

TOWN OF PHILLIPSBURG
COUNCIL MEETING AGENDA
December 10, 2025 — 6:00 P.M.

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 10, 2025 was included in a list of meeting notices sent to newspapers of record and posted on the bulletin board in the Municipal Building and has remained continuously posted as the required notice 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. PLEDGE OF ALLEGIANCE

4. INVOCATION

5. ROLL CALL

6. APPROVAL OF MINUTES – November 25, 2025 Regular Meeting Minutes

7. BILLS LIST

8. MAYOR’S REPORT

9. PUBLIC DISCUSSION ON AGENDA ITEMS

10. ORDINANCES – 2nd READING AND PUBLIC HEARING

O2025-20 ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING SECTION 67-23 – SCHEDULE VII, STOP INTERSECTIONS – OF CHAPTER 67 ENTITLED “VEHICLES AND TRAFFIC” TO REMOVE THE ALL-WAY STOP SIGNS ON SUMMIT AVENUE AT THE INTERSECTION OF RAYMOND STREET

11. 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.

R2025-236 RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BONDS AND SAFETY AND STABILIZATION BONDS FOR DEVELOPMENT IMPROVEMENTS FOR QUICK CHECK - BLOCK 1003 LOTS 4 & 8 ISSUED ON BEHALF OF PBXDEV 2, LLC and QUICKCHEK CORPORATION

R2025-237 RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE EMPLOYMENT CONTRACT WITH ANTHONY GOODELL FOR THE POSITION OF CHIEF OF POLICE

12. NEW BUSINESS

13. OLD BUSINESS

14. MOTIONS

- 15. PUBLIC PETITIONS**
- 16. COUNCIL OPEN TIME**
- 17. EXECUTIVE SESSION (IF REQUIRED)**
- 18. ADJOURNMENT**

**Bill List Summary
REGULAR BILL LIST AS OF December 10, 2025**

		<u>Check No</u>
1 Current Fund	88,866.49	_____
2 State & Federal Grants	177,512.41	_____
4 Capital Fund	242,462.72	_____
7 Sewage Utility Fund	77,170.62	_____
8 Sewage Capital Fund	0.00	_____
12 Planning Board Trust Fund	13.75	_____
13 Dog Trust Fund	0.00	_____
15 Public Defender Trust	0.00	_____
16 Section 8	0.00	_____
17 General Trust Fund	94,829.25	_____
20 Agency Fund	790.40	_____
21 Revolving Loan Fund	0.00	_____
22 Affordable Housing Trust	0.00	_____
23 Open Space Trust Fund	9,955.30	_____
25 UEZ	6,394.95	_____
26 Bridge Development	0.00	_____
Total Regular Bill December 10, 2025	697,995.89	

Pre-Paid Bill List as of December 10, 2025

1 Current Fund	5,773.54
2 State & Federal Grants	0.00
4 Capital Fund	310,077.79
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	219,332.98
21 Revolving Loan Fund	0.00
23 Open Space Trust Fund	1,500.00
25 UEZ	0.00
	536,684.31

Grand Total All Funds

1,234,680.20

Approved By:



