

WHEREAS, the Town and PBA Local 56 engaged in settlement discussions as a result of an arbitration hearing involving the treatment of vacation leave payout upon retirement; and

WHEREAS, a settlement agreement has been negotiated (attached hereto), subject to ratification of the governing body; and

WHEREAS, if approved, the terms of the agreement shall be incorporated into the CNA.

NOW, THEREFORE, IT BE RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that said settlement is hereby approved, and that the CNA is authorized to be amended to incorporate the terms of 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 duly adopted by the Town Council at their October 04, 2022 meeting.

Lorraine Loudenberry,
Acting Municipal Clerk

R2022-211

RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING A CHANGE ORDER DECREASE TO DERSTINE COMPANY, LLC IN THE AMOUNT OF \$22,500.00 AND AUTHORIZING FINAL PAYMENT

WHEREAS, the Town of Phillipsburg awarded a contract for the odor control system for the digester tank in the amount of \$262,000.00 to Derstine Company, LLC, 320 Cowpath Road, Souderton, Pennsylvania 18964; and

WHEREAS, Derstine Company, LLC has submitted Change Orders in the amount of \$22,500.00 and payment certificate No. 3 for final payment in the amount of \$7,500.00; and

WHEREAS, Remington & Vernick Engineers submitted correspondence dated September 29, 2022 recommending approval of a change order decreasing the value of the contract to \$239,500.00 (8.59% decrease); and

WHEREAS, the Town Council desires to authorize and approve the change order and final payment; and

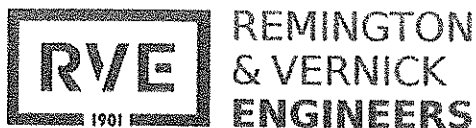
WHEREAS, sufficient funding is available as evidenced by the attached certification of funds.

NOW, THEREFORE, BE IT RESOLVED by Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that a change orders for a decrease in the amount of \$22,500.00 is hereby approved and payment certificate No. 3 in the amount of \$7,500.00 is hereby approved and said amount directed to be paid to Derstine Company, LLC as final payment for work performed pursuant to the contract for the Project.

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 October 4, 2022 meeting.

Lorraine Loudenberry
Acting Municipal Clerk



RVE HQ:
2059 Springdale Road
Cherry Hill, NJ 08003
O: (856) 795-9595
F: (856) 795-1882

September 29, 2022

Matthew C. Hall, MPA, Business Administrator
Town of Phillipsburg
Town Hall
120 Filmore Street
Phillipsburg, NJ 08865

Re: Town of Phillipsburg
Vapex Odor Control System
Change Order No. 1 and Final Payment
Our File No. 2119T035.22

Dear Mr. Hall:

Enclosed please find a final change order and payment for the above-captioned project. Remington & Vernick Engineers has reviewed the invoice and find it satisfactory. Therefore, Remington & Vernick Engineers recommends payment to Derstine Company, LLC in the amount of \$7,500.00 to close out this project. The final contract for PO 35129 is reduced from \$262,000.00 to \$239,500.00.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,

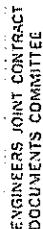
REMINGTON & VERNICK ENGINEERS

By

Dennis K. Yoder, PE
Principal | Director of Engineering

DKY/gar
enclosure

cc: Richard Wenner, Esq.
Robert Merlo, CFO



3 FINAL

ENGINEERS JOINT CONTRACT DOCUMENTS COMMITTEE		Application Period: 1-Oct-22	Application Date: 10/3/2022
To (Owner):	Town of Phillipsburg	From (Contractor):	Dersine Company, LLC
Project:	Odor Control System for Digester Tank		Via (Engineer): Remington & Vernick Engineers 233 Kings Hwy East - Haddonfield, NJ 08033
Owner's Contract No.:	PO#35129	Contractor's Project No.:	Engineer's Project No.: 2119T035

**Application For Payment
Change Order Summary**

Approved Change Orders		Change Order Summary		
Number	Additions	Deductions		
		\$10,000.00		
		\$12,500.00		
TOTALS		\$22,500.00		
NET CHANGE BY CHANGE ORDERS		- \$22,500.00		

1. ORIGINAL CONTRACT PRICE..... \$ 5762,000.00

2. Net change by Change Orders..... \$ -222,500.00

3. Current Contract Price (Line 1 ± 2)..... \$ 5739,500.00

4. TOTAL COMPLETED AND STORED TO DATE
(Column F on Progress Estimate)..... \$ 5739,500.00

5. RETAINAGE:

a. X Work Completed..... \$

b. X Stored Material..... \$

c. Total Retainage (Line 5a + Line 5b)..... \$

6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)..... \$ 5739,500.00

7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... \$ 5232,000.00

8. AMOUNT DUE THIS APPLICATION..... \$ 57,500.00

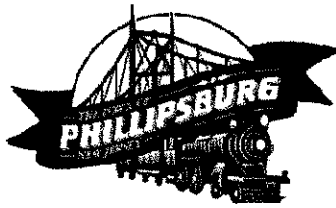
9. BALANCE TO FINISH, PLUS RETAINAGE..... \$
(Column G on Progress Estimate + Line 5 above)..... \$

