

**TOWN OF PHILLIPSBURG
TOWN COUNCIL MEETING
TUESDAY, December 06, 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 December 06, 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 - TC Mtg. Mins – November 22, 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. ANNOUNCEMENTS/PRESENTATIONS

Police Chief Stettner – Accreditation

Toys for Tots – Sunday Dec. 4 – 12PM-3PM Join our local community and the PU Tower super volunteers in our attempt to beat last year’s donation record! Bring an unwrapped toy to get a free tour of the historic PU Tower beginning at noon! Operation Toy Train rolls into the tower to collect the community’s generous donations! Spy Santa, meet members of the US Marine Corps Reserve and enjoy hot cocoa, holiday entertainment & music.

8. Mayor’s Report / Administrative Officers

9. PUBLIC DISCUSSION ON AGENDA ITEMS

10. ORDINANCES – 2nd Reading (This was advertised as having 2nd Rdg on December 6; though it was inadvertently on Agenda for 2nd Rdg on 11.22.2022, this must go to second reading at this TC Meeting on December 6, 2022.)

ORDINANCE NUMBER 2022-32

BOND ORDINANCE PROVIDING FOR VARIOUS 2022 CAPITAL IMPROVEMENTS TO THE SEWERAGE SYSTEM BY THE SEWER UTILITY OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$725,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

ROLL CALL

Councilmembers	First	Second	Yea	Nay	Abstain	Absent
Councilman Piazza						
Councilman Marino						

Councilman Kennedy						
Council Vice Clark						
Council President Wyant						

11. 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 Piazza						
Councilman Marino						
Councilman Kennedy						
Council Vice Clark						
Council President Wyant						

R2022-245

RESOLUTION AUTHORIZING PURCHASE OF ONE (1) FORD POLICE INTERCEPTOR UTILITY VEHICLE

R2022-246

Resolution Authorizing Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Howard Street By-Pass project.

R2022-247

Resolution Authorizing Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Roseberry Street Pedestrian Safety Improvements project.

R2022-248

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

R2022-249

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING PAYMENT IN THE AMOUNT OF \$70,372.01 TO NATIONAL WATER MAIN CLEANING COMPANY FOR THE 2021 ROAD PROGRAM PHASE 1 – SANITARY AND STORM WATER INSPECTION

R2022-250

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY APPROVING THE 2023 SOFTWARE SUPPORT AND MAINTENANCE AGREEMENT WITH MUNICIPAL SOFTWARE, INC. AND EDMUNDS GOVTECH

R2022-251

A RESOLUTION AUTHORIZING A CHANGE TO THE BY-LAWS OF THE PHILLIPSBURG EMERGENCY SQUAD

R2022-252

A RESOLUTION DESIGNATING HANDICAP PARKING SPACES WITHIN THE TOWN OF PHILLIPSBURG

R2022-253

UEZ Administrative Budget – July 1, 2022 – June 31, 2023

12. NEW BUSINESS

13. PUBLIC PETITIONS

14. COUNCIL OPEN TIME

15. ADJOURNMENT

Bill List Summary
REGULAR BILL LIST AS OF December 6, 2022

		<u>Check No</u>
1	Current Fund	93,115.22
2	State & Federal Grants	0.00
4	Capital Fund	107,792.41
7	Sewage Utility Fund	4,889.04
8	Sewage Capital Fund	0.00
12	Planning Board Trust Fund	6,065.50
12	Bridge Development	0.00
13	Dog Trust Fund	461.00
16	Section 8	0.00
17	General Trust Fund	69,415.00
17	Affordable Housing Trust	0.00
20	Agency Fund	0.00
21	Revolving Loan Fund	0.00
Total Regular Bill List as December 6, 2022		281,738.17

Pre-Paid Bill List as of December 6, 2022

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


Grand Total All Funds

281,738.17

Approved By:



 Robert J. Merlo, CFO



 Matthew Hall, Business Admin

List of Bills - CLAIMS CHECKING ACCOUNT
Meeting Date: 12/06/2022 For bills from 11/23/2022 to 12/05/2022