Robert J. Merlo, CFO



Craig Brotens, Business Administrator

List of Bills - CLAIMS CHECKING ACCOUNT

Meeting Date: 12/10/2025 For bills from 11/26/2025 to 12/09/2025

Check#	Vendor	Description	Payment	Check Total
3888	3 - VERIZON	PO 47152 11/8/25-12/7/25 service as per billings	62.91	
		PO 47178 11/10/25-12/9/25 service as per billings	641.09	704.00
3889	8 - TILCON NEW YORK, INC	PO 41859 COF - Hudson St Phase 1 - R:2023-239	32,041.16	32,041.16
3890	52 - STAR DOLLAR CLEANERS INC	PO 46487 BLANKET FOR UNIFORM CLEANING	995.00	995.00
3891	76 - ELIZABETHTOWN GAS INC	PO 47160 10/13/25-11/11/25 services as per billin	4,647.65	4,647.65
3892	88 - DELTA DENTAL OF NJ INC	PO 47156 December Payment - Group #03947-00001	202.02	
		PO 47156 December Payment - Group #03947-00001	269.74	
		PO 47156 December Payment - Group #03947-00001	83.09	
		PO 47156 December Payment - Group #03947-00001	4,303.03	4,857.88
3893	88 - DELTA DENTAL OF NJ INC	PO 47157 December Dental Payment - Group #03947-0	588.38	
		PO 47157 December Dental Payment - Group #03947-0	100.33	
		PO 47157 December Dental Payment - Group #03947-0	5.40	
		PO 47157 December Dental Payment - Group #03947-0	2,194.32	2,888.43
3894	109 - EPPEC UNIFORMS	PO 46967 Uniforms	1,249.50	
		PO 47197 Uniforms	175.00	
		PO 47198 Uniforms	3,579.80	
		PO 47202 Uniforms	1,522.80	6,527.10
3895	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 46048 Cert of Funds-Prof Svcs-Hudson St Phase	25,932.75	25,932.75
3896	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 46149 COF - Professional Services - General En	8,578.60	8,578.60
3897	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 46733 Cert of Funds - Prof Svcs Hudson St Phas	194.00	194.00
3898	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 46931 Cert of Funds-Authorizing Eng. Assoc. w/	20,466.50	
		PO 46931 Cert of Funds-Authorizing Eng. Assoc. w/	3,120.50	23,587.00
3899	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 47162 Cert of Funds-Del.River Park Landfill In	47.00	47.00
3900	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 47174 540 Marshall Street	13.75	13.75
3901	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 47175 Professional Services-Comcast	4,248.00	4,248.00
3902	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 47176 R2024-253 COF EPA Stormwater Project	10,876.25	10,876.25
3903	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 47179 Professional Services - Van Cleef for Va	75,862.00	75,862.00
3904	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 47180 Professional Services - Van Cleef for Va	3,656.00	3,656.00
3905	139 - VAN CLEEF ENGINEERING ASSOC., LLC	PO 47181 Professional Services Rendered	9,863.25	9,863.25
3906	251 - BITTONE EQUIPMENT SVCS LLC	PO 46554 Blanket Purchase Order - Parts	217.64	217.64
3907	316 - 1000 BULBS.COM	PO 46613 Blanket Purchase Order - Light bulbs	617.80	617.80
3908	499 - NATURAL SYSTEMS UTILITIES	PO 47161 RWPS High Flow Event July 2023 - Invoice	70,987.64	70,987.64
3909	546 - GRAPHIC ACTION INC	PO 46693 Banners & Signs	504.00	504.00
3910	687 - INDUSTRIAL COMMUNICATIONS INC	PO 46403 Blanket Purchase Order - Radios	953.32	
		PO 47110 Radio Maintenance Contract for November	997.98	
		PO 47111 Factory Repair of 3 Pagers	450.00	
		PO 47138 94-15 Radio repair	202.00	
		PO 47200 In Car Radio	294.60	2,897.90
3911	733 - NJ ADVANCE MEDIA, LLC	PO 47086 NJ Advance legal publications	420.40	420.40
3912	807 - THE TERMINIXINTERNATIONAL CO LP	PO 46649 Blanket Purchase Order - Pest Control	170.47	170.47
3913	879 - MAYBERRY SALES & SERVICE INC	PO 47112 Repair of Honda Portable Generator	150.25	150.25
3914	920 - FMHUB LLC	PO 47158 Electronic MuniCard Posting and Distribu	500.00	500.00
3915	923 - SHANNON QUICK	PO 47007 NJLOM Conference Reimbursement	161.18	
		PO 47007 NJLOM Conference Reimbursement	293.16	454.34
3916	953 - NORTHEAST PARTS GROUP LLC	PO 47126 Blanket Purchase Order - Parts	29.33	29.33
3917	974 - ROUTE 12 WASH & GAS INC	PO 47199 Car wash	80.00	80.00
3918	1041 - POLLUTION CONTROL FINANCING AUTH	PO 46077 Disposal Fees	9,258.40	9,258.40
3919	1060 - HORWITH TRUCKS INC	PO 45181 Brakes & rotors for sanitation truck 25	110.42	110.42
3920	1139 - GOV'T FORMS & SUPPLIES LLC	PO 46811 Dog tags	573.71	573.71
3921	1176 - ROBERT J MERLO	PO 47012 NJLOM Conference Reimbursement	123.48	
		PO 47012 NJLOM Conference Reimbursement	229.31	352.79
3922	1287 - FRANK RYMON & SONS INC	PO 47113 Parts for Stihl Chainsaw	75.75	75.75
3923	1292 - INSTITUTE FOR FORENSIC PSYCHOLOGY	PO 47136 Fitness for Duty examination	2,500.00	2,500.00
3924	1311 - AMAZON CAPITAL SERVICES	PO 46700 Supplies, Equipment	585.27	585.27
3925	1311 - AMAZON CAPITAL SERVICES	PO 47114 Purchase of Rechargeable Batteries for P	22.50	22.50
3926	1311 - AMAZON CAPITAL SERVICES	PO 47143 Supplies for craft with kids event	1,723.98	1,723.98
3927	1311 - AMAZON CAPITAL SERVICES	PO 47196 Office Supplies for Finance office	63.88	63.88
3928	1363 - BRIAN T GRACE	PO 47204 Public Defender for November	2,000.00	2,000.00
3929	1372 - REEGS INC	PO 46402 Blanket Purchase Order - Batteries	494.85	494.85
3930	1374 - FRED BEANS PARTS INC	PO 45453 Blanket purchase order - Parts	32.89	
		PO 46283 Blanket Purchase Order - Parts	8.34	
		PO 47089 Blanket Purchase Order - Parts	1,908.40	1,949.63
3931	1401 - HAYDEE BALLESTER MONTERO	PO 47173 Spanish Interpreter via zoom for Court N	150.00	150.00
3932	1443 - CB PET SUPPLIES	PO 47165 self bath for Harley	20.00	20.00
3933	1447 - ARAE NETWORK SOLUTIONS LLC	PO 44291 R2024-191 COF Replacement of existing wi	24,415.63	
		PO 45404 Migrate to O365	6,850.00	
		PO 47168 Cybersecurity- External Firewall PN TEST	5,500.00	
		PO 47177 IT Bills for October 2025	5,687.50	
		PO 47209 IT Invoices for November 2025	5,139.88	47,593.01

