

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, March 13, 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 (*arrived at 7:25 p.m.*). Also present Borough Clerk, Laurie A. Barton, CFO, Lorraine Rossetti and Borough Attorney Christopher Troxell.

Public Comment

Kathleen McHenry, West Central Avenue, came before Council once again, to plead her case regarding her pet chickens and distributed a packet of information regarding what other towns have done to accommodate pet chickens. Mrs. McHenry stated that she transferred the chickens over to a farm until this gets resolved.

Lengthy discussions ensued regarding the current code and what options Mrs. McHenry has by going to the Land Use Board for a Variance.

An Ordinance Committee was formed with Councilwoman Tarsi, Councilman Zikas and Councilwoman Schwar as the committee members.

Jim Piperata, Phillipsburg, discussed his donation of a score board at Circle Field to the Borough, in memory of his father. The Mayor responded that he will have someone from the power company come out and look to see what needs to be done to have power for the score board.

Discussions ensued regarding the Borough's responsibility for the small amount of metering for the score board.

Motion made by Councilwoman Tarsi that the Borough will be responsible for the metering charge at Circle Field, motion seconded by Councilman Pfefferle, questions: Councilman Dunwell inquired if this needs to go before the Land Use Board for the sign. Roll call: Ayes: Dunwell, Pfefferle, Savary, Schwar, Tarsi and Zikas. Nays: none.

Christine Pierzga, Lehigh County, PA inquired about her property she owns on North Boulevard and the time line on the pipe installation and the sidewalks.

Councilman Dunwell stated that the concrete work will be started immediately and the asphalt will be done in 4-6 weeks.

Anthony Procita, Springtown Road, inquired about his meter installation and stated he would like to keep his appointment for the 24th.

Mr. Procita also inquired about the dump area for branches. It was stated that the area will be open 7 days a week from dawn until dusk.

Tim Mellert, North Boulevard, stated he seen children crossing the pedestrian bridge and requested a fence to be installed to keep the kids out.

Louis Cartabona, Fifth Avenue, briefly commented on the chickens and referred once again about Bloomsbury's ordinance regarding chickens as pets.

Tom Fey, stated that Memorial Day Services will be held at the Veterans Memorial Park and stated that the area needs work and be cleaned up before the services.

Mr. Fey also inquired on having the electric fixed at the Memorial.

Councilman Savary responded that he is getting prices for the repair work on some of the pavers that need work.

Discussions ensued regarding having a sidewalk installed at the Memorial.

Resolutions

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

**RESOLUTION 2012-50
REDEMPTION OF TAX
SALE CERTIFICATE#201101**

WHEREAS, the Tax Collector of the Borough of Alpha advised Mayor and Council that the following property has been redeemed and the money due thereon paid to the Borough of Alpha Tax Collector;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Alpha this 13th day of March 2012 that refunds are made to the certificate holder as noted:

CERTIFICATE HOLDER	BLOCK/LOT	CERT#	AMOUNT
Arthur Frustaci 1178 Fifth Avenue Alpha, NJ 08865	27/11	201101	\$1,160.83

Councilman Dunwell stated that there is one more Resolution that was distributed by the Attorney. Attorney Troxell explained the reason for the resolution is a settlement with the DEP for an issue that was raised by the DEP in 2009 and 2010 regarding the annual diversion rate, in which a settlement was discussed. Councilman Dunwell stated that the majority of the fine is due to the Borough's failure of water diversion of the Pursel Street well for the years of 2008, 2009 and 2010 and stated that this should be put in the resolution.

Motion made by Councilman Pfefferle to approve the following resolution with the additional wording, motion seconded by Councilwoman Schwar, Questions; Councilman Dunwell asked why the Borough is paying the fine of \$14,250.00 and referenced the compliance evaluation summary, from June 23, 2008.

Lengthy discussions ensued regarding the DEP fine, the resolution and accusations of wrong doing.

Roll call: Ayes: Pfefferle, Schwar and Tarsi. Nays: Dunwell, Savary and Zikas. Mayor Hanics voted yes to pass the adoption of the resolution.

Councilman Dunwell asked Tom Fey about tonnage reports having to be done by a Certified Recycling Coordinator. Mr. Fey responded that it doesn't apply because he is currently in school.

