

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, April 26, 2011.

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, 2011, 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 Dunwell, Councilman Gara, Councilman Pfefferle, Councilman Savary, and Councilwoman Tarsi. Also present Borough Attorney, Christopher Troxell, Borough Clerk, Laurie A. Barton and CFO, Lorraine Rossetti. Absent: Councilman Zikas.

Public Comment

Tom Fey, Recycling Coordinator gave his report and stated that a resolution needs to be done for the tonnage grant. Waste Management needs to submit the tonnage report to the Borough and as of yet Mr. Fey has not received it. Mr. Fey also mentioned a poetry contest regarding recycling through the school for grades 4th, 5th and 6th. He updated Mayor and Council on potential upcoming classes pertaining to certification for recycling coordinator. The classes won't start unless DEP approves the classes.

Louis Cartabona, Fifth Avenue inquired about a pole transformer. Mayor Hanics stated to get the pole number and he can get it reported into the electric company.

Resolutions:

Motion made by Councilwoman Tarsi to open the public hearing for Resolution 2011-39 regarding the budget, motion seconded by Councilman Savary, all were in favor.

Louis Cartabona, Fifth Avenue, wanted to confirm that the resolution on the agenda tonight regarding the budget, that there would be no increase. CFO, Lorraine Rossetti stated that there is no change in the tax rate.

Mr. Cartabona continued on to commend Council on their hard work putting together this budget.

Motion to close the public hearing on Resolution 2011-39 was made by Councilman Savary and seconded by Councilman Dunwell, all were in favor.

The Mayor turned the meeting briefly over to CFO, Lorraine Rossetti. Ms. Rossetti briefly went through the hand-out she created regarding the breakdown of the 2011 budget.

Motion made by Councilman Pfefferle to adopt the budget, Resolution 2011-39, motion seconded by Councilman Dunwell, Ayes: Dunwell, Pfefferle and Savary. Nays: Gara and Tarsi. Motion failed due to not receiving four affirmative votes.

Discussions ensued regarding why budget was not adopted amongst Council members.

Motion made by Councilwoman Tarsi to introduce Resolution 2011-42 an amendment to the Budget, motion seconded by Councilman Gara, roll call: Ayes: Gara and Tarsi. Nays: Dunwell, Pfefferle and Savary. Motion fails.

CFO, Lorraine Rossetti at this time distributed a new resolution to be approved regarding a temporary budget due to the fact of the budget adoption failing. Motion made by Councilwoman Tarsi to approve the following resolution:

**RESOLUTION 2011-43
ADDITION TO CURRENT FUND TEMPORARY BUDGET**

WHEREAS, an emergent condition has arisen with respect to the budget adoption process extending past the time for which the Temporary Budget had been prepared and no adequate provision has been made in the 2011 temporary appropriations for the aforesaid purpose, and N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2011 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$528,800.00,

NOW, THEREFORE BE IT RESOLVED that in accordance with provisions of N.J.S.A. 40A:4-20:

- 1) An emergency temporary appropriation be and the same is hereby made for an additional amount of:

PLEASE SEE ATTACHED

- 2) That said emergency temporary appropriation has been provided for in the 2011 budget:
- 3) That one certified copy of this resolution be filed by the clerk with the Director of Local Government Services:

CURRENT FUND 2011 TEMPORARY
BUDGET

APPROPRIATIONS		2011
		April major addition
Administration	S&W	4,500
	OE	5,000
Clerk	S&W	20,000
	OE	1,500
Finance	S&W	15,000
	OE	1,000
Audit Services	OE	5,000
Payroll Services	OE	3,000
Assessor	S&W	4,500
	OE	1,500
Collector	S&W	5,500
	OE	500
Legal	OE	10,000
Engineering	OE	5,000
Public Property	S&W	2,600
	OE	6,000
Planning Board	S&W	5,000
	OE	6,000
Fire Operating	OE	6,000
Police	S&W	2,500
Court	S&W	7,000
	OE	800
Public Defender	S&W	300
Prosecutor	S&W	700
Emergency	S&W	700
Mgmt		
	OE	400
Streets & Roads	S&W	6,000
	OE	15,000
Garbage	OE	50,000
Animal	S&W	1,000
Regulation		
	OE	500
Utilities-	OE	2,000
Gasoline		
Street Lighting	OE	6,000
Propane	OE	4,000
Telephone	OE	4,000
Electric	OE	3,000
Building	S&W	7,500
Inspector		
	OE	200
Computers	OE	3,000
TOTAL		<u>222,200</u>

Social Security	600
Unemployment	500
Group	25,000
Insurance	
Other Insurance	75,000
PERS	0
Interlocal Police	148,000
	<u>249,100</u>
NJ Economic	0
Loan	
Bond Principle	5,500
Bond Interest	
Total	476,800
Appropriations	

Motion seconded by Councilman Gara, roll call: Ayes: Dunwell, Gara, Savary and Tarsi.
Nays: Pfefferle.