List of Bills - CLAIMS CHECKING ACCOUNT

Meeting Date: 12/10/2025 For bills from 11/26/2025 to 12/09/2025

Check#	Vendor	Description	Payment	Check Total
3934	1449 - LEXIPOL, LLC	PO 47193 TRG State Accreditation Maintenance	13,119.75	13,119.75
3935	1490 - HAWKINS DELAFIELD & WOOD LLP	PO 40687 R:2023-28 COF Professional services rela	5,445.00	5,445.00
3936	1516 - CLEARY GIACOBBE ALFIERI JACOBS LLC	PO 47153 Services rendered October	4,660.00	4,660.00
3937	1549 - First Commonwealth Bank	PO 47169 LED lighting contract-November 17 2025	1,466.60	1,466.60
3938	1556 - HOLLAND TOWNSHIP	PO 47194 Payment for Thirty Party OT Police cover	1,347.60	1,347.60
3939	1558 - TARA GOMEZ	PO 47008 NJLOM Conference Reimbursement	137.00	137.00
3940	1566 - PATTY HUKTA	PO 47006 NJLOM Conference Reimbursement	83.25	
		PO 47006 NJLOM Conference Reimbursement	225.10	308.35
3941	1573 - EAS WATER COFFEE PAPER	PO 46274 Water Rental-Blanket	113.85	113.85
3942	1576 - RUTH J MULLIGAN	PO 47171 Court Assistance for month November 202	615.00	615.00
3943	1602 - PMG SM PA LLC	PO 46790 Blanket Purchase Order - Field Paint	1,110.30	1,110.30
3944	1610 - CIOCA FORD LINCOLN OF FLEMINGTON	PO 46405 Cert of Funds-Purchase Four 2024 Ford Es	57,180.00	57,180.00
3945	1611 - AWARENESS PROTECTIVE CONSULT. LLC	PO 47137 Firearms Instructor	525.00	525.00
3946	1631 - ALEX IBARRA	PO 47060 Consultant UEZ Admin	6,300.00	6,300.00
3947	1634 - A & K EQUIPMENT CO INC	PO 47123 Blanket Purchase Order - Salt spreader 1	252.00	252.00
3948	1659 - COMCAST HOLDINGS CORP	PO 47159 Police Fiber Lines	886.24	886.24
3949	1681 - BOROUGH OF ALPHA	PO 47172 Postage usage in Alpha Borough Municipal	90.41	90.41
3950	1686 - ALLEN J BLOODGOOD JR	PO 46996 Defensive Tactics Instructor	1,050.00	1,050.00
3951	1692 - WOODARD & CURRAN INC	PO 46047 Cert of Funds - Prof Svcs-Enviro. Studie	9,908.30	9,908.30
3952	1693 - MORRIS CTY PREVENTION IS KEY INC	PO 46117 R2025-34 COF Opioid Funds Administration	94,661.60	94,661.60
3953	1747 - THE ICE CREAM EXPERIENCE LLC	PO 46964 Ice Cream Truck	200.00	200.00
3954	1755 - BEAVER HOME IMPROVEMENT LLC	PO 46840 Cert of Funds-Roof Repairs for Corliss-R	64,914.58	64,914.58
3955	1762 - PETER GUSTAVSON	PO 47151 Cruise and Concert Night 2025	1,200.00	1,200.00
3956	1763 - JEFFERY SULLIVAN	PO 47201 Gang Specialist Recertification	97.00	97.00
3957	1773 - GOLD TYPE BUSINESS MACHINES INC	PO 47107 BackTrace Subscription ICop/NCIC Search	2,286.00	2,286.00
3958	2316 - TOP LINE CONSTRUCTION CORP.	PO 46725 Cert of Funds - Hudson St Phase 4 - R:20	69,072.82	69,072.82
3959	6659 - PENTELEDATA	PO 47166 Internet & Phone services 11/10/25-12/9/	94.95	
		PO 47166 Internet & Phone services 11/10/25-12/9/	704.65	799.60
3960	9260 - MATT NOEL	PO 47210 Conference reimbursement	87.54	87.54
3961	9458 - PNC MERCHANT SERVICES COMPANY	PO 46819 Credit Card fee	137.57	137.57
TOTAL				697,995.89

