

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, January 11, 2012.

Mayor Hanics announced that adequate notice of the meeting was given to the Star Gazette and posted on the bulletin board in the Clerk's office satisfying the requirements of the Open Public Meeting Act:

#### NOTICE

Pursuant to the provisions of the Open Public Meetings Act, adequate notice of this meeting has been given. On January 4, 2012, the Municipal Clerk delivered to The Express-Times and posted on the bulletin board in the Municipal Building, a notice containing the date, time and place of this meeting of the Alpha Borough Council. Also, said notice has been mailed to persons requesting the same.

Mayor Hanics led prayer and the salute to the flag.

*Roll Call:* Present: Councilman Dunwell, Councilman Pfefferle, Councilman Savary, Councilwoman Schwar, Councilwoman Tarsi and Councilman Zikas. Also present Borough Clerk, Laurie A. Barton, CFO and Lorraine Rossetti.

#### *Public Comment*

Anthony Procita, Springtown Road, inquired about the person installing the new meters, who did not show up for an appointment at his home. Mr. Procita's concern was having his water being turned off because the meter has not been installed. Councilwoman Tarsi stated that she also cannot get a hold of the person.

Mr. Procita reported a bullying incident he witnessed in front of the Municipal Building. Mayor Hanics advised him the next time he sees this, to contact the police.

Louis Cartabona, Fifth Avenue, commented to possibly having a penalty towards the outside contractor who is installing the meters. Councilman Dunwell stated that it is a good idea but the contract would need to be re-opened to apply a clause like that.

Tom McDonald, Green Atlantic Energy based in Flanders, New Jersey made a brief presentation regarding solar energy and possibly acquiring the property around the Borough's quarry. Councilman Dunwell suggested to Mr. McDonald to reduce his comments to writing with a proposal.

Louis Cartabona, Fifth Avenue, inquired about Ordinance 2012-1 and the 2% cable fee that gets paid to the Borough and asked whether this is set by the federal government or is this negotiable. Councilman Pfefferle responded that this is set by the State.

Mr. Cartabona also inquired about a public access channel on cable and commended Alex Zikas for videotaping these meetings.

Anthony Procita, Springtown Road, inquired about the land behind the Alpha Family Restaurant and asked if the project is on hold. Councilman Pfefferle stated that they do not foresee the project going forward but the Borough is getting tax revenue from the property.

### *Ordinances*

Motion made by Councilwoman Tarsi to approve the following ordinance with public hearing scheduled for January 24<sup>th</sup>, motion seconded by Councilman Pfefferle, Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar, Tarsi and Zikas. Nays: none.

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### **Ordinance No. 2012-01**

#### **ORDINANCE OF THE BOROUGH OF ALPHA, COUNTY OF WARREN, STATE OF NEW JERSEY REPLACING CHAPTER A450, "CABLE TELEVISION FRANCHISE," OF THE CODE OF THE BOROUGH OF ALPHA TO RENEW THE CABLE FRANCHISE ORDINANCE.**

**WHEREAS**, Service Electric Cable TV of Hunterdon, Inc., a Pennsylvania corporation (SECTV) has applied to the Borough of Alpha pursuant to the provisions of the Cable Television Act, N.J.S.A. 48:5A-1 et seq. ("the Act") for renewal of the Borough's consent to operate a cable television system in the Borough of Alpha and to use the public roads of the Borough for its cable television system.

**WHEREAS**, a public hearing concerning the franchise granted to the company was held on October 11, 2011 after proper public notice pursuant to the terms and conditions of the Act, the hearing having been fully opened to the public, and the Borough having received at the hearing all comments regarding the qualifications of the company to receive a franchise.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and the Council of the Borough of Alpha, County of Warren, and State of New Jersey, as follows:

#### **SECTION I:**

*Chapter A450, entitled "Cable Television Franchise" is hereby deleted and replaced in its entirety as follows:*

#### **CHAPTER A450**

#### **CABLE TELEVISION FRANCHISE**

##### **A450-1 SHORT TITLE**

This ordinance shall be known and may be cited as the "Service Electric Cable TV of Hunterdon, Inc. Franchise Ordinance."

##### **A450-2 FINDINGS**

Service Electric Cable TV of Hunterdon, Inc., a Pennsylvania corporation (SECTV), has applied to the Borough of Alpha pursuant to the provisions of the Cable Television Act, N.J.S.A. 48:5A-1 et seq. ("the Act") for renewal of the Borough's consent to operate a cable television system in the Borough of Alpha and to use the public roads of the Borough for its cable television system. A public hearing concerning the franchise granted to the company was held on October 11, 2011 after proper public notice pursuant to the terms and conditions of the Act, the hearing having been fully opened to the public, and the Borough having received at the hearing all comments regarding the qualifications of the company to receive a franchise.

##### **A450-3 DEFINITIONS**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural.

*Application* shall mean the application for renewal of municipal consent filed with the Borough.

*Board* shall mean The Board of Public Utilities of the State of New Jersey.

*Commitments* shall mean the commitments, terms and undertakings on the part of Service Electric set forth in this ordinance.

*Cable Communications System* shall mean any communications service other than cable television reception service delivered through the facilities of a CATV system and for which charges in addition to or other than those made for cable television reception service are made or proposed to be made.

*Cable Television Company* or *CATV Company* shall mean any person owning, controlling, operating or managing a cable television system. The term "person," as used herein, shall be construed, without limiting the generality thereof, to include specifically any agency or instrumentality of this state or of any of its political subdivisions; but this definition shall not include a telephone, telegraph or electric utility company regulated by the Board in a case where it merely leases or rents or otherwise provides to a CATV company wires, conduits, cables or pole space used in the redistribution of television signals to or toward subscribers or customers of such CATV company.

*Cable Television System* or *CATV System* shall mean any facility within this state which is operated or intended to be operated to perform the service of receiving and amplifying the signals broadcast by one or more television stations and redistributing such signals by wire, cable or other device or means for accomplishing such redistribution to members of the public who subscribe to such service or distributing through its facility any television signals, whether broadcast or not, or any part of such facility. The term "facility," as used in this definition, includes all real property, antennas, poles, wires, cables, conduits, amplifiers, instruments, appliances, fixtures and other personal property used by a CATV company in providing service to its subscribers and customers.

*Company* shall mean the grantee of rights under this ordinance awarding a franchise and known as "Service Electric Cable TV of Hunterdon, Inc."

*FCC* shall mean The Federal Communications Commission.

*Federal Act* shall mean that federal statute relating to cable communications commonly known as the "Cable Communications Policy Act of 1984," 47 U.S.C. § 521 et seq., or as that statute may be amended.

*Federal Regulations* shall mean those federal regulations relating to cable television service, 47 CFR 76.1 et seq., and, to the extent applicable, any other federal rules and regulations relating to cable television, including but not limited to those described in 47 CFR 76.3, or as such regulations may be amended.