Contractor's Certification

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Payment of:	\$ 1500.00	(Line 8 or other - attach explanation of the other amount)	(Date)
is recommended by:	<i>Dennis W. Hoyer</i>	9-29-22	
Payment of:	\$ 7,500.00	(Line 8 or other - attach explanation of the other amount)	(Date)
is approved by:		(Owner)	
Approved by:		(Engineer & owner, if applicable)	

***ACCEPTANCE BY AGENCY:** The review and acceptance of this estimate does not attest to the correctness of quantities shown or that the work has been performed in accordance with the contract.



Phillipsburg Recreation

For Office Use Only
Pre-application meeting complete?
Y or N Date: ____ Initials ____
Application #: ____
Date Received: 09-13-2022

EVENT INFORMATION

Date of Event November 05, 2022 Date of Application 09-13-2022
Applicant Name david strauss
Organization/Business Name (if applicable) Bernardine May American Legion post 457
Address 321 MARSHALL ST City PHILLIPSBURG State nj Zip 08865
Telephone Number 6107306664 ☐ Home ☐ Business ☒ Cell Alternate Number _____
Fax Number _____ Email Hookermay1945@gmail.com
Main Contact Person during event and Telephone Number (if different from Applicant, for emergency purposes only): _____
Name of Event: coin toss
Event Description If you wish to upload an event description at the end, please say so in the fields below.
coin toss at intersection of union sq and S main st
disregard personnel on bridge for site plan. No one will be placed on the bridge due to construction.
Time Event Begins 0800 Ends 1200 Rain Date November 12, 2022
Set-up Begins 0730 Clean-Up Ends 1230
Start Location (if applicable) _____
Finish Location (if applicable) _____
*** For a race, run, walk, procession, or parade, please attach a **detailed route** with the application. If any County Roads are in the route, you must obtain appropriate approval from the County. If any event is held on County or Federal property, it is the responsibility of the applicant to obtain appropriate approval. ***
Street Closing Location (if applicable): _____
Between: _____ & _____
Name of Park (if applicable) n/a
Number of Participants (or Attendees) 12 Number of Spectators 0

Will participants or spectators be charged? Yes ☐ No ☒ If so, how much? \$ _____

SITE PLAN: Please attach a diagram of the location, routes, and set-up of any tables, booths, stages, etc.

Please provide a list of the individuals, organizations or groups (if different from the applicant) assigned to each booth and describe the activity, service, or other function to be provided at the booths.

If items are being sold or given away or dispensed in another manner, please provide a related list with prices.

Municipal Staff/Services Requested (check all that apply):

- | | | | |
|--|---|--|-----------------------------------|
| <input type="checkbox"/> DPW Staff | <input type="checkbox"/> Trash Removal | <input type="checkbox"/> Barriers | <input type="checkbox"/> Fire/EMS |
| <input type="checkbox"/> Police Officers | <input type="checkbox"/> Utility Access | <input type="checkbox"/> Roads Blocked | <input type="checkbox"/> Other |

List other if checked: _____

Additional Information:

Will you need the town to remove garbage? (See fees listed above) Yes ☐ No ☒

If no, please provide how you will be disposing of all trash. _____

Will you need the town to supply portable restrooms? (See fees listed above) Yes ☐ No ☒

If no, please provide the vendor information and number of toilets you will be supplying. Number of units shall match industry recommendations _____

Have all vendors applied for appropriate permits/inspections? (Alcohol, open flame cooking, etc.) Yes ☐ No ☒

If yes, please attach proof. If no, your application will not be accepted until proof has been obtained.

Will you be utilizing sound equipment during the event? Yes ☐ No ☒

If yes, you understand that the municipal noise ordinances shall apply. (Chapter 384, Noise)

Will the event be advertised? Yes ☐ No ☒

If yes, describe the advertising plan, including dates and media outlet(s). Please ensure you obtain approval for your event before you begin to promote or advertise the event. _____

Will any pamphlets or advertising matter of any kind be distributed at the event? Yes ☐ No ☒

If yes, attach a copy to the application upon submission.