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-050	Business Administrator - O/E	11,078.23			
01-201-20-120-050	Municipal Clerk - O/E	420.40			
01-201-20-130-050	Financial Administration - O/E	586.35			
01-201-20-155-050	Legal Services	4,660.00			
01-201-20-165-050	Engineering services	8,578.60			
01-201-23-220-050	Employee Group Insurance	6,278.13			
01-201-25-240-050	Police Department - O/E	28,395.44			
01-201-25-265-050	Fire Department - O/E	1,197.49			
01-201-26-290-050	Street & Roads - O/E	953.32			
01-201-26-300-050	Public Works Administration - O/E	312.64			
01-201-26-310-050	Building & Grounds - O/E	1,898.57			
01-201-26-315-050	Vehicle Maintenance - O/E	3,053.87			
01-201-31-430-050	Utility Expenses - Electricity	294.66			
01-201-31-440-050	Switchboard Expenses - O/E	1,653.80			
01-201-31-446-050	Utility Expenses - Natural Gas	3,942.85			
01-201-32-465-050	Landfill/Solid Waste Disposal Costs	8,867.20			
01-201-33-490-050	Municipal Court - O/E	992.98			
01-201-33-495-050	Public Defender - O/E	2,000.00			
01-201-47-390-050	Maintenance of Free Public Library	2,737.05			
01-201-47-396-050	Recycling Tax (P.L. 2007, C. 311)	391.20			
01-203-20-120-050	(2024) Municipal Clerk - O/E		573.71		
01-260-05-102	Current Fund - Due to Claims			0.00	88,866.49
TOTALS FOR		88,292.78	573.71	0.00	88,866.49

02-213-40-729-000	2019 - 2024 School Resource Officer	77.57			
02-213-40-882-000	Other - Public and Private Contributions	1,723.98			
02-213-41-559-000	Public Works - State Grants	69,072.82			
02-213-41-569-000	Public Works - State Grants	10.92			
02-213-41-661-000	Health & Human Services - State Grants	94,661.60			

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
02-213-41-690-000	Other State Grants - NPP			1,089.27	
02-213-41-744-000	Public Works - Federal Grants			10,876.25	
02-260-05-102	St/Fed Grants - Due to Claims Fund			0.00	177,512.41
TOTALS FOR	STATE & FEDERAL GRANTS	0.00	0.00	177,512.41	177,512.41
04-215-55-933-000	O:2017-03/O:2021-05 Improvements Authorized			64,914.58	
04-215-55-945-000	O:2023-10 Improvement Authorizations			47,210.79	
04-215-55-946-000	NJDOT Improvement Authorization			27,474.35	
04-215-55-947-000	O2024-15 Improvement Authorizations			16,596.00	
04-215-55-948-000	O2025-10 Improvement Authorizations			86,267.00	
04-260-05-102	Capital - Due to Claims Fund			0.00	242,462.72
TOTALS FOR	CAPITAL FUND	0.00	0.00	242,462.72	242,462.72
07-201-55-510-050	Sewer Utility OE	737.98			
07-204-55-000	Accounts Payable			5,445.00	
07-260-05-102	Sewer Utility - Due to Claims Fund			0.00	77,170.62
07-400-65-000	Fund Balance			70,987.64	
TOTALS FOR	SEWER UTILITY	737.98	0.00	76,432.64	77,170.62
12-260-05-102	Planning Board - Due to Claims Fund			0.00	13.75
12-286-56-851-000	Land Use Escrows			13.75	
TOTALS FOR	Land Use Board Escrow	0.00	0.00	13.75	13.75
17-260-05-102	Trust - Due to Claims Fund			0.00	94,829.25
17-286-56-858-000	Engineers Inspections			93,629.25	
17-292-56-011-000	Donations			1,200.00	
TOTALS FOR	GENERAL TRUST FUND	0.00	0.00	94,829.25	94,829.25
20-260-05-102	Agency - Due to Claims Fund			0.00	790.40
20-291-55-070-000	Payroll Deductions			790.40	
TOTALS FOR	PAYROLL AGENCY FUND	0.00	0.00	790.40	790.40
23-260-05-102	Open Space Trust-Due to Clearing			0.00	9,955.30
23-292-56-025-000	Dedication by Rider			9,955.30	
TOTALS FOR	Open Space Trust Fund	0.00	0.00	9,955.30	9,955.30
25-260-05-102	Due to Claims			0.00	6,394.95
25-292-56-026-000	Dedication by Rider (UEZ)			6,394.95	
TOTALS FOR	Urban Enterprise Zone	0.00	0.00	6,394.95	6,394.95

Total to be paid from Fund 01 CURRENT FUND	88,866.49
Total to be paid from Fund 02 STATE & FEDERAL GRANTS	177,512.41
Total to be paid from Fund 04 CAPITAL FUND	242,462.72
Total to be paid from Fund 07 SEWER UTILITY	77,170.62
Total to be paid from Fund 12 Land Use Board Escrow	13.75
Total to be paid from Fund 17 GENERAL TRUST FUND	94,829.25
Total to be paid from Fund 20 PAYROLL AGENCY FUND	790.40
Total to be paid from Fund 23 Open Space Trust Fund	9,955.30
Total to be paid from Fund 25 Urban Enterprise Zone	6,394.95

697,995.89

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
Checks Previously Disbursed					
3885	DUMOR CONTRACTING INC	Multiple:			310,077.79 11/25/2025
3887	UPPER DELAWARE SOIL CONSERVATION DISTRICT	Multiple:			1,500.00 11/26/2025
940990	AFLAC	PO# 47082	Monthly Invoice-	November	1,537.98 11/21/2025
31400058	St of NJ - Dept of Treasury	PO# 47098	November 2025	SHBP	217,795.00 11/14/2025
383756704	ENTERPRISE FM TRUST	PO# 47146	Enterprise Fleet Lease	Payment	5,773.54 11/21/2025