*Highway* shall mean every street, road, alley, thoroughfare, way or place of any kind used by the public or open to use by the public.

*Person* shall mean any natural person, firm, partnership, associates, corporation, company or organization of any kind.

*State Act* shall mean that statute of the State of New Jersey relating to cable television, commonly known as the "Cable Television Act," N.J.S.A. 48:5A-1 et seq., or as that statute may be amended.

*State Regulations* shall mean those regulations of the Board relating to cable television, N.J.A.C. 14:17-1.1 et seq. and N.J.A.C. 14:18-1 et seq., or as such regulations may be amended.

*Subscriber Revenues* shall mean those revenues derived from all recurring charges in the nature of subscription fees paid by subscribers located within the Borough for cable television reception service for which no separate or additional charge is made, i.e. basic cable service.

*Borough* or *Municipality* shall mean the Borough of Alpha, County of Warren, State of New Jersey, and shall include, as appropriate, the governing body of the Borough.

#### **A450-4 QUALIFICATIONS AND GRANT OF AUTHORITY**

The Borough hereby finds that the company possesses the necessary legal, technical, character, financial and other qualifications and that the company's operating and construction arrangements are adequate and feasible. The Borough therefore grants the company a franchise, right and privilege to construct, erect, operate, modify and maintain in, upon, along, across, above, over and under the highways, streets, alleys, sidewalks, public ways and public places now laid out or dedicated and all extensions thereof and additions thereto such poles, wires, cables, underground conduits, manholes and other television conductors and fixtures necessary for the maintenance and operation in the Borough of a cable television system and cable communications system for the purpose of distributing television and radio signals and other electronic impulses in order to furnish television and radio programs and various communications and other electronic services to the public. The right so granted includes the right to use and occupy said highways, streets, alleys, public ways and public places and all manner of easements for the purposes herein set forth as provided by the Federal Act and State Act.

#### **A450-5 FRANCHISE TERM**

The nonexclusive franchise granted the company herein shall expire fifteen (15) years from the date of expiration of the previous certification of approval by the Board. The fifteen-year term shall be conditioned upon the company complying with a mutually negotiated agreement between the Borough and the company for the expansion of the company's cable and internet service to the areas designated in §A450-8 of this Ordinance.

The Borough reserves the right at any time to enforce and/or terminate the franchise according to applicable laws, rules and regulations for the company's failure to perform any of its commitments and obligations as set forth in this ordinance. Prior to enforcement or termination, the Borough shall give the company 60 days written notice to cure the noncompliance. In the event, noncompliance continues, the Borough shall file a petition with the Board of Public Utilities seeking such relief as is appropriate under the circumstance.

#### **A450-6 EXPIRATION AND SUBSEQUENT RENEWAL**

If the company seeks successive consent, it shall, prior to the expiration of this consent, apply for municipal consent and certificate of approval in accordance with the Cable Television Act, N.J.S.A. 48:5A-11 and 48:5A-16, and applicable State and Federal Rules and Regulations. The company shall also petition the Board for continued operation during the period following expiration of the consent granted herein and until such a time that a decision is made by the municipal governing body relative to the renewal of said consent.

#### **A450-7 PAYMENT TO BOROUGH**

A. Pursuant to the terms and conditions of the Act, the company shall, during each year of operation under the consent granted herein, pay to the municipality two (2%) percent of the gross revenues from all recurring charges in the nature of subscription fees paid by subscribers to its cable television reception service in the municipality or any amount permitted by the Cable Television Act or otherwise allowable by law. The fee shall be paid on or before January 25 of each year and at the same time the company shall file with the chief financial officer of the municipality a statement showing the gross receipts upon which payment is based.

B. In the event applicable law hereafter permits a larger franchise fee to be collected, but does not fix the amount thereof, the Borough and the company shall negotiate in good faith with respect to the amount. Additionally, in the event the relevant laws are amended in the future to allow additional fees and/or charges (collectively "fees") to be paid to the Borough, the Borough shall have the right to impose such fees in accordance with the applicable law. In the event the law does not state the amount the Borough is allowed to impose, the parties shall negotiate in good faith with respect to the amount of the fee. In the event any of the fees provided for in this section cannot be agreed to after negotiations, then the Borough shall have all rights available to it under law in order to establish the fee.

#### **A450-8 EXTENSION OF SERVICE**

A. The Company shall be required to offer service to any residence located in those areas of the franchise territory described herein, in accordance with the proposal for the provision of services as described in the application. Any additional extension of the system will be made in accordance with the proposal in the application. The company shall be further required to extend service to those Borough streets, along public rights-of-way as indicated below:

(1) Currently, the entire Borough is able to receive cable and two-way high speed internet.

(2) Telephone services will be available to the entire Borough by the end of 2012. At that time, the entire Borough will be able to receive the Triple Play (cable, two-way high speed internet and telephone).

B. New cable service or products made available to the residents of Phillipsburg shall be made available to all of Alpha Borough within one year after introduction.

C. Any future extensions of the system, or any extension of the system along private roads will be made in accordance with the company's line extension policy, where applicable.

#### **A450-9 CONSTRUCTION REQUIREMENTS**

A. In the event that the company or its agents shall disturb any pavement, street surfaces, sidewalks, driveways or other surfaces in the natural topography, the company shall at its sole expense restore and replace such places or things so disturbed in as good condition as existed prior to the commencement of said work.

B. In the event that at any time during the term of this ordinance the Borough shall lawfully elect to alter or change the grade of any street, alley or other public way, the company, upon reasonable notice by the Borough, shall, at its expense, remove, relay and relocate its poles, wires, cables, underground conduits, manholes and other fixtures.

C. The company shall, on the request of any person holding a valid building moving permit issued by the Borough, temporarily raise or lower its wires to permit the moving of buildings.

The expense of such temporary removal, raising or lowering of wires shall be paid by the person requesting the same, and the company shall have the authority to require such payment in advance. The company shall be given not less than 10 days' advance notice to arrange for temporary wire changes.

- D. During the exercise of its rights and privileges under this franchise, the company shall have the authority to trim trees upon and overhanging streets, alleys, sidewalks and public places within the Borough so as to prevent the branches of such trees from coming into contact with the wires and cables of the company. Such trimming shall be performed only to the extent necessary to maintain proper clearance for the company's wires and cables.
- E. The company shall cause any and all construction plans relating to work on any extension of the company plant or work which could have a significant impact on public works within the Borough to be filed with the Borough Engineer.
- F. All facilities and equipment of the company shall be constructed and maintained in accordance with the requirements and specifications of the applicable ordinances and regulations set forth by the Borough and/or any other local, state or federal agencies.

#### **A450-10 TERRITORY**

The consent granted herein to the company shall apply to the entirety of the municipality and any property hereafter annexed.