Check#	Vendor	Description	Payment	Check Total
87888	43 - ROSSNAGLE'S SERVICE CNTR INC	PO 38954 Tow 94-29 from accident	125.00	125.00
87889	109 - EPECC UNIFORMS	PO 38914 Winter Coats for New Hires	2,140.00	
		PO 38915 Uniforms for Zachman,Bittenmaster,Caffar	790.30	2,930.30
87890	118 - WEST GROUP PAYMENT CENTER	PO 38959 NJ Statutes 11/1 - 11/30/22	480.84	480.84
87891	123 - AMERIGAS CLINTON 7510	PO 38648 Propane for Walters Park garage	185.83	
		PO 38951 Propane for Walters Park garage	51.04	239.87
87892	130 - CINTAS FAS LOCKBOX 636525	PO 38942 AED Agreement	545.00	545.00
87893	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 38903 680 Memorial Parkway Popeyes/Arbys	6,065.50	6,065.50
87894	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 38977 Professional Services for the Month of O	65,317.00	65,317.00
87895	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 38978 Professional Services for the Month of O	273.00	273.00
87896	294 - PHILLIPSBURG FIRE CO #1	PO 38982 Reimbursement for Purchase of Blue Def	21.49	
		PO 38985 2022 Allotment	5,000.00	5,021.49
87897	300 - JERSEY HOSE FIRE CO.	PO 38984 2022 Allotment	5,000.00	5,000.00
87898	301 - P'BURG EMERGENCY SQUAD	PO 38989 2022 Allotment	15,000.00	15,000.00
87899	304 - WARREN CHEMICAL COMPANY	PO 38988 2022 Allotment	5,000.00	5,000.00
87900	305 - ALBERT HOOK & LADDER CO #1	PO 38983 2022 Allotment	5,000.00	5,000.00
87901	309 - RELIANCE FIRE COMPANY	PO 38987 2022 Allotment	5,000.00	5,000.00
87902	345 - N J FIRE EQUIPMENT	PO 38E19 Purchase of Name Patches for Turnout Coa	218.41	
		PO 38909 Cushion Pads for Cairns Helmets	924.00	1,142.41
87903	372 - TIMOTHY MOORE	PO 38972 2022 Eyecare Reimbursement	110.35	110.35
87904	386 - RR DONNELLEY	PO 38749 Certified Safety Paper	439.00	439.00
87905	444 - LINCOLN ENGINE COMPANY	PO 38986 2022 Allotment	5,000.00	5,000.00
87906	540 - AIATRANSLATIONS LLC	PO 37369 ASL Certified Interpreter 3/09/22	825.00	825.00
87907	546 - GRAPHIC ACTION INC	PO 38629 Printed Envelopes	208.00	208.00
87908	561 - RILEIGHS OUTDOOR DECOR	PO 38952 Banding straps for Christmas lights	99.00	99.00
87909	701 - FLYNN'S INC/FLYNN'S CATERING	PO 38899 Luncheon	504.00	504.00
87910	706 - Current Fund	PO 39011 AQUA WATER PERMITS	1,950.00	1,950.00
87911	706 - Current Fund	PO 39012 AQUA WATER PERMITS	1,875.00	1,875.00
87912	864 - PDB PROPERTY MAINTENANCE INC	PO 38904 Boots for Kisselbach, Hull. Fielding	327.00	327.00
87913	941 - RUSSELL REID WST HAUL/DISP.SVC INC	PO 38949 Temporary restrooms	643.21	643.21
87914	998 - GRIFFITH-ALLIED TRUCKING LLC	PO 38956 Gasoline usage	8,767.83	
		PO 38956 Gasoline usage	533.04	9,300.87
87915	1019 - MICHAEL MOUSSA	PO 35917 National Night Out	215.00	215.00
87916	1050 - ROBERT R BLASE	PO 38996 Boarding for Strays	461.00	461.00
87917	1064 - PATRICK MAYS	PO 38953 2022 Eyecare Reimbursement	400.00	400.00
87918	1073 - FIRE & SAFETY SERVICES LTD	PO 38911 Service and Repair of 94-66	5,831.36	
		PO 38993 Replace Heater Core on 9474	3,275.59	9,106.95
87919	1114 - THE SHERWIN WILLIAMS CO	PO 38968 Field marking paint for Green Street	96.90	96.90
87920	1146 - H & K GROUP, INC	PO 38958 Macadam	908.32	908.32
87921	1165 - STEVEN M SIEGEL	PO 39005 2022 Prosecutor Contract	3,333.33	3,333.33
87922	1179 - SANDRA A CALLERY	PO 38992 2022 Eyecare Reimbursement	400.00	400.00
87923	1266 - ALL STATE TECHNOLOGY INC	PO 35971 R:2021-213 COP Walter's Park Pool Projec	106,650.00	106,650.00
87924	1281 - SIGNS & SAFETY DEVICES SALES & SERVICE D	PO 38850 Stop signs	1,669.22	1,669.22
87925	1304 - BRIAN TRIMMER	PO 38908 Drill open & make key for parking meters	371.00	371.00
87926	1311 - AMAZON CAPITAL SERVICES	PO 38959 BLDG DEPT OFFICE SUPPLIES	70.41	70.41
87927	1311 - AMAZON CAPITAL SERVICES	PO 38902 Filing Cabinets	501.08	501.08
87928	1311 - AMAZON CAPITAL SERVICES	PO 38970 office supplies	364.29	364.29
87929	1311 - AMAZON CAPITAL SERVICES	PO 38980 Latex Gloves	350.00	350.00
87930	1311 - AMAZON CAPITAL SERVICES	PO 39013 BLDG DEPT	41.97	41.97
87931	1311 - AMAZON CAPITAL SERVICES	PO 39014 Supplies for 2023 Land Use Board	79.87	79.87
87932	1374 - FRED BEANS PARTS INC	PO 38857 Brakes & rotors	320.56	320.56
87933	1386 - EASTERN WAREHOUSE DISTRIBUTORS LLC	PO 38945 Steering Column shift	23.99	23.99
87934	1422 - GREGORY G. GIANFORCARO	PO 38971 Alternate Public Defender	1,000.00	1,000.00
87935	1492 - OPDYKE'S SERVICES	PO 38860 Horn pad	109.02	
		PO 38944 Switch for truck #27	434.78	543.80
87936	1679 - CHRIN'S BROS INC	PO 38957 Weekly disposal fees - 10/31/22-11/4/22	9,593.00	9,593.00
87937	1681 - BOROUGH OF ALPHA	PO 38991 POSTAGE REIMBURSEMENT OCT 2022	210.25	210.25
87938	1874 - TRAVIS ZECHMAN	PO 38981 reimbursement for shipping	32.19	32.19
87939	2160 - WILLIAM LANCE	PO 38955 2022 Eyecare Reimbursement	181.69	181.69
87940	2331 - REMINGTON & VERNICK ENGINEERS	PO 38976 Professional Services October 2022	4,356.00	4,356.00
87941	2355 - LEXIS-NEXIS RISK DATA MGMT. C/O	PO 38947 monthly contract fee	112.49	112.49
87942	6588 - W.E. TIMMERMAN CO INC	PO 38849 Fuel filter head	861.02	861.02
87943	6827 - VALLEY BUSINESS SYSTEMS INC	PO 38884 feeder for tax copier	1,062.00	1,062.00