Minutes

Councilman Dunwell requested to hold all minutes (on agenda) to be held and requested fifteen minutes in executive session for potential litigation.

Councilman Savary inquired about having the executive session minutes that are on hold to be looked at to see which ones can be released. Councilwoman Tarsi and Councilman Savary and Chris Troxell will review the minutes.

Department Reports:

Administration, Councilman Craig Dunwell: No report. In closing, Councilman Dunwell approved all bills, salaries, and wages for his department.

Finance, Councilman Chris Pfefferle: No report. In closing, Councilman Pfefferle approved all his bills, salaries and wages for his department.

Health & Welfare, Councilman Alex Zikas: Councilman Gara in Mr. Zikas's absence approved all bills, salaries and wages for this department. Councilman Savary inquired about when chipping was going to begin. Councilwoman Tarsi stated that other jobs required to be done first before chipping.

Public Property, Councilman Mike Savary: Councilman Savary gave a report on damage done at the playgrounds regarding the border at the playground, in which it was reported to the insurance company. Councilman Savary requested ten minutes in executive session for contractual. In closing, Councilman Savary approved all bills, salaries and wages for his department.

Public Safety, Councilman Robert Gara: Councilman Gara stated he is contact with the Police Chief. In closing, Councilman Gara approved all bills, salaries, and wages for his department.

Public Works, Councilwoman Klara Tarsi: Councilwoman Tarsi gave an update on water line repairs and read the report on the department. Councilman Dunwell questioned the work that was done on Sigsbee and Schley regarding a water line repair. Further discussions ensued regarding the recommendations of the water leak detection report. Councilman Dunwell requested twenty minutes in executive session for personnel (regarding cell phones being turned in from DPW employees).

Committee Reports: None.

Professionals and Officials Reports:

Mayor, Edward Hanics: Mayor Hanics discussed a letter he received from Phillipsburg EMS requesting a letter to add to their 75th Anniversary book. The 75th Anniversary banquet will be on May 14th, 2011 at 6pm if anyone on council wishes to attend. Discussions ensued regarding the emergency squad.

A letter regarding a Flood Damage Prevention ordinance was discussed. The ordinance should be forwarded to the contact by May 10th, 2011.

Police, Chief Paul Hager: No report.

Fire Chief, Charles Bodogh: No report.

Emergency Squad, Matt: No report.

Attorney, Christopher Troxell: Attorney Troxell reminded council they have sixty days to award a contract for the lawn maintenance bid. Discussions ensued. He also suggested a motion be made to re-advertise the bid for the lease on Industrial Drive. Councilman Dunwell made a motion to re-advertise the bid for the public property lease on Industrial Drive. Councilman Gara seconded. *Roll call;* Ayes; Councilman Dunwell, Councilman Gara, Councilman Savary, Councilman Pfefferle, Councilwoman Tarsi. Nays; None.

Attorney Troxell discussed the letter from Brian Tipton regarding disqualification of a councilman on an ordinance that failed and comments involving the issue. Discussions ensued.

Engineer, Stanley Schrek: Mr. Schrek discussed plans for the hydrant replacements. He requested council's approval to distribute letters and continue with the plans. Discussions

ensued. Councilman Savary made a motion to approve Mr. Schrek's request and Councilwoman Tarsi seconded. All were in favor.

Mr. Schrek gave updates on various reports and projects in the Borough. Questions were addressed and discussions ensued.

CFO, Lorraine Rossetti: No report.

Borough Clerk, Laurie A. Barton: No report.

Public Comment:

Lou Cartabona of 1119 Fifth Avenue discussed his opinions regarding taxes and budget.

Dave Cavanaugh of 1183 Sixth Avenue discussed the tax increase and salary increases in the Borough.

Gene Simpson of 231 Sampson Avenue asked for clarification regarding how the salaries are paid to DPW employees. Discussions ensued. Mr. Simpson discussed his experiences and opinions regarding raises, taxes, employment, wage freezes, accountability, and volunteering.

Lou Cartabona of 1119 Fifth Avenue expressed his agreement with Mr. Simpson's opinions and asked for an update on a past due balance due to Alpha from the Town of Phillipsburg.

Dave Cavanaugh of 1183 Sixth Avenue asked for clarification of legalities regarding discussing an ordinance with council members. Discussions ensued.