#### **A450-11 LOCAL OFFICE AND COMPLAINT PROCEDURES**

During the term of this franchise and any renewal term, the company shall maintain a local business office or agent for the purpose of receiving, investigating and resolving all complaints regarding the quality of service, equipment malfunctions, and similar matters in accordance with N.J.A.C. 14:18-5.1. All complaints shall be received and processed by the company pursuant to N.J.A.C. 14:17-6.5. The local office shall be open to receive inquiries and complaints and to receive payment of bills from subscribers during normal business hours, and in no event less than 9:00 a.m. to 5:00 p.m., Monday through Friday. Any complaints from subscribers shall be investigated as soon as practicable, but at least within two business days of their receipt. The company shall keep a maintenance service log in the manner required by the regulations of the Office of Cable Television.

#### **A450-12 MUNICIPAL COMPLAINT OFFICER.**

The New Jersey Office of Cable Television (OCTV) is hereby designated as the complaint officer required by N.J.S.A. 48:5A-26 to receive and act upon complaints by subscribers to cable television reception service provided pursuant to this franchise.

#### **A450-13 COMMITMENTS BY COMPANY**

- A. Facilities and equipment. In transmitting its television signals to subscribers in the Borough, the company shall provide a quality of signal that is at least as good as that customarily provided under prevailing industry standards, and the company shall comply with any requirements imposed by the Federal Regulations, any federal pronouncements and, to the extent not preempted by Federal Law, any state pronouncements relating to technical standards for the transmission of television signals, transmission quality or facilities and equipment.
- B. Emergency uses. The company is in compliance with the Federal Emergency Alert System ("EAS") and, as such, the company shall be required to have the capability to override the audio portion of the system in order to permit the broadcasting of emergency messages by the municipality pursuant to state and federal requirements. The company shall in no way be held liable for any injuries suffered by the municipality or any other person, during an emergency, if for any reason the municipality is unable to make full use of the cable television systems as contemplated herein. The municipality shall utilize the state-approved procedures for such emergency uses.
- C. Customer service. At the request of the Borough, the company and Borough's designee shall meet at least semiannually to review all matters relating to cable television in the Borough, with the minutes of such meetings to be delivered to the company and to be filed with the Borough.

#### **A450-14 RATES**

- A. The Borough acknowledges that, under the Federal Act, municipalities do not have the authority to regulate the rates the company charges subscribers for its services. Therefore, the Borough will not regulate the rates the company may charge subscribers for its service; provided, that, in the event the Federal Act and other applicable law hereinafter is amended to permit the exercise of regulatory power over rates by municipalities, the Borough reserves the right to exercise the maximum power permitted by law.

B. The Borough is desirous of obtaining reduced rates for senior citizens, disabled residents and other parties for whom reduced rates may currently be available or may be available during the term of this ordinance. Therefore, if the company has adopted or adopts reduced rates for senior citizens, disabled persons or other parties in the future, all in accordance with N.J.S.A. 48:5A-11.1 et seq. and the Federal Act or any other law or regulation, these special rates shall be offered to qualified Alpha residents.

#### **A450-15 PROGRAMMING**

Although nothing herein shall require the company to carry or transmit any particular television stations or programming source, the company shall provide the subscribers in the Borough with at least the same broad categories of programming, in approximately the same quantity, as are now provided and which appear in the application.

#### **A450-16 FREE SERVICES**

A. The company shall provide free installation and basic cable service through one service outlet to the following facilities: the municipal building, Alpha Borough School, each police, fire, first aid, emergency management facility, Department of Public Works, and Borough-operated community center at no cost. This obligation shall apply to any new facilities in the preceding categories constructed during the term of municipal consent.

B. The company shall provide free installation of internet services to the same facilities listed in Section A. This obligation shall apply to any new facilities in the preceding categories constructed during the term of municipal consent. The company is not required to provide the monthly service fee free of charge.

#### **A450-17 LIABILITY AND INDEMNIFICATION**

A. The company shall pay, and by its acceptance of this franchise the company expressly agrees that it will pay, all damages and penalties which the Borough may legally be required to pay as a result of the company's negligence in the installation, operation, or maintenance of the cable television system authorized herein. The Borough shall notify the company's general manager within 30 days after the presentation of any claim or demand to the Borough, either by suit or otherwise, made against the Borough on account of any negligence or contract as aforesaid on the part of the company.

B. Furthermore, the company shall carry liability insurance in the minimum amount as follows:

1. Two million dollars general commercial liability insurance;
2. Two million dollars personal injury protection for any accident or occurrence; and
3. Any and all insurance coverage otherwise required by law and the Borough shall be named as an additional insured under the insurance policies.

#### **A450-18 PERFORMANCE BOND**

During the life of the franchise, the company shall give a bond to the Borough in accordance with N.J.S.A. 48:5A-28(d), which bond shall be in the minimum amount of \$25,000. Such bond shall be to insure the faithful performance of all undertakings of the company as represented in the application herein.

#### **A450-19 COMPANY RULES AND REGULATIONS**

The company shall have the authority to promulgate such rules, regulations, terms and conditions governing the conduct of its business as shall be reasonably necessary to enable the company to exercise its rights and perform its obligations under this franchise and to assure uninterrupted service to each and all of its subscribers; provided, however, that such rules, regulations, terms and conditions shall not be in conflict with federal and/or state laws.

#### **A450-20 APPROVAL OF TRANSFER**

The company shall not sell or transfer its CATV system to another, nor transfer any rights under this franchise to another, except as provided in the State Act.

#### **A450-21MODIFICATION OF FCC RULES**

*Any modification of existing and applicable FCC rules resulting from amendment thereto by the FCC shall, to the extent applicable, be considered as part of this franchise as of the effective date of the amendment made by the FCC and shall be incorporated in this franchise by specific amendments thereto by the lawful action of the Borough Council within one year from the effective date of the FCC's amendment or at the time of renewal to this franchise, whichever occurs first.*

#### **A450-22 COMPLIANCE WITH STATE AND FEDERAL ACTS**

*This ordinance and franchise are subject to all provisions of the State Act and Federal Act and to all lawful rules and regulations of the OCTV adopted pursuant thereto. The company shall at all times comply with the state regulations governing cable television operation, the State Act, the Federal Act and any other. In the event of a conflict between the State Act and state regulations and any FCC rules and regulations, the FCC rules and regulations shall prevail.*

#### **A450-23 PROHIBITED ACTIVITIES**

*The company shall not allow its cable or other operations to interfere with the television reception of persons not served by the company, nor shall the CATV system interfere with, obstruct or hinder in any manner the operation of the various utilities serving the residents of the Borough.*

#### **A450-24 ADDITIONAL SERVICES**

In the event, new cable services or products are made available to subscribers in the Town of Phillipsburg, the same or similar service or product shall be made available to all of Alpha Borough within one year after introduction.

#### **A450-25 AMENDMENTS**

Subject to the requirements of the Federal Act and approval by the Board, the Borough reserves the power to amend any portion of this ordinance after public hearing for the purpose of requiring reasonable additions or greater standards of construction, operation, maintenance or otherwise on the part of the company. Said amendments shall be feasible and within the economic capabilities of the company.