Minutes

Motion made by Councilman Zikas to approve the minutes of 02/28/2012, motion seconded by Councilman Savary. Questions: Councilwoman Schwar made note of one correction. Roll call, Ayes: Pfefferle, Savary, Schwar, Tarsi and Zikas. Abstain: Dunwell.

Department Reports

Administration, Councilwoman Carol Schwar: Councilwoman Schwar discussed the revised complaint form for the Code Enforcement Officer.

Councilwoman Schwar stated that an adjustment to the time sheets have been made and hours worked will be entered from the employees.

Councilwoman Schwar reported on the discussion she had with the Clerk pertaining to opening mail that is addressed to the Mayor and Council. Councilwoman Schwar requested 20 minutes in executive session for personnel and contractual with regards to the Clerk's contract and the Administrative Clerk.

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

Finance, Councilman Chris Pfefferle: Councilman Pfefferle reported on the hiring of Christy Vishnesky as the new Administrative Clerk in the Finance office.

Councilman Pfefferle requested 10 minutes in executive session for contractual regarding Shared Services. In closing Councilman Pfefferle approved bills, salaries and wages for his department.

Health & Welfare, Councilman Harry Zikas Jr.: Councilman Zikas reported that he will be meeting with the ACO along with Councilman Savary and Councilwoman Schwar this Thursday at 7:30 p.m. In closing, Councilman Zikas approved bills, salaries and wages for his department.

Public Property, Councilman Michael Savary: No report. In closing Councilman Savary approved bills, salaries and wages for his department.

Public Safety, Councilwoman Klara Tarsi: Councilwoman Tarsi reported on the police report submitted by Chief Hager, for the month of February.

The report from the Court was also given for the month of February. Councilwoman Tarsi stated that she has two applications for the fire department for Tyler Conrad (Junior Fireman application) and Scott Turdo (Regular application). Motion made by Councilman Pfefferle to approve the applications for the Fire Department, motion seconded by Councilwoman Schwar, all were in favor.

Councilwoman Tarsi requested 15 minutes in executive session for personnel regarding sick days for an employee. In closing, Councilwoman Tarsi approved bills, salaries and wages.

Public Works, Councilman Craig Dunwell: Councilman Dunwell reported on the meter installations and the progress.

Councilman Dunwell reported that 40 meters cannot be installed due to bad shut off valves.

Councilman Dunwell reported on the water main break on Schley Avenue that opened up sink holes and the possibility of using ground penetrating radar. Councilman Dunwell stated that due to the emergent situation, he will authorize the Engineer \$4,000.00 to do a survey to look for voids in that area.

Councilman Dunwell requested in total 45 minutes in executive session for potential litigation and personnel regarding the emergency repair and the DEP fine. In closing, Councilman Dunwell approved bills, salaries and wages for his department.

Professionals and Officials Reports

Mayor Edward Hanics: Mayor Hanics reviewed correspondences received through his office. Attorney Troxell explained the correspondence received from the Phillipsburg Sewer Utility Authority and stated he wasn't sure what exactly the Authority is requesting the Borough to do regarding the sewer agreements.

Attorney Christopher Troxell: Mr. Troxell explained the email he sent regarding the Cintas rug contract. The Borough is now out of the contract and no money is owed. CFO, Lorraine Rossetti asked if she can call them to pick up the rugs, Mr. Troxell stated yes.

CFO, Lorraine Rossetti: Ms. Rossetti updated Mayor and Council on her office since the hiring of the Administrative Clerk and stated that she is caught up with purchasing and reconciliations will be done next week.

Ms. Rossetti reminded Council on the introduction date of the budget which has now passed (March 9th). Ms. Rossetti stated she gave the budget to her Director in which she has not heard back from and stressed the point of having the budget introduced. Ms. Rossetti reminded Council of the Best Practices check off sheet. One of the questions asks if the Borough introduced their budget on time in which she will have to answer no and this can affect State Aid to the Borough. Motion made by Councilman Zikas to have the CFO input the budget and present for introduction for the next meeting, motion seconded by Councilwoman Schwar, all were in favor.

Ms. Rossetti stated that there are bills to be added to the bill list; 12-00154 A Plus Handy Man \$3,425.00 and 12-00155 Penn Bower \$ 59,087.75. Councilman Dunwell stated he is not approving the Penn Bower bill at this time and requested to have it taken off the bill list.

