

**Resolution No. 2023- 139**

**A RESOLUTION OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN,  
STATE OF NEW JERSEY, AWARDING A CONTRACT TO KDP DEVELOPERS, INC  
FOR 2023 LOPATCONG CREEK DAMAGE REPAIRS ON AN EMERGENCY BASIS**

**WHEREAS**, the Town of Phillipsburg Department of Public Works and Department of Emergency Management observed significant erosion and damage to storm water outfalls from the storm event that occurred on Sunday July 16, 2023; and

**WHEREAS**, the Town of Phillipsburg Department of Public Works and Department of Emergency requested the Town Engineer Van Cleef Engineering to review storm damaged to the Lopatcong Creek in the area of Phillipsburg Sanitary plan on July 17, 2023; and

**WHEREAS**, Van Cleef Engineering acting as the Town Engineer recommended emergency repairs along the bank of Lopatcong Creek due observed stormwater outfall damages and erosions to banks; and

**WHEREAS**, the continued erosion to the banks of Lopatcong Creek would jeopardize the Phillipsburg Sewer Treatment Plant; and

**WHEREAS**, continued bank failure could impact sewer plan operations this posed a danger to the health, safety and public welfare per the Town Professionals; and

**WHEREAS**, because of the foregoing, it was necessary to immediately contract for work to be performed to remediate the Event and to eliminate the danger to the health, safety and public welfare; and

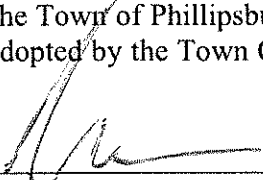
**WHEREAS**, the Town of Phillipsburg has sought emergency repairs to Lopatcong Creek on an emergency basis (the "2023 LOPATCONG CREEK DAMAGE REPAIRS").

**NOW THEREFORE IT BE RESOLVED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the Town Council does hereby declare an emergency

to have existed on July 17, 2023 as result storm damages from the July 16, 2023 storm event, that Emergency Repairs were necessary and authorizes the repairs and payment for services rendered therefor to KDP Developers Inc. with an estimated value of work of \$500,000.00.

**CERTIFICATION**

I, Matthew Hall, Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their July 18, 2023 meeting.

  
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Matthew Hall, Acting Municipal Clerk