					536,684.31

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 CURRENT FUND	5,773.54	88,866.49	94,640.03
Fund 02 STATE & FEDERAL GRANTS		177,512.41	177,512.41
Fund 04 CAPITAL FUND	310,077.79	242,462.72	552,540.51
Fund 07 SEWER UTILITY		77,170.62	77,170.62
Fund 12 Land Use Board Escrow		13.75	13.75
Fund 17 GENERAL TRUST FUND		94,829.25	94,829.25
Fund 20 PAYROLL AGENCY FUND	219,332.98	790.40	220,123.38
Fund 23 Open Space Trust Fund	1,500.00	9,955.30	11,455.30
Fund 25 Urban Enterprise Zone		6,394.95	6,394.95
BILLS LIST TOTALS			1,234,680.20

ORDINANCE NO. 2025-20

ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING SECTION 67-23 – SCHEDULE VII, STOP INTERSECTIONS – OF CHAPTER 67 ENTITLED “VEHICLES AND TRAFFIC” TO REMOVE THE ALL-WAY STOP SIGNS ON SUMMIT AVENUE AT THE INTERSECTION OF RAYMOND STREET

WHEREAS, on May 28, 2025, the Town Council of the Town of Phillipsburg adopted Ordinance No. 2025-11 which amended Section 67-23 – Schedule VII, Stop Intersections – of Chapter 67 entitled “Vehicles and Traffic” of the Phillipsburg Town Code that established a four-way stop sign at the intersection of Summit Avenue and Raymond Street; and

WHEREAS, the Town Council now wishes to further amend Section 67-23 to remove the imposition of a four-way stop sign at the intersection of Summit Avenue and Raymond Street; and

WHEREAS, the Town Council believes that such amendment is in the best interest of the Town and its Residents.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey that Section 67-23 – Schedule VII, Stop Intersections – of Chapter 67 entitled “Vehicles and Traffic” of the Phillipsburg Town Code is hereby amended and supplemented to remove the imposition of a four-way stop sign at the intersection of Summit Avenue and Raymond Street; as follows:

SECTION I:

§ 67-23. Schedule VII, Stop Intersections.

Deletions to this Section shall be delineated as strikethrough text, ~~thusly~~.

STOP SIGN ON AT INTERSECTION OF

[. . .]

~~All approaches Summit Avenue & Raymond Street~~

SECTION II: 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 III: Repealer.

Any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

SECTION IV: Effective Date.

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

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

ATTEST:

TOWN OF PHILLIPSBURG

Susan Turner
Acting Municipal Clerk

Randy S. Piazza, Jr.
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 November 12, 2025, 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 December 10, 2025, at 6:00 PM or as soon thereafter as the Town Council may hear this Ordinance at the Municipal Building, 120 Filmore Street, Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

CERTIFICATION

I, Susan Turner, Acting Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their December 10, 2025 meeting.

Susan Turner, Acting Municipal Clerk

R2025-236

RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE BONDS AND SAFETY AND STABILIZATION BONDS FOR DEVELOPMENT IMPROVEMENTS FOR QUICK CHECK - BLOCK 1003 LOTS 4 & 8 ISSUED ON BEHALF OF PBXDEV 2, LLC and QUICKCHEK CORPORATION

WHEREAS, THE Town of Phillipsburg has received performance bond guarantees posted on behalf of **PBXDEV 2, LLC** to insure completion of approval conditions; and

WHEREAS, the Town agrees to release the performance guarantee based upon the recommendation of the Town Engineer that work has been completed in an acceptable manner; and

WHEREAS, the Town Council believes it is in the best interest of the Town of Phillipsburg to release the performance and stabilization bonds previously posted for development improvements for this project/site; and

WHEREAS, PBXDEV 2, LLC had issued a performance bond in the amount of \$28,734.43 (bond no. SUR2004320); and

WHEREAS, QuickChek Corporation had issued a performance bond in the amount of \$689,170.94 (bond no. 107736032); and

WHEREAS, a safety and stabilization bond was also issued for this project in the form a cash bond in the amount of \$16,857.73 (Town account number #12-286-56-853-252).

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 release and return of the performance bond and stabilization bond issued by PBXDEV 2, LLC is hereby authorized upon receipt of a maintenance bond.

BE IT FURTHER RESOLVED , by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the release and return of the performance bond issued by QuickChek Corporation is hereby authorized upon receipt of the maintenance bond specified by the Town Engineer.

BE IT FURTHER RESOLVED , by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the release and return of the performance bond issued by PBXDEV 2, LLC is hereby authorized upon receipt of the maintenance bond specified by the Town Engineer.

BE IT FURTHER RESOLVED , by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, that the release and return of the Safety and Stabilization Bond issued for this project to the Town.

CERTIFICATION

I, Susan Turner, Acting Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey to hereby Certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on December 10, 2025.