TOTAL

281,738.17

List of Bills - CLAIMS CHECKING ACCOUNT
 Meeting Date: 12/06/2022 For bills from 11/23/2022 to 12/05/2022

Check#	Vendor	Description	Payment	Check Total	
Summary By Account					
ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-120-050	Municipal Clerk - O/E	1,017.84			
01-201-20-145-050	Revenue Administration - O/E	1,062.00			
01-201-21-180-050	Land Use Administration	79.87			
01-201-22-195-050	Inspections Department - O/E	222.38			
01-201-23-220-050	Employee Group Insurance	1,092.04			
01-201-25-240-050	Police Department - O/E	4,832.35			
01-201-25-255-124	Aid Volunteer Fire Departments	30,000.00			
01-201-25-260-123	Aid to Emergency Squad	15,000.00			
01-201-25-265-050	Fire Department - O/E	9,128.44			
01-201-25-275-050	Municipal Prosecutor O/E	3,333.33			
01-201-26-290-050	Street & Roads - O/E	3,537.56			
01-201-26-301-050	PEOSHA	545.00			
01-201-26-310-050	Building & Grounds - O/E	467.90			
01-201-26-315-050	Vehicle Maintenance - O/E	1,013.35			
01-201-28-370-050	Recreation Service & Program - O/E	1,147.21			
01-201-31-446-050	Utility Expenses - Natural Gas	239.87			
01-201-31-460-050	Bulk Purchases - Gasoline	9,787.93			
01-201-32-465-050	Landfill/Solid Waste Disposal Costs	9,533.00			
01-201-33-490-050	Municipal Court - O/E	1,035.25			
01-201-33-495-050	Public Defender - O/E	1,000.00			
01-260-05-100	Current Fund - Due to Claims			0.00	93,115.22
TOTALS FOR	CURRENT FUND	93,115.22	0.00	0.00	93,115.22
04-215-55-937-000	0:2019-17 Improvements Authorized			1,142.41	
04-215-55-938-000	0:2019-19 Improvements Authorized			106,650.00	
04-260-05-100	Capital - Due to Claims Fund			0.00	107,792.41
TOTALS FOR	CAPITAL FUND	0.00	0.00	107,792.41	107,792.41
07-201-55-510-050	Sewer Utility OE	4,889.04			
07-260-05-100	Sewer Utility - Due to Claims Fund			0.00	4,889.04
TOTALS FOR	SEWER UTILITY	4,889.04	0.00	0.00	4,889.04
12-260-05-100	Planning Board - Due to Claims Fund			0.00	6,065.50
12-286-56-851-000	Land Use Escrows			6,065.50	
TOTALS FOR	Land Use Board Escrow	0.00	0.00	6,065.50	6,065.50
13-260-05-100	Dog Trust - Due To Claims Fund			0.00	461.00
13-288-56-000-851	Animal Control Expenditures			461.00	
TOTALS FOR	DOG TRUST FUND	0.00	0.00	461.00	461.00
17-260-05-100	Trust - Due to Claims Fund			0.00	69,415.00
17-286-56-858-000	Engineers Inspections			65,590.00	
17-293-56-000-000	Reserve for:			3,825.00	
TOTALS FOR	GENERAL TRUST FUND	0.00	0.00	69,415.00	69,415.00

