

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, February 23, 2010.

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 5, 2010, the Municipal Clerk delivered to the Star Gazette and posted on the bulletin board in the Municipal Clerk's office a notice containing the date, time, and place of this meeting of the 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 Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Absent; Councilman A. Zikas

Public Comment: Louis Cartabona from 1119 Fifth Avenue asked about possible upcoming changes to the water billing. Discussions ensued. He also asked about the status of the budget regarding the state. He asked for an update on the pedestrian bridge. He asked for an update regarding the post office.

Executive Session: one hour

Due to hazardous weather conditions, Mayor Hanics decided to have the executive session at this time. Councilwoman Tarsi made a motion to approve the following resolution to go back into executive session for one hour for personnel and contractual:

RESOLUTION EXECUTIVE SESSION

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: *Contractual and Personnel***
- 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.**

Motion seconded by Councilman Gara, all were in favor.

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

Ordinances:

Councilwoman Tarsi made a motion to open the public hearing for the following ordinance:

ORDINANCE 2010-02

**CALENDAR YEAR 2010 ORDINANCE TO EXCEED THE 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. 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 Alpha in the County of Warren finds it advisable and necessary to increase its CY 2010 budget 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 Mayor and Council of the Borough of Alpha hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 45,344.21 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 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.

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 2010 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 \$ 45,344.21, and that the CY 2010 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.

NOTICE

NOTICE IS HEREBY GIVEN, that the above entitled ordinance was approved on first reading at a meeting of the Governing Body of the Borough of Alpha held on February 9, 2010 at the Alpha Municipal Building at 1001 East Blvd., and that public hearing concerning same will be held at a regular meeting of the Mayor and Council on February 23, 2010 at 7:00 p.m. at the Alpha Municipal Building at which time all persons both for and against shall be given the opportunity to be heard concerning the same.

CERTIFICATION

I, Laurie A. Barton, Clerk of the Borough of Alpha, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Ordinance adopted by the Common Council at a meeting of said Common Council on February 23,2010 and that said Ordinance was adopted by not less than the legal vote needed of the members of the Council.

Laurie A. Barton, Borough Clerk

Witness my hand and seal of the Borough of Alpha

This 23rd day of February, 2010

Councilman H. Zikas seconded the motion. Seeing no questions from the public, all were in favor.

Councilman Gara made a motion to close the public hearing. Councilman Gara seconded the motion. All were in favor.

Councilman H. Zikas made a motion to adopt the ordinance. Councilwoman Tarsi seconded the motion. *Roll Call:* Ayes; Councilman Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; none.

Councilwoman Tarsi made a motion to open the following ordinance for public hearing:

ORDINANCE 2010-03
**AN ORDINANCE PROVIDING FUNDING FOR
THE REPLACEMENT OF HYDRANTS AND VALVES
IN THE BOROUGH OF ALPHA AND APPROPRIATING \$35,000 OF
UTILITY CAPITAL FUND BALANCE FOR SUCH PURPOSE.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ALPHA, IN
THE COUNTY OF WARREN AND STATE OF NEW JERSEY, AS FOLLOWS:**

Section 1. The Borough of Alpha, in the County of Warren, in the State of New Jersey, authorizes replacement of hydrants and valves, for the Borough of Alpha to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$35,000.00 is hereby appropriated from the following account: General Capital Fund Balance for the purposes stated in Section 1 of the Ordinance.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Alpha may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

NOTICE

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Laurie Barton, Borough Clerk

Witness my hand and seal of the Borough of Alpha

This ____ day of February, 2010

Councilman H. Zikas seconded the motion. All were in favor.

Hearing no questions from the public, Councilman H. Zikas made a motion to close the public hearing. Councilwoman Tarsi seconded the motion.

Councilwoman Tarsi made a motion to adopt the ordinance. Councilman Savary seconded the motion. *Roll Call:* Ayes; Councilman Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; none.

Resolutions:

Councilwoman Tarsi made a motion to approve the following resolution:

**RESOLUTION 2010-29
RE-APPOINTMENT OF DEPUTY BOROUGH CLERK AND
RE-APPOINTMENT OF DEPUTY REGISTRAR
FOR THE BOROUGH OF ALPHA**

WHEREAS, the position of Deputy Borough Clerk exists within the code of the Borough of Alpha and on the Salary Ordinance and Salary Resolution; and

WHEREAS, the term of office shall be a three-year term. The term shall commence on the actual date of appointment.