Is there any indication that any group/organization may seek to disrupt your event? Yes ☐ No ☒

If so, please provide details on your concern and all available information, including the names of those individuals/groups/organizations and their contact information: _____

Are you partnering with any organizations in conjunction with your special event? Yes ☐ No ☒

If so, please provide all available information, including the names of those individuals/groups/organizations and their contact information: _____

RELATED SPECIAL EVENTS PERMITS/SUBMISSIONS

Please read the following permit requirements carefully and identify all that may apply to your event:

Alcohol served or sold *(Please note the additional insurance requirement on Page 4)*

The applicant is required to file an application with the Division of ABC in Trenton at least ten (21) working days prior to the event either via mail or the online system. The Division of ABC in Trenton may disapprove, deny, and/or cancel any application without notice, reason, or cause.

Fireworks *(Please note the additional insurance requirement on Page 4)*

Applicant must submit a copy of the firework vendor's (1) Permit to Manufacture Explosives and (2) Permit to Use Explosives, both issued by the New Jersey Department of Labor, Office of Safety Compliance.

Amusement Rides *(Please note the additional insurance requirement on Page 4)*

Applicant must provide proof that the owner/operator of the amusement rides has acquired the necessary permits from the New Jersey Department of Community Affairs, Bureau of Code Services.

Animals *(Please note the additional insurance requirement on Page 4)*

At least one (1) week prior to the event, the applicant must submit a health certificate for each animal to participate, as well as the name of a veterinarian who will provide care for any injured or sick animal, a copy of the handler's licenses required under Federal and/or State law, and verification of access to animal transport. (Applicant must be able to show compliance with all the above requirements in order to receive Special Event Permit.)

Vendors *(Please note the additional insurance requirement on Page 4)*

Vendors must obtain and supply the appropriate health Department Licensing. Vendors shall also supply proof that they have submitted the off-site, open flame cooking inspection request through the State of NJ

Temporary Structure(s) – Tents, stages, etc. *(Please note the additional insurance requirement on Page 4)*

If temporary structures are to be utilized during the event, a zoning permit must be obtained, and a copy submitted.

INSURANCE

All Special Events require a Certificate of Insurance naming the Town of Phillipsburg as an additional insured. The Certificate of Insurance should include a hold harmless provision that reads as follows:

The Town of Phillipsburg and its officers and employees are additional insured. The _____ Applicant/organization shall defend, indemnify and hold harmless the Town of Phillipsburg, its agents servants and administrators from and against any and all claims, or actions at law, whether for personal injury, property damage or liability including any costs of defense incurred by the Town of Phillipsburg which arise from any acts, omissions of the insured, its agents, or employees arising out of or related to the permit(s) and use of the Town of Phillipsburg's parks, streets, and/or facilities for _____ Name of event _____.

A certificate of insurance evidencing general liability insurance (an occurrence policy) of at least \$1,000,000.00 (one million dollars) and property damage coverage of at least \$100,000 (one hundred thousand) and naming the Town of Phillipsburg as an additional insured must be submitted for the application to be accepted for processing. The Town reserves the right to request additional liability insurance depending on the scale and duration of the event, including but not limited to the following:

Will your event include vehicles, aircraft, or other equipment, devices, or activities that are excluded from coverage in your general liability insurance policy? Yes ☐ No ☒

If so, separate additional liability insurance for the applicable exclusion with coverage of at least the coverage minimums listed above must be provided by vendor naming Town of Phillipsburg as an additional insured.

Will alcoholic beverages be served or sold at your event? Yes ☐ No ☒

If so, separate additional liquor liability insurance with coverage of at least the coverage minimums listed above must be provided by the alcohol vendor naming Town of Phillipsburg as an additional insured.

Will contracted emergency medical Services or first aid stations provided at your event? Yes ☐ No ☒

If so, separate additional medical liability insurance with coverage of at least the coverage minimums listed above must be provided by vendor naming Town of Phillipsburg as an additional insured.

Will fireworks or other special effects be displayed at your event? Yes ☐ No ☒

If so, separate additional general liability insurance with coverage of at least \$2,000,000 liability and \$500,000 property damage and naming the Town of Phillipsburg as an additional insured must be provided by the pyrotechnics company.

Will contracted security guards or officers be used at your event? Yes ☐ No ☒

If so, separate additional medical liability insurance with coverage of at least the coverage minimums listed above must be provided by vendor naming Town of Phillipsburg as an additional insured.

Will amusement rides be used at your event (including inflatables)? Yes ☐ No ☒

If so, separate additional medical liability insurance with coverage of at least the coverage minimums listed above must be provided by vendor naming Town of Phillipsburg as an additional insured.