Total to be paid from Fund 01 CURRENT FUND 93,115.22
 Total to be paid from Fund 04 CAPITAL FUND 107,792.41
 Total to be paid from Fund 07 SEWER UTILITY 4,889.04
 Total to be paid from Fund 12 Land Use Board Escrow 6,065.50
 Total to be paid from Fund 13 DOG TRUST FUND 461.00

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT

Total to be paid from Fund 17	GENERAL TRUST FUND				69,415.00

					381,738.17

TOWN OF PHILLIPSBURG
BOND ORDINANCE NUMBER O2022-32

*1st Rdg. Nov. 1
2nd Rdg. Dec. 6
(shld not have been
on this Agenda -
being moved to 12/6
for 2nd Rdg.
LL)*

BOND ORDINANCE PROVIDING FOR VARIOUS 2022 CAPITAL IMPROVEMENTS TO THE SEWERAGE SYSTEM BY THE SEWER UTILITY OF THE TOWN OF PHILLIPSBURG, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$725,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Town of Phillipsburg, in the County of Warren, State of New Jersey (the "Town"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$725,000, said sum being inclusive of the sum of \$225,000 as the aggregate amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. §40A:2-1 et seq. (the "Local Bond Law"). Said down payments are now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Town for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$725,000 appropriation not provided for by

the down payment, negotiable bonds of the Town are hereby authorized to be issued in the aggregate principal amount of \$500,000 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Town in an aggregate principal amount not exceeding \$500,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued are as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Debt Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) <u>Digester Cleaning</u> ; Acquisition and installation, and/or cleaning, as applicable, of digester tanks; and	\$225,000	\$155,172	\$69,828	5 years
(ii) <u>Aeration Basin Diffuser</u> ; Acquisition and installation, as applicable, of an aeration basin diffuser and spare parts for the Bio-Mag; and	\$50,000	\$34,483	\$15,517	10 years
(iii) <u>Aerated Grit System</u> ; Acquisition, installation and/or replacement of an aerated grit system with added screening; and	\$400,000	\$275,862	\$124,138	20 years
(iv) <u>Energy Efficiency Blower Replacement Study</u> ; Energy efficiency testing and study to develop an improvement plan for energy efficient equipment and assess cost estimates for the same.	\$50,000	\$34,483	\$15,517	5 years
TOTALS	\$725,000	\$500,000	\$225,000	13.62 years

(b) The above improvements and purposes set forth in Section 3(a) shall also include the following, as applicable, surveying, construction planning, engineering and

design work, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental testing and remediation and also all work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$500,000.

(d) The aggregate estimated cost of said improvements or purposes is \$725,000, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor is the down payments for said improvements or purposes in the aggregate amount of \$225,000.

SECTION 4. In the event the United States of America, the State of New Jersey and/or the County of Warren make a contribution or grant in aid to the Town for the improvements and purposes authorized hereby and the same shall be received by the Town prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Warren. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Warren shall be received by the Town after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Town (the "Chief

Financial Officer”), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

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

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 13.62 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$500,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$145,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes herein before described.

SECTION 8. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable property within the

Town for the payment of the principal of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Town reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. The bonds or notes authorized herein to reimburse the Town for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$500,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

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

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

RESOLUTION 2022-245

RESOLUTION AUTHORIZING PURCHASE OF ONE (1) FORD POLICE
INTERCEPTOR UTILITY VEHICLE

WHEREAS, the Town of Phillipsburg desires to purchase one (1) new Ford Police Interceptor Utility Vehicle for police operations; and

WHEREAS, N.J.S.A 40A: 11-4 requires that every contract awarded by the contracting agent for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the governing body; and

WHEREAS, the State of New Jersey (State) and/or the Educational Services Commission of New Jersey (ESCNJ) have awarded contracts to various vendors as successful bidders for State and ESCNJ contracts; and

WHEREAS, the Town of Phillipsburg is a member of the Educational Services Commission of New Jersey (ESCNJ) New Jersey State Approved Cooperative Pricing System (#65MCECCPS); and

WHEREAS, 2022 Ford Police Interceptor Utility Vehicles are available for purchase per ESCNJ approval #ESCNJ 20/21-09-Cars, Crossovers, Class 1-3 Pickup Trucks/Chassis, Sport Utility Vehicles and Vans; and

WHEREAS, funds are available in account # 0421555943003 for the purchase of said purchases through funds appropriated as attached on certification of availability of funds by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Town of Phillipsburg, County of Warren, State of New Jersey, that the purchase of one (1) Ford Police Interceptor Utility Vehicle from Neilson Ford (previously known as Beyer Ford) with offices located in Morristown, NJ 07960 under approval #ESCNJ 20/21-09-Cars, Crossovers, Class 1-3 Pickup Trucks/Chassis, Sport Utility Vehicles and Vans at a price of \$36,820.03

Town of Phillipsburg
Resolution No. 2022-246

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Howard Street By-Pass project.

NOW, THEREFORE, BE IT RESOLVED that Council of Town of Phillipsburg formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2023-Howard Street By-Pass-00013 to the New Jersey Department of Transportation on behalf of Town of Phillipsburg.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Town of Phillipsburg and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
On this 6th day of December, 2022

Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
(Clerk) (Presiding Officer)

Town of Phillipsburg
Resolution No. R2022-247

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Roseberry Street Pedestrian Safety Improvements project.

NOW, THEREFORE, BE IT RESOLVED that Council of Town of Phillipsburg formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LFIF-2023-Roseberry Street Pedestrian Safety-00014 to the New Jersey Department of Transportation on behalf of Town of Phillipsburg.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Town of Phillipsburg and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council
On this 6th day of December, 2022

Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

(Clerk)

(Presiding Officer)

R2022-248
GRANTING WAIVER TO OPEN, CUT OR EXCAVATE STREET
TO PROVIDE UTILITY SERVICE TO PREEXISTING RESIDENCE
PURSUANT TO § 545-39

WHEREAS § 545-39 of the Code of the Town of Phillipsburg prohibits the issuance of excavation permits for openings, cuts or excavations for a period of five (5) years in streets which have been reconstructed or resurfaced; and

WHEREAS Hillcrest Avenue in the Town of Phillipsburg is subject to the provisions of § 545-39 of the Code of the Town of Phillipsburg due to recent resurfacing; and

WHEREAS Elizabethtown Gas is requesting relief from § 545-39 on behalf of the property owner at 713 Hillcrest Boulevard; and

WHEREAS the Town Engineer has determined that the need for relief has good cause; and

WHEREAS Elizabethtown Gas has submitted an Application for Street Opening to the Town of Phillipsburg to install a gas line to service 713 Hillcrest Boulevard; and

WHEREAS § 545-39 C. provides that a waiver for the issuance of an excavation permit may be issued during the five-year period "to open, cut or excavate in said street for the purposes of providing utility or other service to a preexisting residence or structure, but only upon application to the Town Council and for good cause shown;" and

WHEREAS, § 545-26 A. proscribes a fee schedule commensurate with the scope of work as well as the date of work; and

WHEREAS, the Town Engineer has conditioned approval of the aforesaid permit upon assurance from Elizabethtown Gas that the asphalt repair be made utilizing infrared technology;

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Town of Phillipsburg, in the County of Warren, in the State of New Jersey hereby grants a waiver to issue a permit to the Elizabethtown Gas to open, cut, or excavate Hillcrest Boulevard for the limited purpose of installing a gas utility line to service 713 Hillcrest Boulevard subject to any and all applicable fees and permits as well as any and all conditions imposed by the Town Engineer.

CERTIFICATION

I, Matthew Hall, 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 December 6, 2022 meeting.