Susan Turner, Acting Municipal Clerk

December 5, 2025

Patrick Kays
Director of Municipal Services/Construction Official
Town of Phillipsburg
120 Filmore Street
Phillipsburg, NJ 08865

**RE: Bond Release Recommendation
PBXDEV 2, LLC
671 Memorial Parkway
Block 1003 Lots 4 & 8
Our Project Number: 9102.082**

Dear Mr. Kays:

Please find below our update to letter dated 10/18/2025:

Our office recommends the release of the following bonds held by the Town and recommendation for developer to provide maintenance bonds as listed below:

Bond Summary

1. Elder Avenue Improvements Performance Bond No. SUR2004320 – Amount \$28,734.43 – recommend to be released and a maintenance bond issued for the amount \$3,591.80 for period of 2 years.
2. Non-Elder Avenue Improvements Performance bond no. 107736032– Amount \$689,170.94 – recommend to be released and a maintenance bond issued for the amount \$86,146.37 for period of 2 years.
3. Safety and Stabilization Bond (cash bond - Town account number #12-286-56-853-252) in the amount of \$16,857.73 shall be released and no maintenance bond is required.

OFFICE LOCATIONS

www.vancleefengineering.com

Hillsborough, NJ
908-359-8291

Mt. Arlington, NJ
862-284-1100

Phillipsburg, NJ
908-454-3080

Doylestown, PA
215-345-1876

Pottstown, PA
610-323-4040

Hamilton, NJ
609-689-1100

Toms River, NJ
732-573-0490

Freehold, NJ
732-303-8700

Bethlehem, PA
610-332-1772

We reserve the right to provide additional comments based upon the information requested above. If you require additional information or have any questions, please feel free to contact me at my office.

Very truly yours,
Van Cleef Engineering Associates

Timothy M. O'Brien

Timothy M. O'Brien, PE, PP, CME
Associate/Senior Professional Engineer

cc: Applicant

f:\projects\9100 - phillipsburg\9102 - pb\082 pbxdev 2, llc\review letters\2025-12-5 - bond release.docx

Bond No. SUR2004920

PERFORMANCE SURETY BOND

Block 1003, Lots 4 & 8

We, PBXDEV 2, LLC, having offices at 361 Summit Boulevard, Suite 110, Birmingham, Alabama 35243, as principal, and FRANKENMUTH INSURANCE COMPANY, having offices at, 1 Mutual Avenue, Frankenmuth, Michigan 48787, a corporation duly licensed to transact a surety business in the State of New Jersey, as surety, are indebted to the municipality of Town of Phillipsburg Planning Board, State of New Jersey, obligee, in the sum of Twenty Eight Thousand Seven Hundred Thirty Four Dollar and 43/100 (\$28,734.43), for which payment we bind ourselves and our respective heirs, legal representatives, successors, and assigns, jointly and severally.

On July 25,2023, principal was granted preliminary and final major site plan approval, together with bulk variance relief, by the Town of Phillipsburg Planning Board, and said approval.

Pursuant to municipal ordinance, adopted under authority of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the principal hereby furnishes a performance surety bond in the amount of Twenty Eight Thousand Seven Hundred Thirty Four Dollars and 43/100 (\$28,734.43), written by Frankenmuth Mutual Insurance Company, a surety licensed in the State of New Jersey, guarantying full and faithful completion of improvements approved by the approving authority, in lieu of completing the required improvements prior to the granting of final approval. This bond shall remain in full force and effect until such time as all improvements covered by the bond have been approved or accepted by resolution of the municipal governing body, except that in those instances where some of the improvements are approved or accepted by resolution of the governing body upon certification by the municipal engineer, partial release from the bond shall be granted in accordance with N.J.S.A. 40:55D-53. The amount of the bond remaining shall be sufficient to secure provision of the improvements not yet approved; provided, however, that the municipality may require that thirty percent (30%) of the amount of the bond be retained to ensure completion of all improvements.

This bond shall remain in full force and effect until released by resolution of the municipal governing body.

This bond is issued subject to the following expressed conditions:

1. This bond shall not be subject to cancellation either by the principal or by the surety for any reason until such time as all improvements subject to the bond have been accepted by the municipality, in accordance with the applicable provisions of the Municipal Land Use Law.

2. This bond shall be deemed to be continuous in form and shall remain in full force and effect until the improvements are accepted by the municipality and the bond is released, or until default is declared, or until the bond is replaced by another bond meeting applicable legal requirements. Upon approval or acceptance of all improvements by the municipality, or upon replacement of this bond by another bond, liability under this bond shall cease. Upon approval or

acceptance of some; but not all, of the required improvements by the municipality, partial release from the bond shall be granted in accordance with N.J.S.A. 40:55D-53; provided, however, that the portion of the bond amount sufficient to secure completion of the improvements shall continue in effect and the municipality may retain thirty percent (30%) of the bond amount posted in order to ensure such completion.

3. The aggregate liability of the surety shall not exceed the sum set forth above.

4. In the event that the improvements subject to this bond are not completed within the time allowed under the conditions of the final approval issued pursuant to the Municipal Land Use Law, including such extensions as may be allowed by the approving authority, the municipal governing body may, at its option, and upon at least thirty (30) days prior written notice to the principal and to the surety by personal delivery or by certified or registered mail or courier, declare the principal to be in default and, in the event that the surety fails or refuses to complete the work in accordance with the terms and conditions of the original approval, claim payment under this bond for the cost of completion of the work. In the event that any action is brought against the principal under this bond, written notice of such action shall be given to the surety by the municipality by personal delivery or by registered or certified mail or courier at the same time.