Payment of Bills and Claims:

Motion made by Councilman Gara to make the director's reports part of the minutes, motion seconded by Councilwoman Tarsi. *Roll call;* Ayes; Councilman Dunwell, Councilman Gara, Councilman Savary, Councilman Pfefferle, Councilwoman Tarsi. Nays; None

Councilwoman Tarsi made a motion that the CFO be authorized to pay all bills authorized by the director. Councilman Gara seconded the motion. *Roll call;* Ayes; Councilman Dunwell, Councilman Gara, Councilman Savary, Councilman Pfefferle, Councilwoman Tarsi. Nays; None

Motion made by Councilwoman Tarsi that the CFO be authorized to pay all salaries and wages approved by directors seconded by Councilman Gara. *Roll call;* Ayes; Councilman Dunwell, Councilman Gara, Councilman Savary, Councilman Pfefferle, Councilwoman Tarsi. Nays; None

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
11-00003	01/20/11	ALBOA	ALPHA BOARD OF EDUCATION	2011 School Tax - Jan-June	Open	281,207.30	0.00	
11-00014	01/20/11	VITAL	VITAL COMMUNICATIONS, INC	2011 MOD IV/CAMA Assessor Fee	Open	100.00	0.00	
11-00143	03/14/11	SCHINDLE	FRED SCHINDLER, LICENSED OPER	Licensed Water Operator servic	Open	2,000.00	0.00	
11-00165	03/29/11	HOME	HOME DEPOT/GECE	PVC fittings, water, tarp misc	Open	92.76	0.00	
11-00198	04/11/11	NAPA	NAPA AUTO PARTS	engine heater for generator	Open	63.39	0.00	
11-00199	04/20/11	TROXE	CHRISTOPHER M. TROXELL, ESQ	2011 Legal Retainer-April	Open	3,585.00	0.00	
11-00200	04/20/11	ROCHE	CARRIE J EMERY	reimburse Tax Collector's lic	Open	25.00	0.00	
11-00201	04/20/11	COUN	COUNTY OF WARREN TREASURER	2011 2nd quarter County Tax	Open	294,427.81	0.00	
11-00202	04/20/11	COUNT	COUNTY OF WARREN TREASURER'S	2011 2nd qtr County Open Space	Open	35,047.18	0.00	
11-00203	04/20/11	STPWT	STATE OF NEW JERSEY-PWT	qtrly water tax penalty	Open	641.01	0.00	
11-00204	04/20/11	VANCLE	VANCLEEF ENGINEERING ASSOCIATE	pedestrian bridge demo plans	Open	1,401.00	0.00	
11-00205	04/20/11	LSI	LINE SYSTEMS, INC	April local/long distance phn	Open	552.62	0.00	
11-00206	04/20/11	PAYRO	PAYROLL AGENCY ACCT 751561	4/22 Animal Trust Payroll	Open	558.07	0.00	
11-00207	04/20/11	JCPL	JCP&L	4/7-4/13 electric & st light	Open	3,883.92	0.00	
11-00208	04/20/11	TRENJ	TREASURER, STATE OF NJ	'11 1st qtr state training fee	Open	698.00	0.00	
Total Purchase Orders:		15	Total P.O. Line Items:	27	Total List Amount:	624,283.06	Total Void Amount:	0.00

Old Business:

Councilman Savary discussed a water line in the alley behind Carol Schwar's residence.

Lengthy discussions ensued.

New Business:

Councilman Gara made a motion to approve the following pavilion permit:

Ginna Tarsi ~ Cloggers Event ~ 09/18/11

Councilman Dunwell seconded the motion. All were in favor. Abstained; Councilwoman Tarsi.

Councilwoman Tarsi made a motion to approve the following pavilion permit with a waiver of the fee:

Tracy Snyder/Alpha Public School ~ Class Picnic ~ 06/02/11 (fee waiver)

Councilman Dunwell seconded. All were in favor.

Councilman Savary made a motion to approve the following pavilion permit with alcohol:

Janice Langen ~ Birthday Party ~ 06/11/11 (with alcohol)

Councilwoman Tarsi seconded the motion. All were in favor.

Executive Session: Fifty-five minutes

Councilman Pfefferle made a motion to approve the following resolution to go into executive session for fifty-five minutes for contractual, litigation, and personnel. Councilman Gara seconded the motion. All were in favor:

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: Personnel, Litigation 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.

Regular Session:

Councilwoman Tarsi made a motion to return to regular session. Councilman Gara seconded, all were in favor.

Councilman Savary asked for an update regarding the new Code Enforcement Officer. Discussions ensued.

Councilman Dunwell asked for an update regarding North Boulevard. Discussions ensued.

Councilwoman Tarsi gave an update regarding parade entries.

Discussions ensued regarding setting a date and time for a Special Budget Meeting.

Engineer, Stanley Schrek gave an update regarding the Lee Avenue pedestrian bridge. Discussions ensued regarding a copy of the plans for Councilman Dunwell.

Adjournment: 10:13pm

Seeing no further business to come before Mayor and Council, Councilman Dunwell made a motion to adjourn. Councilwoman Tarsi seconded, all were in favor.

Respectfully submitted,

Laurie A. Barton, R.M.C