Ms. Rossetti received paperwork from the Engineer to sign off on a change order from Penn Bower. Councilman Dunwell stated he is still waiting for a response from Penn Bower regarding valves.

Ms. Rossetti briefly discussed the possibility of having a leave policy for part time salaried employees. Councilwoman Schwar responded that this will be addressed in the personnel manual.

Ms. Rossetti reported that Christy Vishnesky will have delinquent notices out tomorrow, regarding water and sewer.

Ms. Rossetti encouraged consumers to pay their water/sewer bills online.

Ms. Rossetti discussed the threshold coming up with regards to Mr. Sands contract for installation of meters. Mrs. Rossetti also reported a problem with one of the meter reading guns in which it deleted all the readings.

Clerks Report, Laurie Barton: Mrs. Barton stated that her office get behind in things due to the Deputy Clerks hours reduced to ten hours. The Clerk reported that the Borough will now only have 2 voting districts instead of 3 districts due to the lack of registration for voting, per the County Election Board.

Committee Reports

Community Day: Councilwoman Tarsi stated that a meeting is scheduled for March 29th at 7 P.M. at the municipal building.

Public Comment

Chuck Bodogh, East Central Avenue, stated that the Easter Egg Hunt in conjunction with Pohatcong will be held on March 31st at 11:00 a.m. at the Pohatcong Elementary School.

Mr. Bodogh discussed the need for an access road out of Industrial (Park) Road.

Councilman Dunwell discussed about the Emergency Management Coordinator not being notified of the recent fire at Linde from the County.

Louis Cartabona, Fifth Avenue, stated he would like to volunteer with Community Day.

Anthony Procita, Springtown Road, inquired about the DEP fine.

Payment of Bills and Claims

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

Motion made by Councilwoman Schwar to authorize the CFO to pay bills approved by the directors, with the additional bills and holding the Penn Bower bill, motion seconded by Councilwoman Tarsi, roll call, Ayes: Dunwell, Pfefferle, Savary, Schwar, Tarsi and Zikas. Nays: none.

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

03/14/12
08:33:54

BOROUGH OF ALPHA
Bill List By P.O. Number

Page No: 1

P.O. Type: All				Open: N	Rcvd: Y	Paid: N
Range: First to Last				Held: Y	Aprv: N	Void: N
Format: Condensed				Bid: Y	State: Y	Other: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
12-00055	02/15/12	R2CON	R2 CONSULTANTS	replace deputy DVD drive w/new	Open	159.95	0.00
12-00056	02/15/12	HOME	HOME DEPOT/GECE	vac cleaner for munic bldg	Open	399.00	0.00
12-00059	02/17/12	GOLDEN	GOLDEN AGE CLUB	SWA Senior Engagement	Open	388.67	0.00
12-00066	02/17/12	ROTO	ROTO ROOTER / KIRBY ASSOCIATES	12/15/11 Camera williams/jet	Open	600.00	0.00
12-00071	02/17/12	ALLEGRA	ALLEGRA	NJ Uniform Construction Forms	Open	336.00	0.00
12-00075	02/24/12	CINTAS	CINTAS CORPORATION LOC 101	2012 Matt Service	Open	298.16	0.00
12-00076	02/24/12	HOME	HOME DEPOT/GECE	white marking paint & hitch	Open	47.04	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	274.98	0.00
12-00121	02/28/12	HOME	HOME DEPOT/GECE	water Line Installation misc	Open	50.94	0.00
12-00124	02/29/12	MGL	MGL PRINTING SOLUTIONS	Multi Purpose License Forms	Open	314.00	0.00
12-00125	02/29/12	EXPRES	EXPRESS-TIMES	Ads 12/16 to 01/14	Open	4,340.40	0.00
12-00126	02/29/12	METZE	METZ & SON ELECTRICAL, INC	P/U & Rtrn Bucket Truck	Open	150.00	0.00
12-00127	02/29/12	TSC	TSC NORTH AMERICA	website Updates	Open	201.25	0.00
12-00129	03/01/12	MGL	MGL PRINTING SOLUTIONS	1099 Forms & Envelopes	Open	73.50	0.00
12-00130	03/01/12	FINCH	FINCH FUEL OIL CO., INC.	Fuel Delivery	Open	973.01	0.00
12-00131	03/01/12	FINCH	FINCH FUEL OIL CO., INC.	Fuel Del-Sewer Pump Station	Open	16.17	0.00
12-00132	03/01/12	OPDK	OPDYKE'S SALES & SERVICE	08 Int'l 4x2 Repairs	Open	259.48	0.00
12-00133	03/01/12	TSC	TSC NORTH AMERICA	Library-Website Maint.	Open	35.00	0.00
12-00135	03/01/12	STORR	STORR TRACTOR CO.	McCormick Trctr Repr	Open	5,461.37	0.00
12-00136	03/01/12	POWER	POWERCO, INC	Brkr Sw.-Backhoe	Open	23.53	0.00
12-00140	03/01/12	JIORL	JIORLE'S OFFICE SUPPLIES	Tax Collector-Paid Stamp	Open	59.99	0.00
12-00142	03/01/12	PAGAN	FRANK PAGANO	DPW-Mason Dump Steering Repair	Open	733.29	0.00
12-00143	03/01/12	BAER	BAER AGGREGATES, INC.	Quarry Proces	Open	614.85	0.00
12-00144	03/01/12	METZE	METZ & SON ELECTRICAL, INC	Fuse Replacements at Pumphouse	Open	118.36	0.00
12-00145	03/01/12	PETTY	PETTY CASH	Clerk Petty Cash Requisition	Open	59.05	0.00
12-00146	03/02/12	HOME	HOME DEPOT/GECE	50 ft cable & clamps	Open	68.10	0.00
12-00148	03/06/12	QC	QC, INC.	QC LABS SAMPLS & ANALYSES	Open	65.00	0.00
12-00149	03/06/12	JCP&L	JCP&L	JCP&L ELECTRIC BILL	Open	6,417.62	0.00
12-00150	03/06/12	FRUST	ARTHUR FRUSTACI	BL 27, LOT 11 REDEMPTION	Open	1,160.83	0.00
12-00151	03/06/12	SAFE	TREASURER-STATE OF NEW JERSEY	EMER GEN-GEN PERMIT PUMP STN	Open	410.00	0.00
12-00154	03/10/12	APLUS	APLUS HANDYMAN SERVICE	new meter installations3/6-3/9	Open	3,425.00	0.00
12-00156	03/14/12	SAFE	TREASURER-STATE OF NEW JERSEY	failure to report usage/overus	Open	14,250.00	0.00
Total Purchase Orders: 33				Total P.O. Line Items: 111	Total List Amount: 90,247.04	Total Void Amount:	0.00

12-00147 A Plus Handyman \$1,000. 40 meters

12-00152 A Plus Handyman \$1,000. 40 meters

New Business

Mayor Hanics reported on a message he received on his phone from the Big Brother and Big Sisters organization that will be sponsoring a bowling event on April 28th.

Mayor Hanics asked if anyone on Council was interested to let him know. Councilman Pfefferle and Councilwoman Schwar expressed their interest in attending.

Approval of Pavilion Permits

Motion made by Councilwoman Schwar to approve the following pavilion permit:

Robert Amey-Cancer Benefit Fundraiser 05-19-12 w/alcohol
(*Request waiver of fee*)

Motion seconded by Councilman Zikas, all were in favor.

Motion made by Councilman Pfefferle to approve the following pavilion permit:

Jessica Faher 05-27-12 w/ alcohol

Motion seconded by Councilman Savary, all were in favor.

Motion made by Councilman Zikas to approve the following pavilion permit:

Alpha Vol Fire Dept. 07-29-12 w/ alcohol (*Request waiver of fee*)

Motion seconded by Councilman Pfefferle, all were in favor, with the exception of Councilman Savary abstaining.

Motion made by Councilman Zikas to approve the following pavilion permit:

George Gal- 06-09-12 w/ alcohol

Motion seconded by Councilman Pfefferle, all were in favor, with the exception of Councilman Dunwell voting no.

Executive Session

Motion made by Councilman Pfefferle to approve the following resolution to go into executive session for 1 hour and 30 minutes. Motion seconded by Councilwoman Schwar, 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.

Return to Regular Session

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

Adjourn

There being no further business to come before Council at this time, on motion made by Councilwoman Tarsi and seconded by Councilman Pfefferle, this meeting adjourned at 10:32 p.m.

Respectfully submitted,

Laurie A. Barton, RMC