5. The surety shall have the right to complete the work in accordance with the terms and conditions of the original approval, either with its own employees or in conjunction with the principal or another contractor; provided, however, that the surety, in its sole discretion, may make a monetary settlement with the municipality as an alternative to completing the work.

6. In the event that the principal and the approving authority agree to changes in the scope of work, the obligations of the surety under this bond shall not be affected so long as the cost of the work does not exceed one hundred twenty percent (120%) of the municipal engineer's certified estimate, attached hereto and made a part hereof, which one hundred twenty percent (120%) of the estimate shall be the limit of the surety's obligation under this bond in any case. If the cost of the work exceeds one hundred twenty percent (120%) of the certified estimate, the principal shall secure a rider from a surety for the additional amount; provided, however, that this provision shall not be construed as requiring a surety to provide additional coverage.

7. This bond shall inure to the benefit of the municipality only and no other party shall acquire any rights hereunder.

8. In the event that this bond shall for any reason cease to be effective prior to the approval or acceptance of all improvements, a cease and desist order may be issued by the governing body, in which case all work shall stop until such time as a replacement guarantee acceptable to the approving authority becomes effective.


Date: 9/14/2023

Witness or Attest:



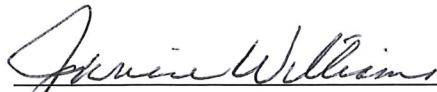
Michael Kelly

PBXDEV 2, LLC (Authorized Agent)




James K. Farrelly

Witness or Attest:

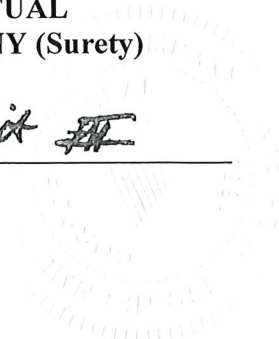


Name: Janice Williams

**FRANKENMUTH MUTUAL
INSURANCE COMPANY (Surety)**



Name: John R Prewitt, III
Title: Attorney in Fact



FRANKENMUTH INSURANCE COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that Frankenmuth Insurance Company (the "Company"), a corporation duly organized and existing under the laws of the State of Michigan, having its principal office at 1 Mutual Avenue, Frankenmuth, Michigan 48787, does hereby nominate, constitute and appoint:

John R. Prewitt III, Andrew Q. Prewitt

Their true and lawful attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal, acknowledge and deliver any and all bonds, contracts and undertakings of suretyship, with the exception of Financial Guaranty Insurance, provided, however, that the penal sum of any one such instrument shall not exceed the sum of:

Fifty Million and 00/100 Dollars (\$50,000,000)

This Power of Attorney is granted pursuant to the following Resolution duly adopted at a meeting of the Board of Directors of Frankenmuth Insurance Company:

"RESOLVED, that the President, Senior Vice President or Vice President and each of them under their respective designations, hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer of the Company, qualifying the attorney(s) named in the given power of attorney, to execute on behalf of, and acknowledge as the act and deed of Frankenmuth Insurance Company on all bonds, contracts and undertakings of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 15th day of December, 2022.



Frankenmuth Insurance Company

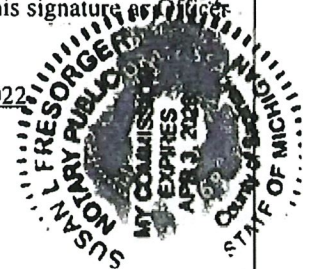
By Frederick A. Edmond, Jr., President and Chief Executive Officer

STATE OF MICHIGAN)
COUNTY OF SAGINAW) ss:

Sworn to before me, a Notary Public in the State of Michigan, by Frederick A. Edmond, Jr., to me personally known to be the individual and officer described in, and who executed the preceding instrument, deposed and said the Corporate Seal and his signature as Officer were affixed and subscribed to said instrument by the authority of the Company.

IN TESTIMONY WHEREOF, I have set my hand, and affixed my Official Seal this 15th day of December, 2022.

Susan L. Fresorger, Notary Public
Saginaw County, State of Michigan
My Commission Expires: April 3, 2028



I, the undersigned, Executive Vice President of Frankenmuth Insurance Company, do hereby certify that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and is in full force and effect as of this date.

IN WITNESS WHEREOF, I have set my hand and affixed the Seal of the Company, this 14th day of September, 2023

Andrew H. Knudsen, Executive Vice President, Chief Operating Officer and Secretary

ALL CORRESPONDENCE RELATED TO BOND VALIDATION AND/OR A CLAIM SHOULD BE DIRECTED TO VP SURETY, 701 U.S. ROUTE ONE, SUITE 1, YARMOUTH, ME 04096

August 9, 2023

Chairman William Duffy
Town of Phillipsburg Planning Board
120 Filmore Street
Phillipsburg, NJ 08865

RE: Bonding Update No. 1
Preliminary and Final Site Plan
PBXDEV 2, LLC
671 Memorial Parkway
Block 1003 Lots 4 & 8
VCEA Project No. 9102.082

Dear Mr. Duffy,

Below is the updated bonding for the above referenced project based on request made on July 25, 2023.

