

**TOWN OF PHILLIPSBURG**  
**COUNCIL MEETING AGENDA**  
**JANUARY 17, 2023 — 7:00 P.M.**

1. **CALL TO ORDER**
2. **OPEN PUBLIC MEETING ACT STATEMENT**
3. **PLEDGE OF ALLEGIANCE**
4. **INVOCATION**
5. **ROLL CALL**
6. **APPROVAL OF MINUTES**
7. **BILLS LIST**
8. **ANNOUNCEMENTS/PRESENTATIONS**
9. **MAYOR'S REPORT/ADMINISTRATIVE OFFICERS**
10. **PUBLIC DISCUSSION ON AGENDA ITEMS**
11. **ORDINANCES FOR 1<sup>ST</sup> READING**

**ORDINANCE 2023-01**

AN ORDINANCE BY THE TOWN COUNCIL AMENDING THE TOWN OF PHILLIPSBURG CODE OF ORDINANCES TO REPEAL CHAPTER 318 FLOOD DAMAGE PREVENTION; TO ADOPT A NEW CHAPTER 318 ENTITLED FLOODPLAIN MANAGEMENT & FLOOD PLAN DAMAGE PREVENTION TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

**\*\* 2<sup>ND</sup> READING AND PUBLIC HEARING TO BE HELD TUESDAY, FEBRUARY 7<sup>TH</sup> \*\***

12. **RESOLUTIONS \*\* CONSENT AGENDA \*\***

*Matters listed on the Consent Agenda Resolutions 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*

**R2023-15**

RESOLUTION AWARDING A CONTRACT IN THE AMOUNT OF \$203,195.00 TO SPECTRASERV, INC. FOR THE PURPOSES OF CLEANING THE WEST DIGESTER TANK

**R2023-16**

RESOLUTION AUTHORIZING PURCHASE OF A WESTERN STAR TRUCK AND CHASSIS AND LEACH REFUSE BODY VIA THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PURCHASING GROUP NOT TO EXCEED \$265,254.95

**R2023-17**

RESOLUTION APPROVING LIST FOR TOWING SERVICES WITHIN THE TOWN OF PHILLIPSBURG FOR YEAR 2023

**R2023-18**

RESOLUTION TO PROVIDE FOR INTERFUND TRANSFERS

**R2023-19**

RESOLUTION IMPOSING LIEN FOR MUNICIPAL SERVICES

**R2023-20**

RESOLUTION APPROVING 2022-2023 LIQUOR LICENSE

**R2023-21**

RESOLUTION APPROVING JUNK DEALER LICENSE FOR 2023

**R2023-22**

RESOLUTION GRANTING WAIVER TO OPEN, CUT OR EXCAVATE STREET TO PROVIDE UTILITY SERVICE TO PREEXISTING RESIDENCE PURSUANT TO § 545-39 OF THE CODE OF THE TOWN OF PHILLIPSBURG

**R2023-23**

RESOLUTION AUTHORIZING THE DEPARTMENT OF ADMINISTRATION TO ISSUE REFUNDS WITHOUT COUNCIL APPROVAL IN THE AMOUNT OF \$50.00 OR LESS

**R2023-24**

RESOLUTION AUTHORIZING 12 MONTH EXTENSION OF THE SHARED SERVICES AGREEMENT BETWEEN THE TOWN OF PHILLIPSBURG AND NORWESCAP PREVIOUSLY AUTHORIZED BY RESOLUTION 2021-163

**R2023-25**

RESOLUTION AUTHORIZING A CONTRACT WITH CGP&H TO PREPARE AN APPLICATION FOR A 2023 ASSISTANCE TO FIREFIGHTERS GRANT

**13. NEW BUSINESS**

FIRE DEPARTMENT APPLICATION – ROBERT FLETCHER

**14. OLD BUSINESS**

LIBRARY REFERENDUM RESOLUTION DISCUSSION

**15. PUBLIC PETITIONS**

**16. COUNCIL OPEN TIME**

**17. EXECUTIVE SESSION (IF REQUIRED)**

**18. ADJOURNMENT**

**ORDINANCE NO. 2023-01**

**AN ORDINANCE BY THE TOWN COUNCIL AMENDING THE TOWN OF PHILLIPSBURG CODE OF ORDINANCES TO REPEAL CHAPTER 318 FLOOD DAMAGE PREVENTION; TO ADOPT A NEW CHAPTER 318 ENTITLED FLOODPLAIN MANAGEMENT & FLOOD PLAN DAMAGE PREVENTION TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

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**FULL TEXT OF ORDINANCE AVAILABLE AT TOWN HALL FOR INSPECTION**

**R2023-15**

**RESOLUTION AWARDING A CONTRACT IN THE AMOUNT OF \$203,195.00 TO SPECTRASERV, INC. FOR THE PURPOSES OF CLEANING THE WEST DIGESTER TANK**

**WHEREAS**, the West Digester Tank, a critical component of the Town of Phillipsburg Wastewater Treatment Plant, which receives waste sludge from the primary clarifiers and from the SBR tanks, has grit and debris accumulation from years of operation; and

**WHEREAS**, settled solids have impacted the sludge dewatering process which is detrimental to the overall function of the Wastewater Treatment System; and

**WHEREAS**, the digester tank is in need of cleaning to restore capacity and improve operational efficiency; and

**WHEREAS**, on September 1<sup>st</sup>, 2022, bid packages were sent to four contractors with specific qualifications in waste hauling and disposal with the intent to solicit bid proposals for the removal and disposal of 305 cubic yards of sedimentation; and

**WHEREAS**, proposals were received as follows:

1. Mobile Dredging No bid
2. Russell Reid No bid
3. Spectraserv Inc. \$203,195.00
4. Synagro No bid;

**WHEREAS**, Mr. Dennis Yoder, PE, the appointed Wastewater Engineer for the Town of Phillipsburg recommends award of a contract to Spectraserv Inc. for **\$203,195.00** pursuant to **N.J.S.A. 40A:11-1 et. seq.**; and

**WHEREAS**, the Chief Financial Officer has certified that the funds are available for this purchase, a certification of which is made a part hereof and attached hereto;

**NOW THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Phillipsburg that an award of contract in the amount of **\$203,195.00** be made for the purposes of cleaning the west digester tank.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Chief Financial Officer and the Wastewater Engineer.

**R2023-16**

**RESOLUTION AUTHORIZING PURCHASE OF A WESTERN STAR TRUCK AND CHASSIS AND LEACH REFUSE BODY VIA THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY COOPERATIVE PURCHASING GROUP NOT TO EXCEED \$265,254.95**

**WHEREAS**, the Town of Phillipsburg is a member of the ESCNJ cooperative purchasing group which procures goods and services to municipalities and other public entities in accordance with all applicable local public contracting laws; and

**WHEREAS**, the ESCNJ cooperative group is a New Jersey State Approved Purchasing Cooperative #65MCESCCPS; and

**WHEREAS**, the Town of Phillipsburg has a need to purchase a new garbage truck in furtherance of providing efficient solid waste services; and

**WHEREAS**, the Chief Financial Officer has certified that the funds are available for this purchase, a certification of which is made a part hereof and attached hereto;

**NOW THEREFORE BE IT RESOLVED**, by the Town Council of the Town of Phillipsburg that the purchase itemized below in a total amount not to exceed **\$265,254.95** pursuant to the ESCNJ cooperative contract number **BID # ESCNJ 20/21- 55 CLASS 4-8 Trucks**

Hudson County Motors Inc.	\$153,613.40	for 2024 Western Star 47X
Sanitation Equipment Corp.	\$111,641.55	for LEACH 2RIII-25YD Rear Load
Total:	\$265,254.95	

**BE IT FURTHER RESOLVED**, that a copy of this resolution with an accompanying purchase order be forwarded to the Chief Financial Officer and Sanitation Equipment/Hudson County Motors.

**R2023-17**  
**RESOLUTION APPROVING LIST FOR TOWING SERVICES WITHIN THE TOWN OF PHILLIPSBURG FOR YEAR 2023**

**WHEREAS**, applications have been received by the Police Department in regard to towing services within Town of Phillipsburg in accordance with Chapter 584 of the Town Code entitled “Towing” specifically, Section 584-4, and

**WHEREAS**, the applicants have filed their required annual fees with said application, and

**WHEREAS**, the Police Chief has reviewed applications and provided a recommendation for approval,

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Phillipsburg that the following shall be issued approval to provide towing services to the Town of Phillipsburg during year 2023:

<b>Stews Autobody, Inc.</b>	<b>(Heavy Duty)</b>	<b>\$100.00</b>
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**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Chief of Police.

**R2023-18**

**RESOLUTION TO PROVIDE FOR INTERFUND TRANSFERS**

**BE IT RESOLVED** by the Town Council of the Town of Phillipsburg that pursuant to the provision of N.J.S.A. 40A:5-48, the Chief Financial Officer be and is hereby authorized to make transfers to said accounts in accordance with the list made a part hereof and attached hereto.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forward to the Chief Financial Officer.

**R2023-19**  
**RESOLUTION IMPOSING LIEN FOR MUNICIPAL SERVICES**

**WHEREAS**, the attached schedule lists the owner of a Block and Lot located in the Town of Phillipsburg; and

**WHEREAS**, there are unpaid charges in the amount listed outstanding on said Block and Lot, representing the costs incurred by the Town of Phillipsburg to remedy violations occurring on said property, according to the certification and cost annexed hereto, which the Town Council has examined and found to be proper.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Phillipsburg that it does hereby place a lien on the premises listed in the amount listed for the purpose of collecting unpaid charges due to the Town of Phillipsburg.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Tax Collector and the Warren County Clerk for recording.