#### **A450-26 COMPLIANCE WITH OTHER PROVISIONS**

*Notwithstanding any specific mention of applicable federal or state statutes or regulations above, the company shall comply with all of the requirements of the Federal Act, the Federal Regulations, the State Act and State Regulations (to the extent not preempted) and any other valid statute, regulation, rule or promulgation.*

#### **A450-27 COMPLIANCE WITH FUTURE PROVISIONS**

*Should any of the federal or state statutes, regulations or pronouncements applicable to the regulation of cable television be modified in any way, such modifications, to the extent that they embody required terms and conditions and meaningfully can be incorporated into this ordinance, shall be so incorporated, consistent with any applicable effective dates specified in such modification. To the extent that any such modification places limits on permissible terms and conditions and any provision of this ordinance becomes invalid by virtue of such modification, Section A450-27 shall apply.*

#### **A450-28 RESERVATION OF RIGHTS**

The Borough reserves the right to amend this ordinance in the event of any changes in state and/or federal law or regulations regarding cable television in a manner consistent with the regulations of the OCTV/BPU.

#### **A450-29 INCORPORATION OF FRANCHISE APPLICATION**

All of the statements and commitments contained in the application and any amendment thereto, or otherwise submitted in writing to the Borough or its Governing body, except as modified herein, are binding upon the company as terms and conditions of this consent. The application and any other relevant writings submitted by the company shall be annexed hereto and made part hereof by reference to the extent that they do not conflict with state or federal law.

#### **SECTION II**

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION III**

*If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid, preempted or unconstitutional by any court or Federal or State agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of this ordinance and such holding shall not affect the validity of the remaining portions hereof.*

**SECTION IV**

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

Motion made by Councilwoman Tarsi to approve the following Ordinance with the public hearing scheduled for January 24<sup>th</sup>, motion seconded by Councilman Savary. Roll call:  
Ayes: Dunwell, Pfefferle, Savary, Schwar, Tarsi and Zikas. Nays: none.

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**ORDINANCE 2012-02**  
**AN ORDINANCE SETTING THE 2012 SALARY RANGES**  
**FOR ALL OF THE EMPLOYEES OF THE BOROUGH OF ALPHA.**

Section I

**BE IT ORDAINED** by the Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey that the annual salaries of the officers and employees of the Borough of Alpha, County of Warren, and State of New Jersey named herein:

Air Quality	\$1.00-\$2000
Animal Warden	\$4,000 - 7,500
Building Service Worker	\$13.00 – 18.50/hr
Chief Financial Officer	\$60,000 - 80,000
Clean Communities Coord.	\$1.00-\$500
Clerk/Typist P/T	\$10.00 – 18.00/hr
Construction Official	\$15,000 - 24,000
Code Enforcement Officer P/T	\$2,000 - 5,000
Court Clerk	\$10.00 -16.00/hr
Court Clerk Call Out	\$20.00 - 50.00 per call
Council member	\$1,500 -3,000
Deputy Borough Clerk P/T	\$13.00 – 18.50/hr
Administrative Clerk	\$10-18/hr
Emergency Mgmt Coordinator	\$1,500 -3,000
Emergency Mgmt Deputy	\$250 – 1,000
Emergency Equipment Operator	\$12.00-30.00/hr
File Clerk P/T	\$6.00-10.00/hr
Fire Inspector	\$500 – 1,500
Housing Liaison	\$1,000-2,500
Insurance Fund Commissioner	\$1 - 500
Land Use Board Secretary	\$5,000-16,000
Mayor	\$1,500 - 3,500
Municipal Court Administrator	\$10,000 – 15,000
Municipal Judge	\$5,000 – 10,000
Municipal Prosecutor	\$2,000 – 5,000
Park Attendant I & II	\$8.00-12.00/hr
Plumbing Sub-Code Off/Inspector	\$1,000 - \$5,000
Public Defender	\$100 – 150 per use
Public Works Repairer II	\$50,000.00 - 55,000
PW Superintendent/Lic Water Operator	\$7,500 – 25,000
Public Works Repairer I	\$50,000 - 60,000
Pumping Station Operator	\$9.00-15.00/hr
Pumping Stat. Operator Retainer	\$200 - 300 per qtr
Recycling Coordinator	\$1,000-5,000
Registered Municipal Clerk	\$55,000-\$65,000
School Crossing Guard	\$20 - 30/day
Senior Public Works Repairer	\$60,000 – 80,000.00
Sewer C-2 Operator	\$8,000-16,000
Tax Assessor	\$15,000 – 25,000

Tax Collector	\$15,000 – 25,000
Tax Search Officer	\$500 – 1,000
Utility Collector	\$1,000 – 20,000
Zoning Officer	\$2,000 – 5,000
mileage allowance personal car	.30 -.65/mile

Section II

Longevity: \$500-2,500.00 per contract

Section III

Any ordinance or sections of the ordinance of the Borough of Alpha, New Jersey inconsistent herein shall be and the same hereby repealed.

Section IV

This ordinance shall become effective retro to January 1, 2012

Motion made by Councilwoman Tarsi to approve the following Ordinance with the public hearing scheduled for January 24<sup>th</sup> motion seconded by Councilman Dunwell. Roll call:

Ayes: Dunwell, Pfefferle, Savary, Schwar, Tarsi and Zikas. Nays: none.

**ORDINANCE 2012-03**

**ORDINANCE TO EXCEED THE 2012 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough of the Alpha in the County of Warren, finds it advisable and necessary to increase its CY 2012budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough of Alpha hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 48,550.11 in total, which is \$13,871.46 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Council of the Borough of Alpha hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Mayor and Council of the Borough of Alpha, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Borough of Alpha shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ \$48,550.11, and that the CY 2012 municipal budget for the Borough of Alpha be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

*Resolutions*

Motion made by Councilwoman Tarsi to approve the following resolution, motion seconded by Councilman Dunwell. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar, Tarsi and Zikas. Nays: none.