- a. Performance Guarantee – Elder Avenue
We are in receipt and have reviewed the revised Engineer’s Estimate for the intended site improvements. Based on the projected cost of bondable work \$23,945.36 the Applicant is required to post a Performance Guarantee (120% of cost), in the amount of \$28,734.43 (all items noted on offsite estimate dated 5/30/2023).
- b. Safety & Stabilization Bond – Elder Avenue
No safety and stabilization is sought for this work.
- c. Performance Guarantee – Non-Elder Avenue
We are in receipt and have reviewed the revised Engineer’s Estimate for the intended site improvements. Based on the projected cost of bondable work \$574,309.12 (removed offsite items covered under Elder Bond, Grading @ Buildings & sidewalks, Grading @ Pavement, Grading @ Landscape areas, Import & spread topsoil, Import & place fill, Cut to Export fill, Depressed Curb, Concrete Bollards, 2" Copper Water Service Line, 2" Valve, Evergreen Shrubs (24" - 30"), Evergreen Shrubs (36" SPRD), Evergreen Shrubs (18" - 24"), Evergreen Shrubs (4' Min), Deciduous Shrubs (2' - 3'), Deciduous Shrubs (24" - 30"), Deciduous Shrubs (3' - 4'), Deciduous Shrubs (4' Min), Perennials, Ornamental grasses, Silt Fence, Inlet Protection and Tracking Pad) the Applicant is required to post a Performance Guarantee (120% of cost), in the amount of **\$689,170.94**.

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

d. Safety & Stabilization Bond – Non - Elder Avenue

The Applicant shall post a Safety and Stabilization Bond in the amount of **\$16,857.73**, which breaks down as follows:

\$5,000 for 1 st \$100,000 of total bonded project cost.....	\$5,000.00
2.5% of total bonded project costs over \$100,000 up to \$1,000,000.....	\$11,857.73
<u>1% of total bonded project costs over \$1,000,000</u>	<u>\$0.00</u>
Total Bond Amount.....	\$16,857.73

e. Inspection Escrow -

The Applicant shall post an initial inspection escrow deposit of **\$50,000.00** of permitted which equals 5% of bondable site improvements and 5% of non-bondable site improvements (Total project cost \$1,004,682.61).

We reserve the right to provide additional comments based upon the information requested above. If you require additional information or have any questions, please feel free to contact me at my office.

Very truly yours,

Van Cleef Engineering Associates

Timothy M. O'Brien

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

CC: Applicant
Applicant's Engineer
Business Administrator
Director Municipal Services
Construction Official via TA
LUB Board Secretary

f:\projects\9100 phillipsburg\9102 pb\082 pbxdev 2, llc\review letters\2023-08-09 - compliance review no. 3 - quick check.docx..

R2025-237

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE
EMPLOYMENT CONTRACT WITH ANTHONY GOODELL FOR THE POSITION OF
CHIEF OF POLICE**

WHEREAS, the Town Council previously authorized the execution of a Chief's Contract ("Original Contract") with Chief Anthony Goodell; and

WHEREAS, there was a scrivener's error in the Original Contract that inadvertently omitted the base salary off of which Chief Goodell's salary would be set; and

WHEREAS, the Administration has corrected this oversight and has prepared an amendment ("Amendment") to the Original Contract, a copy of which is attached hereto; and

WHEREAS, the Town Council desires to authorize the execution of this Amendment.

NOW THEREFORE BE IT RESOLVED by the Town Council that the Mayor is hereby authorized and directed to execute the attached Amendment on behalf of the Town of Phillipsburg.

CERTIFICATION

I, Susan Turner, Acting Municipal Clerk of the Town of Phillipsburg, County of Warren and State of New Jersey to hereby Certify the foregoing to be true and correct copy of a Resolution adopted by Council at a meeting held on December 10, 2025.

Susan Turner, Acting Municipal Clerk

AMENDMENT TO CHIEF GOODELL CONTRACT

THIS AMENDMENT to the Agreement by and between the TOWN OF PHILIPSBURG, a municipal corporation of the State of New Jersey (hereinafter referred to as the “Town”) and ANTHONY GOODELL (hereinafter referred to as the “Chief”) shall be for the period February 22, 2025, through March 31, 2026. This Amendment shall modify the Agreement with an effective date of February 22, 2025, through March 31, 2026, between the Town and the Chief only in respect to those matters so modified, with all other terms and conditions set forth in the Agreement remaining unchanged.

Article 11, *Salary and Longevity*, is hereby amended to read as follows:

- A. The Chief’s annual pensionable base salary (inclusive of longevity of \$8,600.00 and holiday pay) shall be Two and Nineteen Hundredths Percent (2.19%) greater than the annual total pay of the highest paid Superior Officer. For example, if the annual total pay of the highest paid Superior Officer is \$183,000.00 per year, the Chief’s pensionable base salary, inclusive of longevity and holiday pay must be 2.19% more per year.

This Agreement is effective and retroactive to February 15, 2025 and shall remain in effect through March 31, 2026. There shall be no successor agreement.

FOR THE TOWN

Witness

Dated:

Witness

Anthony Goodell, Chief of Police

Dated: