

Mayor Edward Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, July 13, 2010.

Mayor Edward Hanics announced that adequate notice of the meeting was given to the Express-Times 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 Express-Times and posted on the bulletin board in the Municipal Clerk's office a notice containing the date, time, and place of this special meeting of the Borough Council. Also said notice has been mailed to persons requesting the same.

Mayor Edward Hanics led prayer and the salute to the flag.

Roll Call: Mayor Hanics, Councilman Gara, Councilman Savary, Councilwoman Tarsi, Councilman A. Zikas, Councilman H. Zikas, and Borough Clerk, Laurie A. Barton. Also present, Borough Attorney, Christopher Troxell, and CFO, Lorraine Rossetti. Absent: Councilman Hajdu.

Public Comment

Luis Cartabona, Fifth Avenue spoke on the issue of the sewer/water bill rate.

Matt Fagen, representative of the Phillipsburg Emergency Squad, discussed briefly the issue of billing that will be charged to the insurance of those who call and need an ambulance throughout Alpha Borough, beginning in August. It was stated that if a resident doesn't have insurance then they don't get billed.

Charles Bodogh, Alpha Fire Department Chief, inquired about the emergency squad and the billing.

Luis Cartabona inquired more about the details of the billing that the emergency squad will be implementing. Further discussions ensued.

Dave Cavanaugh, Sixth Avenue, inquired about emergency squad calls.

Mayor Hanics stated that this is an important topic and that it should be discussed at the next meeting as a public forum.

Resolutions

Motion made by Councilman Gara to approve the following Resolution:

RESOLUTION 2010-56

RESOLUTION BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ALPHA, WARREN COUNTY, STATE OF NEW JERSEY, IN REGARD TO COUNCIL MEETINGS AND AMENDING AGENDA FORMAT

WHEREAS, the Governing Body hereby amends the format of their regular meetings and the agenda to reflect the changes; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey that a Bill Paying Meeting of the Governing Body of the Alpha Borough Council shall be held at 7:00pm prevailing time, on the SECOND Tuesday and a REGULAR COUNCIL MEETING on the FOURTH Tuesday of each month (unless noted otherwise due to scheduling conflict) for the months of July, August and September, except when said meetings shall be duly advertised according to Section 13 of the Open Public Meetings Act, Chapter 231. The dates of said meetings are as follows:

July 13(Bill Paying), July 27(Regular Meeting)

August 10 (Bill Paying), August 24(Regular Meeting)

September 14(Bill Paying), September 28(Regular Meeting)

BE IT FURTHER RESOLVED, that all meetings shall be held at the Borough Municipal Building, 1001 East Boulevard, Alpha, NJ 08865 and are open to the public.

BE IT FURTHER RESOLVED that the format for bill paying meetings (Second Tuesday of each month) of Council be as follows:

AGENDA

Call to Order

Prayer & Salute to the Flag

Roll Call

Bid Openings (*if applicable*)

Public Comment

Payment of Bills & Claims

Adjournment

BE IT FURTHER RESOLVED that the format for regular meetings (fourth Tuesday of each month) of Council be as follows:

AGENDA

Call to Order

Prayer & Salute to the Flag

Roll Call

Public Comment

Bids (if applicable)

Ordinances

Resolutions

Approval of Minutes

Department Reports

Committee Reports

Payment of Bills & Claims

Old Business

New Business

Adjournment

Motion seconded by Councilman H. Zikas, roll call: Ayes: Gara, Savary, A. Zikas and H. Zikas. Nays: Tarsi.

Motion made by Councilwoman Tarsi to approve the following resolution:

**RESOLUTION 10-58
WATER AND SEWER ACCOUNT REFUND**

WHEREAS, Kevin and Chantal Lonergan formerly owned 875 Dewey Avenue in the Borough of Alpha,

WHEREAS, the Lonergans sold the property in November 2008,

WHEREAS, the Lonergans mistakenly made two payments for water on their old account in 2010,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpha hereby authorize the Finance Officer / Utility Collector to issue a refund to the Lonergans in the amount of \$120.00.

<u>CHECK</u>	<u>DATE RECEIVED</u>	<u>AMOUNT</u>
2176776757	March 2010	\$40.00

Motion seconded by Councilman Savary, roll call: Ayes: Gara, Savary, Tarsi, A. Zikas and H. Zikas. Nays: none.

Motion made by Councilwoman Tarsi to approve the following resolution:

**RESOLUTION 2010-60
RESOLUTION OF THE BOROUGH OF ALPHA DIRECTING APPLICATION BE MADE
TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 58:11B-9(a) and 40A:2-26(e).**

WHEREAS, the Borough of Alpha (the "Borough") desires to make application to the Local Finance Board for its review of a proposed project financing in connection with a loan through the New Jersey Environmental Infrastructure Trust and approval to use a non-conforming maturity schedule; and

WHEREAS, the Borough of Alpha believes that:

it is in the public interest to accomplish such purposes,

said purposes or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units,

the amounts to be expended for said purposes or improvements are not unreasonable or exorbitant,

the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and such purposes or improvements will not cause any undue financial burden to be placed upon the local unit or units,

NOW, THEREFORE, BE IT RESOLVED by the Borough of Alpha, as follows:

Section 1. Application to the Local Finance Board for consideration by said Board of the Borough's proposed project financing and waiver for a non-conforming maturity schedule is hereby approved and the Borough's Bond Counsel, along with the other representatives of the Borough, are hereby authorized to prepare such application and to represent the Borough in the matters pertaining thereto.

Section 2. The Clerk of the Borough is hereby directed to cause a copy of this resolution to be filed with the Local Finance Board as a part of such application.

RECORDED VOTE:

Ayes: Gara, Tarsi, Savary, Tarsi, A. Zikas and H. Zikas. Nays: None Absent: Hajdu.

Motion seconded by Councilman Gara, roll call: Ayes: Gara, Savary, Tarsi, A. Zikas and H. Zikas. Nays: none.

Motion made by Councilwoman Tarsi to approve the following resolution: (*resolution attached to back of minutes*)

**RESOLUTION 2010-61
CAPITAL BUDGET AMENDMENT**

Motion seconded by Councilman H. Zikas, roll call: Ayes: Gara, Savary, Tarsi, A. Zikas and H. Zikas. Nays: none.

Motion made by Councilwoman Tarsi to approve the following resolution:

RESOLUTION 2010-62

SELF-EXAMINATION OF BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Alpha has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2010 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Alpha that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that the Municipal Clerk shall cause a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Approved:

Vote recorded as follows:

Ayes: Gara, Savary, Tarsi, A. Zikas and H. Zikas

Nays: None

Absent: Hajdu

Motion seconded by Councilman Gara, CFO, Lorraine Rossetti briefly explained the circumstances surrounding the need to have the resolution presented and voted on regarding the self examination of the 2010 budget. Roll call: Ayes: Gara, Savary, Tarsi, A. Zikas and H. Zikas. Nays: none.

Motion made by Councilwoman Tarsi to approve the following resolution:

RESOLUTION 2010-63

Summary of Appropriations		
5. GENERAL APPROPRIATIONS:	XXXXXXXXXX	XXXXXXXXXX
Within "Caps"	XXXXXXXXXX	XXXXXXXXXX
(a&b) Operations Including Contingent	34-201	1,255,969.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	64,542.00
(g) Cash Deficit	46-885	
Excluded from "CAPS"	XXXXXXXXXX	XXXXXXXXXX
(a) Operations - Total Operations Excluded from " CAPS"	34-305	625,920.56
(c) Capital Improvements	44-999	160,000.00
(d) Municipal Debt Service	45-999	255,700.00
(e) Deferred Charges - Municipal	46-999	20,000.00
(f) Judgments	37-480	10,000.00
(n) Transfer to Board of Education for Use of Local Schools (N.J.S.40:48-17.1 & 17.3)	29-405	
(g) Cash Deficit	46-885	
(k) For Local District School Purposes	29-410	
(m) Reserve for Uncollected Taxes (Included Other Reserves if Any)	50-899	255,374.00
6. SCHOOL APPROPRIATIONS - Type 1 School Districts only (N.J.S. 40A:4-13)	07-195	
Total Appropriations	34-499	2,647,505.56

It is hereby certified that the within budget is a true copy budget finally adopted by resolution of the Governing Body on the _____ day of _____, 2010
 It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2010 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this _____ day of _____, 2010 . _____, Municipal Clerk
 Signature

Sheet 42

Motion seconded by Councilman H. Zikas, roll call: Ayes: Gara, Savary, Tarsi, A. Zikas and H. Zikas. Nays: none.