**RESOLUTION 2012-22  
2012 TEMPORARY BUDGET FOR THE CURRENT FUND**

**WHEREAS, NJSA 40A:4-19** provides that where any contracts, commitments, or payments are to be made prior to the final adoption of the 2012 budget, temporary appropriations should be made for purposes and amounts required in the manner and time therein provided; and

**WHEREAS,** the date of this resolution is within the first thirty (30) days of January 2012; and

**WHEREAS,** the total appropriations in the 2011 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$2,235,470.38; and

**WHEREAS,** 26.25 % of the total appropriations in the 2011 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2011 budget is the sum of \$586,810.97;

**NOW, THEREFORE, BE IT RESOLVED,** that the following Current Fund Operating appropriations attached be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records:

Appropriations limited to 26.25%	\$580,725.00	(detail attached)
Debt Service	\$ 14,700.00	

**CURRENT FUND 2012 TEMPORARY BUDGET**

ADMINISTRATIVE, 01-20-100	<b>Salaries &amp; Wages</b>	4,500
	<b>Other Expenses</b>	10,000
MUNICIPAL CLERK	<b>Salaries &amp; Wages</b>	21,700
	<b>Other Expenses</b>	1,200
FINANCE	<b>Salaries &amp; Wages</b>	23,600
	<b>Other Expenses</b>	1,000
PAYROLL SERVICES	<b>Other Expenses</b>	4,000
MAINTENANCE OF COMPUTERS	<b>Other Expenses</b>	9,000
ASSESSMENT OF TAXES	<b>Salaries &amp; Wages</b>	5,000
	<b>Other Expenses</b>	1,500
COLLECTION OF TAXES	<b>Salaries &amp; Wages</b>	5,950
	<b>Other Expenses</b>	700
LEGAL SERVICES	<b>Other Expenses</b>	12,000
ENGINEERING	<b>Other Expenses</b>	8,500
PLANNING BOARD	<b>Salaries &amp; Wages</b>	5,400
	<b>Other Expenses</b>	5,000
BUILDING INSPECTOR	<b>Salaries &amp; Wages</b>	7,800
	<b>Other Expenses</b>	200
OTHER INSURANCE	<b>Other Expenses</b>	65,000
GROUP INSURANCE	<b>Other Expenses</b>	32,400
POLICE	<b>Salaries &amp; Wages</b>	2,700

EMERGENCY MANAGEMENT	<b>Salaries &amp; Wages</b>	700
	<b>Other Expenses</b>	800
STREETS & ROADS	<b>Salaries &amp; Wages</b>	39,000
	<b>Other Expenses</b>	15,000
GARBAGE & RECYCLING	<b>Salaries &amp; Wages</b>	1,000
	<b>Other Expenses</b>	49,000
PUBLIC PROPERTY	<b>Salaries &amp; Wages</b>	2,400
	<b>Other Expenses</b>	7,000
ANIMAL REGULATION	<b>Salaries &amp; Wages</b>	1,000
	<b>Other Expenses</b>	500
UTILITIES	<b>Electricity</b>	4,000
	<b>Street Lighting</b>	6,500
	<b>Telephone</b>	4,500
	<b>Propane</b>	2,000
	<b>Gasoline</b>	3,600
STATUTORY	<b>PERS</b>	58,845
	<b>Social Security</b>	7,350
	<b>Unemployment Comp</b>	900
INTERLOCAL POLICE	<b>Other Expenses</b>	140,930
MUNICIPAL COURT	<b>Salaries &amp; Wages</b>	6,700
	<b>Other Expenses</b>	700
PUBLIC DEFENDER	<b>Salaries &amp; Wages</b>	450
PROSECUTOR	<b>Salaries &amp; Wages</b>	700
DEBT	<b>NJ Economic Loan</b>	14,700
TOTAL BUDGET		595,425

Motion made by Councilwoman Tarsi to approve the following resolution, motion seconded by Councilman Savary. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar, Tarsi and Zikas. Nays: none.

**RESOLUTION 2012-23  
2012 TEMPORARY BUDGET  
FOR THE WATER & SEWER UTILITY FUND**

**WHEREAS**, NJSA 40A:4-19 provides that where any contracts, commitments, or payments are to be made prior to the final adoption of the 2012 budget, temporary appropriations should be made for purposes and amounts required in the manner and time therein provided; and

**WHEREAS**, the date of this resolution is within the first thirty (30) days of January 2012; and

**WHEREAS**, the total appropriations in the 2011 Water/Sewer Utility Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$744,892.00; and

**WHEREAS**, 26.25 % of the total appropriations in the 2011 Water/Sewer Utility Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2011 budget is the sum of \$195,534.15;

**NOW, THEREFORE, BE IT RESOLVED**, that the following Water/Sewer Utility Operating appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records:

Salaries & Wages	\$ 31,000.00
Other Expenses	\$161,700.00
Social Security	\$ 2,500.00
Unemployment	\$ <u>300.00</u>
Total limited to 26.25%	\$195,500.00
Debt Service	\$ 366,200.00
Total Temporary Budget	\$561,700.00

Motion made by Councilwoman Schwar to approve the following resolution, motion seconded by Councilman Pfefferle. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar and Zikas. Nays: none. Abstain: Tarsi.

**RESOLUTION 2012-24  
APPOINTING PUBLIC ALLIANCE INSURANCE  
COVERAGE FUND COMMISSIONER**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey, that it hereby appoints Klara Tarsi as Fund Commissioner and Rudolph Pfefferle, as Alternate Fund Commissioner to the Public Alliance Insurance Coverage Fund; and

**BE IT FURTHER RESOLVED** that copies of this Resolution be forwarded to the Following:

1. Klara Tarsi, Fund Commissioner
2. Rudolph Pfefferle, Alternate Fund Commissioner
3. Public Alliance Insurance Coverage Fund

Motion made by Councilwoman Tarsi to approve the following resolution, motion seconded by Councilman Savary. Questions: Councilman Dunwell stated that there is a question on Intercounty Paving's escrow. Motion made by Councilwoman Tarsi to rescind her motion to approve this resolution, motion seconded by Councilman Savary, all were in favor.

**RESOLUTION 2012-25  
REFUND OF UNUSED ESCROW MONIES**

**WHEREAS**, the below listed escrow accounts have now been completed, and

**WHEREAS**, a balance of unused escrow monies remain in the accounts, and

**WHEREAS**, the proper professionals have signed an escrow release form certifying the work to be complete and all professional payments have been made,

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Alpha hereby authorize the Certified Finance Officer to release the estimated account balance below to the below listed owner or Borough as indicated:

09-004	Alpha Business Park PO Box 548 Broadway, NJ 08808	\$362.50
10-001	Job 8, LLC 800 Woodlands Parkway Ridgeland, MS 39157	\$8.68
10-003	Westbridge Community Church 1 Tamarack Road Belvidere, NJ 07823	\$44.05
10-005	Intercounty Paving Payable to Alpha Borough 1001 East Blvd Alpha, NJ 08865	\$1.17

Motion made by Councilwoman Tarsi to approve the following resolution, motion seconded by Councilman Savary Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar, Tarsi and Zikas. Nays: none.

:

**RESOLUTION 2012-25**  
**REFUND OF UNUSED ESCROW MONIES**

**WHEREAS**, the below listed escrow accounts have now been completed, and

**WHEREAS**, a balance of unused escrow monies remain in the accounts, and

**WHEREAS**, the proper professionals have signed an escrow release form certifying the work to be complete and all professional payments have been made,

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Alpha hereby authorize the Certified Finance Officer to release the estimated account balance below to the below listed owner or Borough as indicated:

09-004	Alpha Business Park PO Box 548 Broadway, NJ 08808	\$362.50
10-001	Job 8, LLC 800 Woodlands Parkway Ridgeland, MS 39157	\$8.68
10-003	Westbridge Community Church 1 Tamarack Road Belvidere, NJ 07823	\$44.05

Motion made by Councilman Dunwell to approve the following resolution, motion seconded by Councilman Pfefferle. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar and Tarsi. Nays: Zikas.

**RESOLUTION 2012-26  
BOROUGH ENGINEER**

**WHEREAS**, the Borough of Alpha is required by law to have a municipal engineer; and

**WHEREAS**, the Borough of Alpha solicited qualifications for the services of a municipal engineer after publishing a notice setting forth pertinent information and objective criteria for the selection of same; and

**WHEREAS**, the Borough of Alpha reviewed and evaluated the submissions of various applicants, six in all, and will award the contract after this essentially fair and open process to the most qualified bidder.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey as follows:

1. Remington & Vernick Engineers is hereby appointed and retained as Engineer of the Borough of Alpha for a three-year term ending January 10, 2015.

2. This retainer may be awarded without competitive bidding as a “Professional Service” under provisions of the Local Public Contracts Law as provided by *NJSA* 40A:11-5 because it requires service performed by a person authorized by law to practice a recognized profession and it is not possible to obtain competitive bids.

3. A copy of this resolution shall be published in the official newspaper of the Borough of Alpha as required by New Jersey law within 10 days of passage.

Motion made by Councilwoman Schwar to approve the following resolution, motion seconded by Councilman Pfefferle. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar and Tarsi. Nays: none. Abstain: Zikas.

**BOROUGH OF ALPHA  
COUNTY OF WARREN  
STATE OF NEW JERSEY  
RESOLUTION 2012-27**

**A RESOLUTION OF THE BOROUGH OF ALPHA, COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING AN AGREEMENT WITH THE TOWNSHIP OF GREENWICH PURSUANT TO THE UNIFORM SHARED SERVICES AND CONSOLIDATION ACT CONCERNING THE SERVICES OF THE BOROUGH OF ALPHA’S CHIEF FINANCIAL OFFICER**

**WHEREAS**, the Borough of Alpha desires to enter into an agreement with the Township of Greenwich in order to share municipal services to be provided by the Borough of Alpha’s Chief Financial Officer (“CFO”); and

**WHEREAS**, the Borough of Alpha desires to have the CFO of Alpha provide services to the Township of Greenwich as a CFO/Treasurer pursuant to the attached shared services agreement (the “Agreement”); and

**WHEREAS**, both the parties have the authority to enter into the attached Agreement pursuant to New Jersey law, including the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Alpha, in the County of Warren, State of New Jersey, as follows:

1. The Borough of Alpha Council hereby authorizes the shared services of the Borough of Alpha’s Chief Financial Officer with Greenwich Township and hereby authorizes the Mayor to execute the attached Agreement with the Township of Greenwich concerning the shared services of the Borough of Alpha’s CFO.
2. A copy of this Resolution and Agreement shall be maintained by the Clerk of the Borough of Alpha and forwarded to the Administrator/Clerk of the Township of Greenwich.
3. A copy of this Resolution and Agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs.
4. This Resolution shall take effect immediately.

Motion made by Councilwoman Tarsi to approve the following resolution, motion seconded by Councilman Dunwell: Councilman Dunwell stated that this resolution reflects a saving of 25% less than the Borough paid in 2011 for a licensed water operator. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar and Tarsi. Nays: Zikas.

**RESOLUTION 2012-28  
WATER UTILITY OPERATOR**

**WHEREAS**, the Mayor and Borough Council desire to ensure that the Borough's water utility is well maintained and that the quality of water is acceptable under state resolutions; and

**WHEREAS**, the Borough is need of a licensed water operator licensed by the State of New Jersey for the Borough Water Utility; and

**WHEREAS**, Remington & Vernick Engineers has a professional licensed water operator affiliated with its firm, namely William C. Packer III; and

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and the Council of the Borough of Alpha, County of Warren, and State of New Jersey hereby appoint William C. Packer III as the Borough's licensed water operator, for the firm of Remington & Vernick Engineers, at an annual fee of \$18,000.00 for the calendar year 2012 (to be paid on a monthly basis), including the job duties of Public Works Superintendent and Licensed Water Operator, upon certification of funds by the Borough CFO.

**BE IT FURTHER RESOLVED**, that this is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contract Law as provided by *NJSA* 40A: 11-5 because it requires service performed by a person authorized by law to practice as a recognized profession and it is not possible to obtain competitive bids.

Motion made by Councilman Dunwell to approve the following resolution, motion seconded by Councilwoman Tarsi. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar and Tarsi. Nays: Zikas.

:

**RESOLUTION 2012-29  
RESOLUTION AUTHORIZING BOROUGH ENGINEER  
ON PEARL STREET STORM WATER EXTENSION PROJECT**

**BE IT RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the firm of Remington & Vernick Engineers is hereby authorized to act as the Borough Engineer and proceed with the design and preparation of construction drawings and documents for the Pearl Street storm water extension in the Borough for the contemplated scope of work in accordance with the firm's proposal of this date (attached hereto) and in an amount not to exceed \$9,350.00, upon written certification of funds by the Borough CFO.

**BE IT FURTHER RESOLVED**, that the Mayor, Clerk, Borough Attorney, and/or Borough Engineer are authorized to execute all necessary documents to effectuate the contract.

Motion made by Councilman Dunwell to approve the following resolution, motion seconded by Councilwoman Tarsi. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar and Tarsi. Nays: Zikas.

**RESOLUTION 2012-30  
RESOLUTION AUTHORIZING BOROUGH ENGINEER  
ON HYDRANT INSTALLATION PROJECT**

**BE IT RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the firm of Remington & Vernick Engineers is hereby authorized to act as the Borough Engineer and proceed with the construction management and inspection of and on the hydrant installation project in the Borough for the contemplated scope of work in accordance with the firm's proposal of this date (attached hereto) and in an amount not to exceed \$9,935.00, upon written certification of funds by the Borough CFO.

**BE IT FURTHER RESOLVED**, that the Mayor, Clerk, Borough Attorney, and/or Borough Engineer are authorized to execute all necessary documents to effectuate the contract.

Motion made by Councilman Dunwell to approve the following resolution, motion seconded by Councilwoman Tarsi. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar and Tarsi. Nays: none. Abstain: Zikas.

**RESOLUTION 2012-31  
RESOLUTION AUTHORIZING BOROUGH ENGINEER  
ON NORTH BLVD GRANT PROJECT**

**BE IT RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the firm of Remington & Vernick Engineers is hereby authorized to act as the Borough Engineer and proceed with the construction management and inspection of and on the North Boulevard DOT grant project for the contemplated scope of work in accordance with the firm's proposal of this date (attached hereto) and in an amount not to exceed \$15,875.00, upon written certification of funds by the Borough CFO.

**BE IT FURTHER RESOLVED**, that the Mayor, Clerk, Borough Attorney, and/or Borough Engineer are authorized to execute all necessary documents to effectuate the contract.

Motion made by Councilwoman Tarsi to approve the following resolution, motion seconded by Councilwoman Savary. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar and Tarsi. Nays: Zikas.

**RESOLUTION 2012-32  
RE-APPOINTMENT OF UTILITY COLLECTOR FOR THE BOROUGH OF ALPHA**

**WHEREAS**, the position of Utility Collector exists within the Borough of Alpha and on the Salary Ordinance and Salary Resolution; and

**WHEREAS**, the term of office shall from January 1, 2012 through March 31, 2012.

**NOW THEREFORE BE IT RESOLVED**, that the Governing Body of the Borough of Alpha hereby appoints Lorraine Rossetti as Utility Collector in accordance with the salary ordinance at a salary for 2012 to be set at \$1,500 per month.

Motion made by Councilwoman Tarsi to approve the following resolution, motion seconded by Councilwoman Dunwell. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar and Tarsi. Nays: Zikas.

**RESOLUTION 2012-16**  
**C-2 OPERATOR APPOINTMENT**

**WHEREAS**, the Borough of Alpha is required to have a licensed C-2 sewer operator by the State of New Jersey; and

**WHEREAS**, the Borough has sought applicants for such a position to provide this professional service, pursuant to New Jersey law.

**NOW THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Alpha, County of Warren, State of New Jersey that James Hill of Frey Engineering, LLC, Lebanon, New Jersey is hereby appointed C-2 Sewer Operator for the Borough of Alpha, duly licensed by the State of New Jersey at a salary of \$12,000.00 for the calendar year 2012, upon certification of funds by the Borough CFO.

*Department Reports*

*Reports left over from 2011:*

*Administration, Councilman Craig Dunwell:* Councilman Dunwell explained that email blasts were not sent out due to the provider changing their server and the system is temporarily unavailable.

*Finance, Councilman Chris Pfefferle:* Councilman Pfefferle detailed the shared service agreement that passed between the Borough and Greenwich Township. The CFO will be working in Greenwich two days a week and two days per week here in the Borough. The Borough will be looking to hire a part time person for the CFO's office when she is not there and to be in compliance with dual control. Councilman Pfefferle thanked Greenwich Township for working well together to do this.

*Public Property, Councilman Mike Savary:* Councilman Savary referenced bill paying procedures for the AYAA and questioned the bill that needs to be paid for the fire suppression system that was recently installed. Discussions ensued on whether the Borough should pay this bill on behalf of the AYAA. Motion made by Councilman Savary for the Borough to pay the bill to Associated Fire in the amount of \$162.30, motion seconded by Councilwoman Schwar, roll call, Ayes: Dunwell, Pfefferle, Savary, Schwar, Tarsi and Zikas. Nays: none.

Councilman Savary continued on with his report regarding the pool being filled up and getting access to the plugs in the deep end.

Mayor Hanics inquired about the bike racks at the park. Councilman Savary stated that he thinks they may have gone to scrap.

Mayor Hanics announced the appointments for the 2012 Department Directors as follows:

**Administration:** Carol Schwar, Deputy, Craig Dunwell

**Health & Welfare:** Harry Zikas Jr., Deputy, Carol Schwar

**Public Safety:** Klara Tarsi, Deputy, Chris Pfefferle

**Public Property:** Mike Savary, Deputy, Klara Tarsi

**Public Works:** Craig Dunwell, Deputy, Mike Savary

**Finance:** Chris Pfefferle, Deputy, Harry Zikas Jr.

**COMPUTER COMMITTEE**

Harry Zikas, Jr., Chairperson  
Carol Schwar  
Craig Dunwell

**EMPLOYEE CONTRACTS COMMITTEE**

Chris Pfefferle, Chairperson  
Carol Schwar  
Mike Savary

**RECREATION AND GREEN ACRES**

Carol Schwar, Chairperson  
Chris Pfefferle  
Mike Savary

**HISTORICAL COMMITTEE**

Klara Tarsi, Chairperson  
Craig Dunwell  
Harry Zikas, Jr.

**INSURANCE COMMITTEE**

Klara Tarsi, Chairperson  
Chris Pfefferle  
Harry Zikas, Jr.

**OPEN SPACE COMMITTEE**

Mike Savary, Chairperson  
Carol Schwar  
Harry Zikas, Jr.

**PERSONNEL MANUAL COMMITTEE**

Carol Schwar, Chairperson  
Craig Dunwell  
Mike Savary

**POLICE COMMITTEE**

Chris Pfefferle, Chairperson  
Craig Dunwell  
Klara Tarsi

**NEWSLETTER COMMITTEE**

Carol Schwar, Chairperson  
Harry Zikas, Jr.  
Klara Tarsi

**SCHOOL BOARD COMMITTEE**

Harry Zikas, Jr., Chairperson  
Chris Pfefferle  
Klara Tarsi

**SHARED SERVICES COMMITTEE**

Mike Savary, Chairperson  
Chris Pfefferle  
Craig Dunwell

**COMMUNITY DAY**

Klara Tarsi, Chairperson  
Mike Savary  
Harry Zikas, Jr.

**WATER/SEWER COMMITTEE**

Craig Dunwell, Chairperson  
Carol Schwar  
Mike Savary

**BUDGET COMMITTEE**

Craig Dunwell, Chairperson  
Chris Pfefferle  
Klara Tarsi

Motion made by Councilman Pfefferle to approve the appointments of the Directors and Committee appointments, motion seconded by Councilwoman Tarsi, roll call; Ayes: Dunwell, Pfefferle, Savary, Tarsi and Schwar. Nays: Zikas.

*Public Comment*

Councilman Dunwell made stated that the public comment location on the agenda is incorrect and stated that it needs to be moved to be placed after the Professionals and Officials reports.

*Professionals & Officials Report*

*Mayor, Edward Hanics:* Mayor Hanics reviewed correspondences received through his office. Mayor Hanics announced appointments to the Library Board: Pat Shay, 3 year term 12/31/2014, motion made by Councilman Savary to approve, motion seconded by Councilwoman Schwar, roll call; Ayes: Dunwell, Pfefferle, Savary, Schwar, Tarsi and Zikas. Nays: none. Mayor Hanics requested 10 minutes in executive session for personnel.

*Emergency Squad:* Hunter Stagg gave the report for the emergency squad for the Borough of Alpha: 124 calls total, there were 26 fire calls, 8 rescue calls and 3 standby calls.

*CFO, Lorraine Rossetti:* Ms. Rossetti gave the report for the finance office and stated that funds are closed for 2011 except for current and escrow accounts. The utility closed today with collections falling below the anticipated amount and 2011 revenues dropped.