WHEREAS, the actual date of appointment of Deputy Borough Clerk was February 27, 2007; and

WHEREAS, the appointment of a Deputy Registrar is mandated by the State Registrar's office requiring that all Registrar's appoint a Deputy Registrar ; and

WHEREAS, the term of office of the Deputy Registrar shall be a three-year term; and

WHEREAS, the actual date of appointment of Deputy Registrar was February 27, 2007,

NOW THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Alpha hereby re-appoints Christy Vishnesky as Deputy Municipal Clerk per the salary resolution and not to exceed twenty hours per week; and

BE IT FURTHER RESOLVED, the Governing Body of the Borough of Alpha hereby re-appoints Christy Vishnesky as the Deputy Registrar to the Registrar's Office.

CERTIFICATION

I, Laurie A. Barton, Clerk of the Borough of Alpha, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Common Council at a meeting of said Common Council on February 23, 2010 and that said Resolution was adopted by not less than the legal vote needed of the members of the Council.

Laurie A. Barton, Borough Clerk

Councilman H. Zikas seconded the motion. *Roll Call:* Ayes; Councilman Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; none.

Councilwoman Tarsi made a motion to approve the following resolution:

**RESOLUTION 2010-30
A RESOLUTION AUTHORIZING APPLICATION FOR A LOAN FROM THE NEW JERSEY
ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM**

**Resolution #:2010-30
Applicant: Borough of Alpha
Loan Number: New Project**

WHEREAS, the Borough of Alpha intends to file an application with the New Jersey Department of Environmental protection and the New Jersey Environmental Trust for repairs and improvements to the Frace Street well.

NOW, THEREFORE BE IT RESOLVED, that Mayor Ed Hanics of the Borough of Alpha be authorized to act as the Authorized Representative to represent the Borough of Alpha in all matters relating to the project undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Trust. The Authorized Representative may be contacted at: Borough Hall, 1001 East Boulevard, Alpha, NJ 08865, phone (908) 454-0088 ext 161.

CERTIFICATION

I, Laurie A. Barton, Clerk of the Borough of Alpha, County of Warren, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Common Council at a meeting of said Common Council on February 23, 2010 and that said Resolution was adopted by not less than the legal vote needed of the members of the Council.

Laurie A. Barton, Borough Clerk

Councilman H. Zikas seconded the motion. *Roll Call:* Ayes; Councilman Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; none.

Approval of Minutes: Councilman H. Zikas made a motion to approve the regular meeting minutes from 02/09/2010. Councilwoman Tarsi seconded the motion. All were in favor.

Councilwoman Tarsi made a motion to approve and hold the executive session minutes from 02/09/2010. Councilman H. Zikas seconded the motion. All were in favor.

Department Reports:

Administration, Councilman H. Zikas: Councilman H. Zikas presented resumes for the position of Code Enforcement officer and will be getting together with his deputy, Councilwoman Tarsi, to get someone hired for the position. In closing, he approved all bills, salaries, and wages for his department.

Finance, Councilman Hajdu: No report. Councilman Hajdu approved all bills, salaries, and wages for his department.

Health & Welfare, Councilman Savary: Councilman Savary read the health report. He approved all bills, salaries, and wages for his department.

Public Property, Councilman A. Zikas: Absent, no report. In his absence, Council President, Councilman H. Zikas, approved all bills, salaries, and wages for this department.

Public Safety, Councilman Gara: Councilman Gara read gave the safety report updating on the police, fire department, and court reports. He announced the Cat in the Hat Breakfast on March 7th, 2010 at the Alpha Volunteer Fire Company from 9am-12pm. In closing, he approved all bills, salaries, and wages for his department.

Public Works, Councilwoman Tarsi: Councilwoman Tarsi thanked the road department for doing a good job the night of the recent snow storm. She approved all bills, salaries, and wages for her department.

Councilman Savary asked about the purchase of highway materials regarding rates and location. Discussions ensued.

Committee Reports: Councilwoman Tarsi cancelled the upcoming 100th Anniversary Committee meeting due to the snow storm. It will be held the following month.