**R2023-20**  
**RESOLUTION APPROVING 2022-2023 LIQUOR LICENSE**

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

**WHEREAS**, application for renewal of licenses in accordance with the provisions of law has been received and no remonstrances, protests or complaints have been filed by any person with the Council on below listed licensees and the said Council having investigated the applicant and premises, and

**WHEREAS**, Tax Clearance Certificates for below listed establishment have been received from the Division of Taxation,

**NOW, THEREFORE, BE IT RESOLVED** that the following licenses be renewed: (Attached hereto and made a part hereof)

**PLENARY RETAIL CONSUMPTION: EFFECTIVE: July 01, 2022 Fee: \$1,400.00**

2119-33-002-004    Wardell Realty of NJ / Free Bridge Wine    9 Union Square

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the license holder and the Chief of Police.

**R2023-21**  
**RESOLUTION APPROVING JUNK DEALER LICENSE FOR 2023**

**WHEREAS**, an application has been filed by Ray Craft & Sons for the renewal of Junk Dealer's License for premises known as 16 McKeen Street; and

**WHEREAS**, the annual fee of \$650.00 and the certification verifying property taxes are current have been received.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Phillipsburg that the application for Ray Craft & Sons for 2023 JUNK DEALER LICENSE for the operation of a Junk Yard for 16 McKeen Street is hereby accepted and approved.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Inspections Department and the Clerk's Office.

**R2023-22**

**RESOLUTION GRANTING WAIVER TO OPEN, CUT OR EXCAVATE STREET TO PROVIDE UTILITY SERVICE TO PREEXISTING RESIDENCE PURSUANT TO § 545-39 OF THE CODE OF THE TOWN OF PHILLIPSBURG**

**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 959 Hill Street; 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 959 Hill Street; 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 Hill Street for the limited purpose of installing a gas utility line to service 959 Hill Street subject to any and all applicable fees and permits as well as any and all conditions imposed by the Town Engineer.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Town Engineer, the Department of Public Works and the Clerk’s Office.

**R2023-23**

**RESOLUTION AUTHORIZING THE DEPARTMENT OF ADMINISTRATION TO  
ISSUE REFUNDS WITHOUT COUNCIL APPROVAL IN THE AMOUNT OF \$50.00 OR  
LESS**

**WHEREAS**, the Town of Phillipsburg, through the various departments, often times accepts deposits for reservation of Town facilities; and

**WHEREAS**, a deposit is often times required at the time of reservation; and

**WHEREAS**, in the event of a cancellation of the reservation the deposit monies are returned; and

**WHEREAS**, the Department of Administration has requested the ability to issue, without Council approval, refunds which are \$50.00 or less; and

**WHEREAS**, Town Council believes that authorizing same would result in the more efficient operations and would benefit the Town residents.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the refunds which are \$50.00 or less may be issued without additional Council approval as requested by the respective department head, as well as approval from the Business Administrator and the CFO.

**BE IT FURTHER RESOLVED** that the Council of the Town of Phillipsburg hereby authorizes the Mayor and Municipal Clerk to execute any and all necessary documents in order to effectuate same and that a copy of this resolution shall be forwarded to the Chief Financial Officer.

**R2023-24**

**RESOLUTION AUTHORIZING 12 MONTH EXTENSION OF THE SHARED SERVICES AGREEMENT BETWEEN THE TOWN OF PHILLIPSBURG AND NORWESCAP PREVIOUSLY AUTHORIZED BY RESOLUTION 2021-163**

**WHEREAS**, the Town of Phillipsburg previously entered into a shared services agreement with NORWESCAP in order to perform professional services in connection with the New Jersey Department of Community Affairs Neighborhood Preservation Program (NPP) Grant; and

**WHEREAS**, pursuant to the original agreement, the agreement may be renewed for subsequent twelve (12) month periods pending continuation of funding and the agreement of both parties;

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the Town of Phillipsburg, County of Warren, State of New Jersey that the original agreement, attached hereto and made a part hereof be renewed for a period of twelve (12) months.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Chief Financial Officer and NORWESCAP.

**R2023-25**

**RESOLUTION AUTHORIZING A CONTRACT WITH CGP&H TO PREPARE AN APPLICATION FOR A 2023 ASSISTANCE TO FIREFIGHTERS GRANT**

**WHEREAS**, the application period for the 2023 Assistance to Firefighters Grant (AFG) program has been announced; and

**WHEREAS**, the Town wishes to engage CGP&H as a consultant to prepare an application to secure funding for replacement equipment including but not limited to portable and land mobile radios for the Phillipsburg Fire Department.; and

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

**WHEREAS**, CGP&H, has submitted a proposal dated Monday, January 9<sup>th</sup>, 2023, to provide grant writing services not to exceed \$5,500, based upon a blended hourly rate of \$150.00 ; and

**WHEREAS**, the aforesaid proposal is made a part hereof and attached hereto.

**NOW THEREFORE IT BE RESOLVED**, by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the contract for grant writing services with CGP&H is hereby authorized.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Chief of the Phillipsburg Fire Department, the Chief Financial Officer and CGP&H.