There is a budget meeting next Thursday (January 19<sup>th</sup>).

Ms. Rossetti stated that the budget must be introduced by February 29<sup>th</sup>. Discussions ensued regarding the entrance mats to the municipal building.

Ms. Rossetti reminded Council about best practices. An update on the utility department was given.

Discussions ensued regarding online fees and convenience fees for the water and sewer utility. Ms. Rossetti reminded everyone on the rabies clinic scheduled for Saturday January 14<sup>th</sup> from 1-2 p.m.

*Borough Clerk, Laurie Barton:* Mrs. Barton requested 15 minutes in executive session for personnel.

*Public Comment*

Tim Mellert, North Boulevard, commented on the Safe Routes to School project that neglected Schley and North Blvd and having sidewalks installed. Mr. Mellert's concern was the student crossing guard at this location and asked that the Engineer look into the issue. Mayor Hanics addressed the concern and stated that the sidewalk will be extended.

Lou Cartabona, Fifth Avenue, spoke about an incident concerning a sick raccoon on his property. Mr. Cartabona expressed his concern in not being able to contact the Animal Control Officer. Mr. Cartabona stated that he was not happy with the quality of the services of the ACO and suggested that the Borough look into sharing an animal control officer.

Mr. Cartabona also spoke about the possibility of looking into more equitable billing for sewer.

Mr. Cartabona inquired if the Mayor and Council received his letter regarding executive sessions. Mayor Hanics stated that they received it and it does have good points and was forwarded to the Borough Attorney for review.

Anthony Procita, Springtown Road, stated he received a notification about the water problem from October 2011, with some contamination in the water. Councilwoman Tarsi responded that the letter is required by law to be mailed out to all the residents, and the problem has been taken care of.

Mr. Procita inquired about the pool and asked why the pool isn't get filled in. Mayor Hanics stated that it has been of discussion for the last five years. There are some ideas for the pool.

Dave Santawasso, North Boulevard, thanked Council for the re-appointment as the Code Enforcement Officer and stated his interest to be on the Board of Health.

Louis Cartabona, Fifth Avenue, inquired about recent discussions of the police contract and asked Councilwoman Tarsi if the issue can be resolved before the next meeting.

Councilwoman Tarsi responded and stated that it needs further looking into. Mr. Cartabona stated there is a shared services meeting to be held at the Pohatcong School.

Mr. Cartabona stated he wanted to talk more about the police contract. Councilman Dunwell stated his opinion that contracts are not to be negotiated in the public or in the press.

Mr. Cartabona stated that if another entity contracts with the Borough for police services, he requested to have continuous police presence in the Borough.

Anthony Procita, Springtown Road, stated that tax payers have the right to know what is going on with the police contract. Mayor Hanics stated that negotiations are behind closed doors through meetings.

Elaine Emiliani, Deputy Mayor of Greenwich Township, stated that their meetings are held on the third Thursday of each month and stated that the CFO does not have to attend their next meeting due to the Borough's scheduled budget meeting on the same night.

Councilman Dunwell at this time requested 5 minutes in executive session, for contractual and have Mr. Seney (Engineer) in the executive session, with regards to the Safe Routes to School project.

#### *Payment of Bills and Claims*

Motion made by Councilwoman Tarsi to have the director's reports part of the minutes, motion seconded by Councilman Savary, Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar, Tarsi and Zikas. Nays: none.

Motion made by Councilman Savary to have the CFO authorized to pay all bills approved by the director's, motion seconded by Councilwoman Schwar, Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar, Tarsi and Zikas. Nays: none.

Motion made by Councilwoman Tarsi that the CFO be authorized to pay all salaries and wages approved by the Directors, motion seconded by Councilwoman Schwar, Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar, Tarsi and Zikas. Nays: none.

BOROUGH OF ALPHA  
Bill List By P.O. Number

Presented 01/11/12

12-00001	State Health benefits Plan - medical, RX & dental insurance due 1/15/12	\$8,304.93	current
12-00002	PM Construction - 11/30-12/15, Tap Water Services	\$4,090.00	utility capital
12-00003	Penn Bower - hydrants, tees, valves - for hydrant replacement capital project	\$81,052.25	utility capital
12-00004	Absolute Fire - AYAA fire suppression inspection	\$162.30	current
11-00815	Alpha Borough - prior interfund from escrow+2011 municipal interest from 999888	\$9,719.57	escrow
11-00815	Alpha Borough - prior interfund from tax premium 97-021	\$10,300.00	escrow
		<u>\$113,629.05</u>	

*New Business*

Councilman Pfefferle discussed the need to hire a part –time administrative clerk to assist the CFO.

Motion made by Councilman Pfefferle to amend ordinance 2012-02 to change the title of disbursement clerk to administrative clerk, motion seconded by Councilman Savary.

Questions: Councilwoman Tarsi stated that the ordinance needs to be adopted first then amended. The clerk asked for clarification on the advertisement. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar, and Zikas. Nays: Tarsi.

Motion made Councilman Pfefferle to approve the following resolution, motion seconded by Councilman Dunwell. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar and Tarsi. Nays: Zikas. The Clerk asked if someone will give her the wording for the advertisement, Councilman Pfefferle responded yes.

**RESOLUTION 2012-33**  
**A RESOLUTION AUTHORIZING THE BOROUGH CLERK TO ADVERTISE FOR THE POSITION OF ADMINISTRATIVE CLERK**

**BE IT RESOLVED**, the Governing Body hereby authorizes the Borough Clerk to advertise for the position for part time Administrative Clerk.

### *Executive Session*

Motion made by Councilman Zikas to go into executive session for personnel and contractual for 30 minutes, motion seconded by Councilwoman Tarsi, all was in favor:

#### **EXECUTIVE SESSION RESOLUTION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist.

1. The public shall be excluded from discussion(s) of the hereinafter specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is: Personnel, Litigation and/or Contractual,
3. It is anticipated at this time, that the above stated subject matter(s) will be made public when it is no longer a matter of confidentiality.
4. Action may or may not be taken after executive session.

**NOW THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Alpha that the public shall be excluded from an executive session for approximately, 30 minutes, allowing for a five (5) minute recess between the regular session and the executive session.

### *Back in Regular Session*

Motion made by Councilman Zikas, to return to the regular session, motion seconded by Councilwoman Tarsi, all were in favor.

Motion made by Councilman Dunwell, to appoint Remington & Vernick as the public works manager for one year at no salary, motion seconded by Councilman Pfefferle, roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar and Tarsi. Nays: Zikas

Councilman Zikas discussed getting members for the Board of Health. Discussions of whether chickens are allowed in the Borough will be looked into.

### *Adjourn*

There being no further business to come before Council at this time, on motion made by Councilman Zikas and seconded by Councilwoman Tarsi this meeting adjourned at 9:21 p.m.

Respectfully submitted,

*Laurie A. Barton, RMC*