Professionals & Official Reports:

Mayor, Edward Hanics, Jr.: No report. He underlined the importance of adhering to the deadline for the agendas as per the recent memo issued by the Municipal Clerk.

Police Department, Chief Paul J. Hager: Not present. This report was covered by Councilman Gara in Chief Hager's absence.

Fire Department, Matthew Fagan: Not present. This report was covered by Councilman Gara in Matthew Fagan's absence.

Attorney, Christopher Troxell: Attorney Troxell addressed the driveway permit ordinance, stating the entire thing will be redone. Regarding the Hobson Street signage, he has spoken with Chief Hager and Chief Hager will be in contact with Stan regarding the issue. The Foreclosure Fairness Act passed and became a law. He intends to issue another letter regarding the post office. He updated regarding DEP approval of a recent notice issued for the treatment facility at Alpha Street and Fifth Avenue.

Engineer, Shelly McGregor (in for Stanley Schrek): Ms. McGregor gave the engineer's report. Councilwoman Tarsi made a motion to receive bids during the first week of May for the valves project. Councilman Savary seconded the motion. *Roll Call:*

Ayes; Councilman Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; none.

CFO, Lorraine Rossetti: No report.

Municipal Clerk, Laurie Barton: No report.

Public Comment: None.

Payment of Bills & Claims:

Councilman Gara made a motion to make the director's report a part of the minutes. Councilwoman Tarsi seconded the motion. *Roll Call:* Ayes; Councilman Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; none.

Councilman Gara made a motion that the CFO be authorized to pay all bills authorized by the director. Councilwoman Tarsi seconded the motion. *Roll Call:* Ayes; Councilman Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; none.

Councilman Gara made a motion that the CFO be authorized to pay all salaries and wages approved by the director, Councilman H. Zikas seconded. *Roll Call:* Ayes; Councilman Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; none.