Will animals be utilized/on display at your event? Yes ☐ No ☒

If so, separate additional medical liability insurance with coverage of at least the coverage minimums listed above must be provided by vendor naming Town of Phillipsburg as an additional insured.

APPLICANT ACKNOWLEDGMENT/AUTHORIZATION/INDEMNIFICATION

As the applicant, I hereby certify the information I have provided in this application and any attachments is complete and accurate, and that no false or misleading information or false statements have been given. I understand that failure to do so and to abide by the rules and regulations promulgated by the Town of Phillipsburg for holding Special Events may lead to the denial of the application, cancellation of the event, the denial of future Special Event applications, or other legal action.

In addition, as the applicant, I hereby agree to defend and hold harmless the Town of Phillipsburg, its agents, servants, and administrators from and against any and all claims, or actions at law, whether for personal injury, property damage, or liability including and cost of defense incurred by the Town of Phillipsburg which may arise from any acts omissions of the insured, its agents, or employees arising out of or related to the permit(s) and use of the Town of Phillipsburg's parks, streets, properties, and/or facilities which are deemed not to be the sole responsibility of the Town of Phillipsburg.

I acknowledge that the Town of Phillipsburg reserves the right to deny a permit to any event that interferes with the health, safety, order, and well-being of the general public.

As the applicant/owner, I further certify that I am authorized to sign this application and execute the Hold Harmless & Indemnification Agreement contained therein on behalf of (Name of Organization):

david strauss _____ November 05, 2022
for the Special Event beginning on ____/____/____

ORGANIZATION

eSigned via DocuSign.com
David j Strauss
Rev. 5886c41e05918f6dc42d41c43f4e437f

SIGNATURE

David j Strauss

PRINT (NAME)

09-13-2022

commander

TITLE

DATE

Note: Please recheck your application to ensure that it is complete with all the requested information. This will enable your application to be processed without delay. Providing there are no concerns or issues related to the processing of your application, the special event permit will be available within 30 workdays of the receipt of your application.

For office use only:

eSigned via DocuSign Envelope.com
Robert Stettner
Key: 671f1e5adcb775d3a20ed7481c1b0c29

09-14-2022

They must wear reflective safety vests. We do not

Chief of Police

eSigned via DocuSign Envelope.com
Steve Davis
Key: 0ac37a51f2cad54298de2fa1815a7a8

09-20-2022

Public Works

eSigned via DocuSign Envelope.com
Rich Hay
Key: 702a48ba787064552cd9c9c6990e4101

09-20-2022

Fire Chief

Municipal Clerk

Superintendent of Recreation

eSigned via DocuSign Envelope.com
Rob Bengivenga
Key: 0223a355aaf5cc13ee62f24051d04805

09-21-2022

Business Administrator

It is / is not recommended to approve this application.

eSigned via DocuSign Envelope.com
Todd Tersigni
Key: 0021a1f02ebc7474275b706454883452

Todd Tersigni

09-21-2022

Mayor

Date: _____

Approved: _____

Denied: _____

Date: _____

Council Approval Signature

Date: _____

Reason for Denial: A letter of denial will be attached with reasons and appeal information.

Phillipsburg Fire Department
Administrative Offices
441 Heckman Street
Phillipsburg, New Jersey 08865

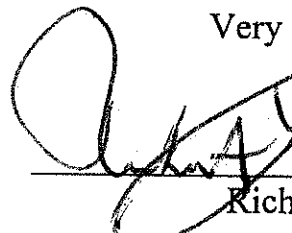
Date September 22, 2022

John R. Burrell

Name of Applicant

This serves to advise that the above named individual has applied for active fire duty with the Phillipsburg Fire Department. This also serves as notification that this individual has successfully completed a criminal background check and the required physical examination by the Municipal Doctor, as set forth by the Town of Phillipsburg and the New Jersey State Firemen's Association.

Very truly yours,



Richard A. Hay
Fire Chief

Phillipsburg Fire Department
Administrative Offices
441 Heckman Street
Phillipsburg, New Jersey 08865

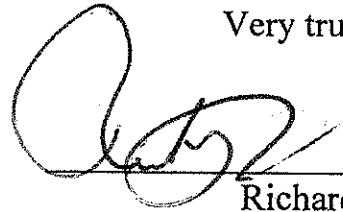
Date September 2, 2022

Andrew W. Farley

Name of Applicant

This serves to advise that the above named individual has applied for active fire duty with the Phillipsburg Fire Department. This also serves as notification that this individual has successfully completed a criminal background check and the required physical examination by the Municipal Doctor, as set forth by the Town of Phillipsburg and the New Jersey State Firemen's Association.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. Hay', written over a horizontal line.

Richard A. Hay
Fire Chief