Matthew Hall,
Acting Municipal Clerk

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING PAYMENT IN THE AMOUNT OF \$70,372.01 TO NATIONAL WATER MAIN CLEANING COMPANY FOR THE 2021 ROAD PROGRAM PHASE 1 – SANITARY AND STORM WATER INSPECTION

WHEREAS, the Town of Phillipsburg previously awarded a contract to National Water Main Cleaning Company, 1806 Newark Turnpike, Kearny, New Jersey 07032 for the 2021 Road Program Phase 1 – Sanitary and Stormwater Inspection; and

WHEREAS, all work has been completed in accordance with the contract documents and a recommendation for payment in the amount of \$70,372.01 has been recommended by the town engineer; and

WHEREAS, this amount reflects withholding of \$0.00 for retainage; and

WHEREAS, National Water Main Cleaning Company submitted a Change Order #2 with a net decrease of \$6,149.53 from the previously increased contract, with an overall 1.96% decrease from the increased contract award value; and

WHEREAS, the Town Council desires to authorize payment as detailed above and also to approve Change Order #2; and

WHEREAS, sufficient funding is available as evidenced by the tax 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 payment in the amount of \$70,372.01 is hereby authorized to be made to National Water Main Cleaning Company as detailed above.

BE IT FURTHER RESOLVED, that Change Order #2 reflecting a net decrease of \$6,149.53 from the previously increased contract is hereby approved.

CERTIFICATION

I, Matthew Hall, 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 December 6, 2022 meeting.

Matthew Hall,
Acting Municipal Clerk

R2022-250

A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY APPROVING THE 2023 SOFTWARE SUPPORT AND MAINTENANCE AGREEMENT WITH MUNICIPAL SOFTWARE, INC. AND EDMUNDS GOVTECH

WHEREAS, the Town requires the execution of a renewal software support and maintenance agreement for software and hardware utilized with the Municipal Software, Inc. product for one (1) year in the amount of \$17,550.00; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1)(a)(dd) a contract may be executed without competitive bidding by reason that such services constitute support of proprietary computer hardware and software; and

WHEREAS, Town of Phillipsburg is desirous of authorizing the execution of a renewal license agreement with Municipal Software, Inc. and Edmunds GovTech; and

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

NOW THEREFORE BE IT RESOLVED by the Mayor and the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the renewal software support and maintenance agreement for software and hardware utilized with the Municipal Software, Inc. product for one (1) year in the amount of \$17,550.00 is hereby approved; and

BE IT FURTHER RESOLVED by the Mayor and the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, Mayor is hereby authorized to sign the renewal agreement as required.

CERTIFICATION

I, Matthew Hall, 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 December 6, 2022 meeting.

Matthew Hall,
Acting Municipal Clerk

2022-251

A RESOLUTION AUTHORIZING A CHANGE TO THE BY-LAWS OF THE
PHILLIPSBURG EMERGENCY SQUAD

WHEREAS, pursuant to § 5-86 of the code of the Town of Phillipsburg, changes to the by-laws of the Phillipsburg Emergency Squad shall be approved by Town Council; and

WHEREAS, the leadership of the Phillipsburg Emergency Squad in consultation with membership has determined that certain changes are necessary; and

WHEREAS, the aforesaid changes are attached hereto and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED by and between the Town of Phillipsburg, County of Warren, State of New Jersey that the recommended changes be adopted as presented.

R: 2022-252

**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
Irwin Street	South Side	In front of 288 Irwin Street
Lewis Street	East Side	In front of 63A Lewis Street
N. Main Street	Town parking lot	For 22 N. Main Street

CERTIFICATION

I, Matthew Hall, 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 December 06, 2022 meeting.

Matthew Hall,
Acting Municipal Clerk

2022-253

**A RESOLUTION AUTHORIZING THE TOWN OF PHILLIPSBURG UEZ
ADMINISTRATIVE BUDGET FOR 2023**

WHEREAS, pursuant to N.J.S.A. 52:27H-60 the Town of Phillipsburg UEZ Administrative Budget shall be adopted by the UEZ Board and subsequently approved by Town Council; and

WHEREAS, the Administrative Budget has been adopted by the UEZ Board and presented to Town Council with a copy attached hereto and made a part hereof;

NOW, THEREFORE, BE IT RESOLVED by and between the Town of Phillipsburg, County of Warren, State of New Jersey that the 2023 Town of Phillipsburg UEZ Administrative Budget be approved as presented.