P.O. Type: All ge: First to Last Format: Condensed				Open: N Held: Y Bid: Y	Rcvd: Y Aprv: N State: Y	Paid: N Void: N Other: Y	
PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
09-00672	10/26/09	NJN	NJN PUBLISHING	10/8 Edge Road & Road Improve	Open	106.04	0.00
09-00780	12/31/09	KEYTOCIT	KEY TO CITY.COM	100th Anniversary Pins & Keys	Open	1,075.00	0.00
09-00803	12/31/09	TANNER	TANNER NORTH JERSEY, INC	HON 695L/L 42" 5drawer lateral	Open	2,206.77	0.00
10-00001	01/24/10	ALBOA	ALPHA BOARD OF EDUCATION	2010 School Tax	Open	275,680.40	0.00
10-00003	01/24/10	DEACO	THOMAS DEACON	2010 Animal Truck Allowance	Open	125.00	0.00
10-00008	01/24/10	POHPOL	TOWNSHIP OF POHATCONG	2010 Police Coverage	Open	45,460.00	0.00
10-00011	01/24/10	VITAL	VITAL COMMUNICATIONS, INC	2010 MOD IV/CAMA Fees	Open	100.00	0.00
10-00046	02/01/10	R2CON	R2 CONSULTANTS	Clerk computer, software, cord	Open	2,735.01	0.00
10-00051	02/01/10	SARTI	SARTINI PLUMBING & HEATING	heat service call-replace fuse	Open	125.00	0.00
10-00054	02/01/10	MGL	MGL PRINTING SOLUTIONS	2010 utility bills printing	Open	533.20	0.00
10-00059	02/02/10	CHAMBER	CHAMBERLIN ELECTRIC, INC	April-June sewer pump repairs	Open	765.00	0.00
10-00062	02/02/10	NAPA	NAPA AUTO PARTS	Dec-Jan mechanical parts	Open	194.21	0.00
10-00065	02/02/10	ATLSA	ATLANTIC SALT	Dec-Jan Road Salt	Open	20,776.62	0.00
10-00066	02/02/10	EXPRES	EXPRESS-TIMES	Dec-Jan advertising	Open	2,220.54	0.00
10-00069	02/03/10	ONECA	ONE CALL SYSTEMS, INC.	Nov & Dec One Call services	Open	44.10	0.00
10-00070	02/03/10	WEST	WEST GROUP	NJ Court Rules #6063562846	Open	132.00	0.00
10-00074	02/03/10	PYRZ	PYRZ WATER SUPPLY CO., INC.	Frace Street acid pump parts	Open	374.00	0.00
10-00104	02/08/10	LYONS	GAETANO AENO, INC	Mason Truck tires LT235/85R16	Open	488.00	0.00
10-00105	02/09/10	NAPA	NAPA AUTO PARTS	Mason Dump idler arm & cap	Open	39.47	0.00
10-00108	02/16/10	HARMONY	HARMONY ANIMAL HOSPITAL	1/24 Stray animal care & eutha	Open	451.00	0.00
10-00115	02/16/10	FLORPER	FLORIO & PERRUCCI, L.L.C.	Clerk CEPA letter review	Open	25.00	0.00
10-00116	02/16/10	FINCH	FINCH FUEL OIL CO., INC.	2/4 Diesel fuel delivery	Open	966.14	0.00
10-00117	02/16/10	DEGAN	KATHY DEGAN	WC Realtor Board multilisting	Open	145.00	0.00
10-00118	02/16/10	VITAL	VITAL COMMUNICATIONS, INC	MOD IV Update tape 2010	Open	100.00	0.00
10-00119	02/16/10	EAST	EAST PENN REBUILDERS, INC.	2/4 O rings for spreader 0192	Open	17.88	0.00
10-00122	02/16/10	GFOA	G.F.O.A. OF NJ	GFOA '10 Due-Lorraine Rossetti	Open	90.00	0.00
10-00123	02/16/10	SAFE	TREASURER-STATE OF NEW JERSEY	2010 Water Allocation & Environ	Open	4,930.00	0.00
10-00124	02/16/10	WARAN	WARREN ANIMAL HOSPITAL	6/9-11/11/09 Animal Fees	Open	682.00	0.00
10-00125	02/16/10	NJECO	NJ ECONOMIC DEVELOPEMENT AUTH.	Loan payment due 3/1/10	Open	14,894.81	0.00
10-00126	01/31/10	HASSL	ASCOM HASSLER/GE CAP PROG	1/8/10 Add to postage meter	Open	500.00	0.00
10-00127	02/16/10	WASTE	WASTE MANAGEMENT OF NJ	January garbage disposal	Open	4,828.69	0.00
10-00128	02/16/10	TOWNP	TOWN OF PHILLIPSBURG	2010 1st Quarter Sewage Treat	Open	66,839.38	0.00
10-00129	02/16/10	COYNE	COYNE CHEMICAL ENVIRON SERVICE	1/28 Ferrous Chloride #816892	Open	816.60	0.00
10-00130	02/16/10	GRAIN	W.W. GRAINGER	2 5 ton bottle jacks	Open	244.00	0.00
10-00132	02/17/10	STAPL	STAPLES	Lateral file rails 42" cabinet	Open	147.98	0.00
10-00133	02/19/10	JCP&L	JCP&L	Jan-Feb Electric & st lights	Open	11,768.41	0.00
10-00134	02/19/10	VERI	VERIZON	2/10-3/9 garage phn 454-3143	Open	206.20	0.00
10-00135	02/19/10	VERIZ	VERIZON WIRELESS	Municipal cell phns 2/5-3/4	Open	119.64	0.00
10-00136	02/19/10	QC	QC, INC.	1/21 water testing bacteria/ph	Open	40.00	0.00
10-00137	02/19/10	CMX	CMX, INC.	valve/hydrant & WTP projects	Open	6,238.50	0.00
10-00139	02/19/10	PAYRO	PAYROLL AGENCY ACCT 751561	2/12 utility fund payroll	Open	7,867.80	0.00
10-00140	02/19/10	AAROE	LYN PAUL AAROE, ESQUIRE	2/17 Meeting & Housing Review	Open	962.50	0.00
Total Purchase Orders: 42				Total P.O. Line Items: 107	Total List Amount: 476,061.81	Total Void Amount: 0.00	
10-00142 USDA ACW debt payment						16,112.00	

Old Business: None.

New Business: None.

Adjournment:

Seeing no further business to come before Council, motion made by Councilman Gara to adjourn, motion seconded by Councilwoman Tarsi, all were in favor.

Respectfully submitted,

Christy Vishnesky, Deputy Clerk