

Council-President, Klara Tarsi, called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, February 28, 2012.

Council-President, Klara Tarsi 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.

Council-President, Klara Tarsi, 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, and Borough Engineer, Stephanie Cuthbert. Absent: Mayor Hanics.

Public Comment

Louis Cartabona, Fifth Avenue, questioned resolution 2012-47. Councilman Pfefferle briefly explained the need to have the Engineer do a plan due to; drainage issues, parking lot improvements, upgrades to the basketball court, consideration of a skate park at the pool area and other improvements.

Mr. Cartabona also inquired about the recent complaint of a resident having chickens and asked Council to look into Bloomsbury, who made changes to their zoning ordinance due to chickens in their Borough. Mr. Cartabona also commented on his opposition of an asphalt plant in the Borough.

Mr. Cartabona inquired about the hole on Fifth Avenue that needs to be patched and asked if it can be done since the weather has been nice. Councilman Dunwell responded and stated that the hole will be patched but it will need to wait until March or April to use hot patch because cold patch is too expensive.

Mario Manza, AYAA President, informed Council that Jimmy Piperata would like to donate an electronic score board for the circle field in memory of his father. Discussions ensued relating to the electrical needs of the score board.

Dennis Satnick, (On Source Solar Company representative) came before Council to entertain the idea of the Borough purchasing solar power from the company he represents who will be anticipating on filing an application with the Land Use Board within 35 to 45 days. Mr. Satnick stated that he was before Council tonight just as an introduction.

Maura Poquat, West Central Avenue, inquired about her continuation of the insurance situation and her daughter's injuries and a proposed resolution for settlement. Attorney Christopher Troxell requested 15 minutes to continue these discussions in executive session for contractual and litigation.

Resolutions

Motion made by Councilwoman Schwar to approve the following resolution, motion seconded by Councilman Pfefferle. Questions: Councilman Zikas stated he opposed the resolution because there was no public input as promised. Councilman Pfefferle clarified that this resolution covers more than the skate park and that the amount is up to \$28,885.00 and doesn't mean that the Borough will spend the entire amount. Further discussions ensued regarding the need of the resolution. Roll call: Ayes Pfefferle and Schwar. Nays: Dunwell, Savary, Tarsi and Zikas.

Resolution failed.

RESOLUTION FAILED
RESOLUTION 2012-47
RESOLUTION AUTHORIZING BOROUGH ENGINEER
FOR PROFESSIONAL ENGINEERING AND PLANNING SERVICES
FOR CONCEPTUAL PLAN AND STUDY

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 consulting services for preparation of conceptual plan and study for improvements to the Borough's Recreation Complex along West Vulcanite Avenue, in the Borough of Alpha in accordance with the firm's proposal of this date (attached hereto) and in an amount not to exceed \$28,885.00, 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.

Approval of Minutes

Motion made by Councilman Pfefferle to approve the following minutes:

12/13/2011, 01/22/2012, 01/24/2012 & 02/07/2012

Motion seconded by Councilman Savary, roll call, Ayes: Pfefferle, Savary, Tarsi, Schwar and Zikas. Abstain: Dunwell, Schwar (*for 12/13*) and Zikas (*for 12/13*).

Approval of Executive Session Minutes

Motion made by Councilman Pfefferle to approve and hold the following executive session minutes of 01/19/2012, motion seconded by Councilman Zikas, all were in favor.

Department Reports

Administration, Councilwoman Carol Schwar: Councilwoman Schwar reported that she spoke with the clerk regarding time sheets and the CFO will be changing them with a line to be added. The Borough will also be looking into a biometric system for time keeping.

Councilwoman Schwar stated that the computer committee needs to get more involved with the computers and stated that she is still waiting for a new email address. Councilwoman Dunwell responded that he is still waiting to hear back from the website company to set up email addresses.

In closing, Councilwoman Schwar approved bills, salaries and wages for her department.

Finance, Councilman Chris Pfefferle: Councilman Pfefferle gave a brief detail on the CFO's report that was submitted. The following purchase orders are to be added to the bill list:

12-00060	Alpha Board of Ed-SWA program	\$5200.00
12-00061	Lopat School-SWA Program	\$2791.00
12-00062	Birdsall-WTP program	\$5900.30
12-00065	One Call-December locates	\$30.50
12-00067	Univar/BCS-water chemicals	\$3394.98
12-00068	Vital-Senior Citizen Statements	\$30.00
12-00070	Irene Brownell-court help	\$60.00
12-00073	Amerigas-propane delivery	\$612.23

In closing, Councilman Pfefferle approved bills, salaries and wages for his department.

Councilman Savary questioned the Birdsall bill. Councilman Dunwell responded that it was an outstanding bill since August of last year and it's finally being paid.

Health and Welfare, Councilman Harry Zikas: Councilman Zikas reported that he will be speaking with Tom Deacon along with Councilwoman Schwar to discuss his position as Animal Control officer and issues. In closing Councilman Zikas approved bills, salary and wages for his department.

Public Property, Councilman Michael Savary: Councilman Savary reported on getting quotes for repairs to the pavers at Memorial Park and stated that they are in dire need of repairs.

The heating unit has been installed, but still needs to be leveled.

Councilman Savary stated that he will need 10 minutes in executive session to discuss contractual with regard to a maintenance contract for the heating unit.

Councilman Savary continued on with his report and stated that curbs are in poor shape around the Borough. Mr. Savary will be getting prices on playground equipment that are in need of repairs. There will be a bleacher project to make big changes to them and Councilman Savary will be discussing this with Mario Manza of the AYAA. Councilman Savary reported that he will be contacting the Toll Bridge Commission for any tire loaders they may have for sale due to the Borough's loader and backhoe being damaged. In closing, Councilman Savary approved bills, salaries and wages with the exception of the Cintas bill purchase order# 12-00075 for \$298.16 and requested that it be removed from the bill list.

Public Safety, Councilwoman Klara Tarsi: Councilwoman Tarsi gave the reports received from the Fire, Court and Police Departments. In closing, Councilwoman Tarsi approved bills, salaries and wages for her department.

Public Works, Councilman Craig Dunwell: Councilman Dunwell reported on the progress of the meter installations. Councilman Dunwell also reported on the water shut offs that have been occurring resulting from the hydrant project. This project is to improve the system and its reliability. Councilman Dunwell added that more valves will be installed in the future.

Councilman Dunwell requested 15 minutes in executive session for potential litigation regarding the water main break, and an additional 15 minutes for contractual regarding shared services. In closing, Councilman Dunwell approved bills, salaries and wages for his department.

Councilman Zikas inquired about the installation of the water meters. Councilman Dunwell responded and stated that he anticipates 100 to 120 per week to be installed in the next 4 to 6 weeks. Councilwoman Tarsi asked about the air quality reports for 2011. Councilman Dunwell stated that they will be done.

Committee Reports

Insurance: Councilwoman Tarsi stated that she was re-elected as the chair person once again, for PAIC.

Community Day: Councilman Savary asked if there are any meetings scheduled for Community Day. Councilwoman Tarsi responded and stated that she will begin setting up a schedule for meetings to start in March.

Professionals and Officials Reports

Mayor, Edward Hanics: Council-President Tarsi reviewed correspondences received through the Mayor's office. A handicap application was received from Henrietta Gerci to be placed at 401 East Central Avenue, with Chief Hager approving his aspect of the application.

Motion made by Councilman Zikas to approve the handi-cap application for 401 East Boulevard, motion seconded by Councilman Savary. Roll call, Ayes: Dunwell, Pfefferle, Savary, Tarsi Schwar and Zikas. Nays: none.

Council-President Tarsi reported on the letter received from the USDA stating that the Borough's loan has been paid in full.

Attorney, Christopher Troxell: Mr. Troxell inquired about a letter received from the Sewer Utility and asked if the Engineer was copied on the proposed ordinance. Ms. Cuthbert discussed the sewer use ordinance that Phillipsburg Authority passed, which does not change the Borough's agreement or allocation.

Engineer, Stephanie Cuthbert: Ms. Cuthbert updated Council on the general capital projects and the water utility engineering status report. Councilman Dunwell requested Ms. Cuthbert to sit in on his 15 minutes of executive session.

Public Comment

Charles Bodogh, East Central Avenue, asked what the problem is with the front loader and the case loader (backhoe). Councilman Dunwell stated being that the engine is in the front the salt falls down into the radiator, causing damage. The radiator has been replaced twice. Councilman Dunwell also stated the same problem is happening with the backhoe.

Payment of Bills and Claims

Motion made by Councilwoman Schwar to have the directors reports part of the minutes, motion seconded by Councilman Zikas, all were in favor.

Motion made by Councilwoman Schwar to authorize the CFO to pay bills approved by the directors, with the additional bill and holding purchase order # 12-0075 \$219.06, motion seconded Councilman Pfefferle, roll call, Ayes: Dunwell, Pfefferle, Savary, Tarsi and Zikas (Zikas voting no to purchase order 12-0052)

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

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BOROUGH OF ALPHA
Bill List By P.O. Number

Page No: 1

P.O. Type: All
Range: First to Last
Format: Condensed

Open: N Rcvd: Y Paid: N
Held: Y Aprv: N Void: N
Bid: Y State: Y Other: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
11-00698	11/07/11	SARTI	SARTINI PLUMBING & HEATING	Sigsb Ave-relocate water serv	Open	14,050.00	0.00
11-00762	12/05/11	AMGAS	AMERIGAS - CLINTON 7510	11/17 propane delivery pumphs	Open	318.94	0.00
12-00008	01/24/12	ALBOA	ALPHA BOARD OF EDUCATION	2012 School Tax - Jan to May	Open	286,831.40	0.00
12-00013	01/31/12	EDMUN	EDMUNDS & ASSOCIATES, INC.	Edmunds 2012 software mainten.	Open	7,829.00	0.00
12-00014	01/31/12	TSC	TSC NORTH AMERICA	Oct & Nov website updates	Open	175.00	0.00
12-00049	02/14/12	HOME	HOME DEPOT/GEFC	light bulbs, cleaning & water	Open	133.96	0.00
12-00051	02/14/12	PAGAN	FRANK PAGANO	repair shifter, parts & labor	Open	776.79	0.00
12-00052	02/15/12	DUNWELL	CRAIG S. DUNWELL	photo copies of blue prints	Open	26.91	0.00
12-00053	02/15/12	STAP	STAPLES BUSINESS ADVANTAGE	ink cartridges - 2 orders	Open	299.55	0.00
12-00054	02/15/12	STAP	STAPLES BUSINESS ADVANTAGE	2012 Norton 3 use antivirus	Open	59.99	0.00
12-00057	02/17/12	MCANJ	MUNICIPAL CLERK'S ASSOC OF NJ	Clerk Conference 3/28-3/30	Open	260.00	0.00
12-00058	02/17/12	TAJ	TRUMP TAJ MAHAL	Clerk conference in 3/27 out29	Open	270.00	0.00
12-00060	02/17/12	ALBOA	ALPHA BOARD OF EDUCATION	SWA Program for 2011 reimburse	Open	5,200.00	0.00
12-00061	02/17/12	LOPTSC	LOPATCONG TWSP SCHOOL	SWA Program 2011 Rachel's chal	Open	2,791.00	0.00
12-00062	02/17/12	BIRDSALL	BIRDSALL SERVICES GROUP	7/31/11 WTP Design	Open	5,900.30	0.00
12-00063	02/17/12	STAP	STAPLES BUSINESS ADVANTAGE	Paper & Cleaning supplies	Open	244.62	0.00
12-00064	02/17/12	AMGAS	AMERIGAS - CLINTON 7510	12/23/11 propane deliver	Open	355.85	0.00
12-00065	02/17/12	ONECA	ONE CALL CONCEPTS	December regular locates+voice	Open	30.50	0.00
12-00067	02/17/12	BCS	UNIVAR USA INC.	12/20/11 Sulfuric Acid	Open	3,394.98	0.00
12-00068	02/17/12	VITAL	VITAL COMMUNICATIONS, INC	Senior Citizen Post Yr State.	Open	30.00	0.00
12-00070	02/17/12	BROWNELL	IRENE BROWNELL	12/19/11 Substitut Court Dep	Open	60.00	0.00
12-00072	02/17/12	SARTI	SARTINI PLUMBING & HEATING	12/22/11 Cap sewer lateral 5th	Open	540.00	0.00
12-00073	02/22/12	AMGAS	AMERIGAS - CLINTON 7510	2/7 propane delivery	Open	612.23	0.00
12-00074	02/24/12	CARRO	CHARLES E. CARRO, ESQ	2012 Municipal Prosecutor	Open	433.32	0.00
12-00077	02/24/12	DEACO	THOMAS DEACON	2012 Animal Truck Allowance	Open	125.00	0.00
12-00078	02/24/12	FORDT	FORT DEARBORN LIFE INSURANCE	2012 Employee Life Insurance	Open	138.75	0.00
12-00079	02/24/12	FREY ENG	FREY ENGINEERING, LLC	2012 Sewer Operator Services	Open	3,000.00	0.00
12-00080	02/24/12	HEALTH	STATE OF NJ HEALTH BENEFITS	2012 Health Benefits-Feb-	Open	17,831.54	0.00
12-00081	02/24/12	LOPAT	TOWNSHIP OF LOPATCONG	2012 Assessor ComputerAir Card	Open	43.05	0.00
12-00082	02/24/12	MAILFIN	MAIL FINANCE	2012 Postage Meter Lease	Open	409.50	0.00
12-00083	02/24/12	POHPOL	TOWNSHIP OF POHATCONG	2012 Police Coverage	Open	48,462.50	0.00
12-00084	02/24/12	TRITE	DE LAGE LANDEN FINANCIAL SERV	Ricoh MP3351, 3yr lease	Open	549.96	0.00
12-00085	02/24/12	VERI DSL	VERIZON ONLINE	2012 DSL Internet Service	Open	290.37	0.00
12-00086	02/24/12	VITAL	VITAL COMMUNICATIONS, INC	2012 MOD IV Tax Assess System	Open	300.00	0.00
12-00087	02/24/12	WASTE	WASTE MANAGEMENT OF NJ	2012 Solid Waste & Recycling	Open	47,295.00	0.00
12-00088	02/24/12	WORKS	WORKS DATA	2012 Phone System Maintenance	Open	792.00	0.00
12-00089	02/24/12	REMGINTO	REMINGTON & VERNICK ENGINEERS	2012 Licensed Water Op/Super	Open	4,035.62	0.00
12-00090	02/25/12	SCHINDLE	FRED SCHINDLER, LICENSED OPER	Licensed Water Operator-Jan	Open	1,183.50	0.00
12-00091	02/25/12	RINGO	MARYBETH RINGO	2012 SWA Coordinator Stipend	Open	340.80	0.00
12-00092	02/25/12	WASTE	WASTE MANAGEMENT OF NJ	Alpha School Dumpsters	Open	300.00	0.00
12-00093	02/25/12	PRIDE	PRIDE CONSTRUCTION CO.	Sigsbee relandscape-water line	Open	790.00	0.00
12-00094	02/25/12	REMGINTO	REMINGTON & VERNICK ENGINEERS	Jan Engineer-capital & utility	Open	24,044.50	0.00
12-00095	02/25/12	ROSSE	LORRAINE ROSSETTI	SWA Treasury Services-Oct-Dec	Open	300.00	0.00
12-00096	02/25/12	LSI	LINE SYSTEMS, INC	Feb local & long distance phn	Open	599.93	0.00
12-00097	02/25/12	PENNB	PENN BOWER	replace water main-South Blvd	Open	38,223.94	0.00
12-00098	02/25/12	NJECO	NJ ECONOMIC DEVELOPEMENT AUTH.	March 1st loan payment	Open	14,682.25	0.00
12-00099	02/25/12	FEY	THOMAS J. FEY	Recycling Coordinator Mileage	Open	245.20	0.00
12-00100	02/25/12	QC	QC, INC.	1/19 & 1/27 water testing	Open	800.00	0.00
12-00101	02/25/12	SAFE	TREASURER-STATE OF NEW JERSEY	General Discharge & Water Allo	Open	4,930.00	0.00
12-00102	02/25/12	TRDCF	TREASURER, STATE OF NJ	2011 4th Qtr Marriage Report	Open	75.00	0.00

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BOROUGH OF ALPHA
Bill List By P.O. Number

Page No: 2

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
12-00103	02/25/12	DOG	NJ DEPT OF HEALTH & SENIOR SER	2012 January State Dog Report	Open	195.00	0.00	
12-00104	02/25/12	NJTRES	TREASURER STATE OF NJ DEPT. OF	2011 4th Qtr State Training Fe	Open	260.00	0.00	
12-00105	02/25/12	PAYRO	PAYROLL AGENCY ACCT 751561	2/10/12 Current Fund Payroll	Open	14,904.24	0.00	
12-00106	02/25/12	PAYRO	PAYROLL AGENCY ACCT 751561	2/24/12 Current Fund Payroll	Open	18,167.65	0.00	
12-00107	02/25/12	PAYRO	PAYROLL AGENCY ACCT 751561	2/10/12 Utility Fund Payroll	Open	7,112.59	0.00	
12-00108	02/25/12	PAYRO	PAYROLL AGENCY ACCT 751561	2/24/12 Utility Fund Payroll	Open	7,758.71	0.00	
12-00109	02/25/12	PAYRO	PAYROLL AGENCY ACCT 751561	2/24/12 Animal Trust Payroll	Open	558.56	0.00	
12-00110	02/25/12	COYNE	COYNE CHEMICAL ENVIRON SERVICE	2/8/12 Ferrous Chloride 873849	Open	1,031.10	0.00	
12-00111	02/25/12	ELIZGA	ELIZABETHTOWN GAS	1/11-2/9 Gas Heat	Open	1,360.77	0.00	
12-00112	02/25/12	VERIZ	VERIZON WIRELESS	2/5-3/4 municipal cell phones	Open	162.31	0.00	
12-00113	02/25/12	JCP&L	JCP&L	2/6-2/13 elec/st light bills	Open	4,214.96	0.00	
12-00114	02/25/12	ACTION	ACTION DATA SERVICES	1/27-2/15 payroll services	Open	2,106.73	0.00	
12-00115	02/25/12	EAS	EAS BY ACTION DATA	1/27-2/10 payroll agency serv	Open	118.56	0.00	
12-00116	02/25/12	AAROE	LYN PAUL AAROE, ESQUIRE	Jan & Feb LUB Legal work	Open	1,737.50	0.00	
12-00117	02/25/12	AAROE	LYN PAUL AAROE, ESQUIRE	Feb Escrow legal work	Open	712.50	0.00	
12-00118	02/25/12	VITAL	VITAL COMMUNICATIONS, INC	MOD IV tax master update 49131	Open	100.00	0.00	
12-00119	02/25/12	WILHELM	WINEGAR,WILHELM,GLYNN & ROEMER	2/14 Public Defend E Blair	Open	150.00	0.00	
Total Purchase Orders:		67	Total P.O. Line Items:	175	Total List Amount:	601,063.93	Total Void Amount:	0.00

Old Business

Violation & Complaint: Chickens

Councilwoman Schwar discussed the letter received from the Land Use Board Attorney in reference to the zoning ordinance. Mrs. Schwar stated that the Board of Health can not violate the zoning ordinance. Attorney Troxell stated that the resident can ask for a variance.

Councilwoman Schwar stated that the Code Enforcement Officer should continue with his enforcement of the ordinance and complaint. Discussions ensued regarding complaints received that are anonymous.

New Business

Rice Notice: Laurie Barton

Mrs. Barton took the floor and discussed the details pertaining to the reason why she was Rice Noticed on direction of Councilwoman Schwar on behalf of Councilman Dunwell, for anonymous complaint that was received by her office.

Mrs. Barton explained that the envelope was addressed to the Mayor and Council, so therefore in the capacity of being the Borough Clerk she distributed the complaint to Mayor and Council.

The Clerk stated that she chose to have this discussed in open session because she believes that she was only doing her job.

Councilman Dunwell stated that he felt it should have only went to the Mayor for his review and for his executive decision on whether or not he believed the bogus letter would warrant to be distributed to Mayor and Council. The Clerk stated she disagreed and discussed on opening mail addressed to Mayor and Council.

Further discussions ensued on what type of mail is being open and distributed and to whom.

The Clerk requested something in writing for a resolve to this matter.

Councilwoman Schwar stated that Council was in another executive session for a Rice Notice and there was no resolution, Council didn't decide what to do.

Councilman Zikas stated that Councilwoman Schwar should sit with the Clerk and give her direction on what to do.

The Clerk stated that a Rice Notice gives the appearance that there will be a disciplinary action of an employee.

Councilman Dunwell stated for clarification, whenever anyone in the audience talks about performance of an employee, he never discusses personnel on the dais. His understating was the only way to discuss personnel with an employee is that you have to Rice Notice that employee.

Councilwoman Schwar asked Council if there is an impression amongst Council members that a Rice Notice needs to be issued just to speak to someone about their performance or something they did.

Councilman Dunwell stated that no, it's his understanding that if you potentially want to put something in someone's personnel file that's what triggers a Rice Notice and asked the Clerk if this was correct. Mr. Dunwell continued on and stated that a Rice Notice is protection for the employee giving them the opportunity to speak in executive session or out in the open and stated that it is the employees' prerogative.

The Clerk asked what kind of disciplinary action was Council considering when she was Rice Noticed for what she felt was only doing her job.

Councilman Dunwell stated that now the discussion is talking about personnel and he will not talk about it on the dais. The Clerk responded that she requested this to be discussed in public so she is going to talk about it here in public.

Councilman Pfefferle stated that there is some confusion on when to use a Rice Notice. Councilman Pfefferle stated they interviewed a Labor Counsel in which he asked this specific question of a when to Rice Notice an employee.

Mr. Pfefferle stated you can document an employee's personnel file without having to do a Rice Notice, giving the example if an employee was late 10 times.

Councilwoman Schwar asked the Clerk if this was correct, in which the Clerk referred the question to the Borough Attorney. Attorney Troxell stated that a Rice Notice is a contemplated disciplinary action or an issue you're going to make as a permanent record in the employee file.

Councilman Zikas asked if there is any disciplinary action to be taken. Councilman Pfefferle stated that they can't at this point since they didn't see the envelope. The Clerk responded that the Mayor has the envelope and she has a scanned copy of it.

Councilman Pfefferle asked if there is a policy of what mail gets distributed and not distributed. Councilman Zikas made a motion that Councilwoman Schwar sit with the Clerk and discuss mail distribution policy, motion seconded by Councilwoman Tarsi. Question: Councilman Dunwell asked given the tone of Councilman Zikas's voice, if he was serious about this or not. Councilman Zikas responded that he is very serious and if he wasn't serious he would never had made the motion. All were in favor.

Executive Session

Motion made by Councilman Zikas to approve the following resolution, to go into executive session for 1 hour and 30 minutes for contractual, litigation and personnel. Motion seconded by Councilman Savary, all were 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 1 hour(s), 30 minutes, allowing for a five (5) minute recess between the regular session and the executive session.

Regular Session

Motion made by Councilman Pfefferle to return to regular session, motion seconded by Councilman Dunwell, all were in favor.

Motion made by Councilman Pfefferle to approve Resolution 2012-48, motion seconded by Councilwoman Schwar. Roll call, Ayes: Dunwell, Pfefferle, Savary, Schwar and Tarsi. Nays: Zikas.

RESOLUTION 2012-48 A RESOLUTION AUTHORIZING THE HIRING OF LABOR/EMPLOYMENT COUNSEL

WHEREAS, the Council of the Borough of Alpha deems the hiring of a labor/employment lawyer to be in the best interests of the Borough of Alpha;

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Alpha that Francesco Taddeo, Esq., a New Jersey licensed attorney, be hired or retained as labor/employment counsel for the Borough of Alpha for the remainder of calendar year 2012 at a rate of \$165.00 per hour, upon certification of funds by the CFO, and subject to proper documentation being provided by Attorney Taddeo to the Clerk.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute the contract and any related documents.

Motion made by Councilman Pfefferle to approve Resolution 2012-49, motion seconded by Councilman Savary. Roll call, Ayes: Dunwell, Pfefferle, Savary, Schwar and Zikas. Nays: Tarsi.

RESOLUTION 2012-49 APPOINTMENT OF ADMINISTRATIVE CLERK FOR THE BOROUGH OF ALPHA

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

WHEREAS, the term of office shall from February 29, 2012 through December 31, 2012.

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Alpha hereby appoints Christy Vishnesky as Administrative Clerk in accordance with the salary ordinance at a salary of \$17.66 per hour up to 20 hours per week for the rest of 2012, which is a provisional appointment.

Adjourn

There being no further business to come before Council at this time, on motion made by Councilman Zikas and seconded by Councilwoman Schwar, this meeting adjourned at 10:12 p.m.

Respectfully submitted,

Laurie A. Barton, RMC