Ordinances

Motion made by Councilwoman Tarsi to approve and hold public hearing for July 27, 2010 for the following ordinance:

**ORDINANCE 2010-09
 AN ORDINANCE AMENDING ORDINANCE 02-09
 FOR COST OF PUBLIC RECORDS
 SECTION 1 §7 PARAGRAPH A.**

§ -7. Procedures and fees for purchasing copies of public records.

Copies of records may be purchased for the fee prescribed by law or regulation. If a fee is not prescribed by law or regulation, the fee shall be the actual cost of duplicating the record, provided, however, that where the actual cost for duplication of a record exceeds the rates below, the actual cost shall be imposed:

A. Standard-sized paper documents, up to 8 ½ x 14 inches in size.

\$0.05 cents per page.

Section 4. This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

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 07/13/2010 at the Alpha Borough Municipal Building on East Blvd., and that public hearing concerning same will be held at a regular meeting of the Mayor and Council on 07/27/2010 at 7:00 p.m. at the Alpha Borough Municipal Building at which time all persons both for and against shall be given the opportunity to be heard concerning the same.

Motion seconded by Councilman Savary, Ayes: Gara, Savary, Tarsi, A. Zikas and H. Zikas. Nays: none.

Motion made by Councilwoman Tarsi to open the public hearing for the following ordinance

ORDINANCE 2010-07
AN ORDINANCE AUTHORIZING AN EMERGENCY APPROPRIATION UNDER N.J.S.A.40A:4-53 IN THE AMOUNT OF \$35,000.00 FOR THE PREPARATION AND EXECUTION OF AN APPROVED TAX MAP FOR THE BOROUGH OF ALPHA, COUNTY OF WARREN, STATE OF NEW JERSEY

BE IT ORDAINED, by the Mayor and Council of the Borough of Alpha, County of Warren and State of New Jersey, that pursuant to N.J.S.A. 40A:4-53 (Ch 48, P.L. 1956 as amended by Ch. 144, P.L. 1965 and Ch 38, P.L. 1969) the sum of \$35,000.00 is hereby appropriated for the preparation and execution of an approved tax map and shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:-4-55.

BE IT ALSO ORDAINED, by the Mayor and Council of the Borough of Alpha, County of Warren and State of New Jersey, that this Ordinance replaces the previously adopted Ordinance 2009-06 which, due to unforeseen additional costs, was insufficient funding.

The Authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 2/5 of the amount authorized pursuant to this act (N.J.S.A. 40A:4-55) appropriated in 2011 and 1/5 of the amount for the following 3 years.

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 June 14, 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 July 13, 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.

Motion was seconded by Councilman Gara, all were in favor. Luis Cartabona inquired what the meaning of this ordinance was. Councilwoman Tarsi explained the procedure the Borough needed to take regarding tax maps being updated with correct tax information. Dave Cavanaugh inquired about the Borough's responsibility to have the cost burdened on the Borough being that it is a State requirement that the Borough needs to do this without any financial help from the State.

Motion to close the public hearing made by Councilwoman Tarsi, seconded by Councilman Gara, all were in favor. Motion made by Councilwoman Tarsi to adopt the foregoing ordinance, motion seconded by Councilman Gara, Ayes: Gara, Savary, Tarsi, A. Zikas and H. Zikas. Nays: none.

Motion made by Councilwoman Tarsi to table Ordinance 2010-08 until the July 27th meeting, motion seconded by Councilman Savary, all were in favor.

Motion made by Councilwoman Tarsi to approve and hold public hearing for adoption to be held on July 27th the following bond ordinance:

ORDINANCE 2010-10

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,300,000 FOR IMPROVEMENTS FOR THE WATER UTILITY IN AND BY THE BOROUGH OF ALPHA, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,300,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ALPHA, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Borough of Alpha, in the County of Warren, New Jersey (the "Borough") as a general improvement. For the said Improvement there is hereby appropriated the amount of \$2,300,000. No down payment is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law") as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this ordinance.

SECTION 2:

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$2,300,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$2,300,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements hereby authorized and the purposes for the financing of which said obligations are to be issued is for improvements to the water utility including but not limited to, improvements to the potable water system, and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$2,300,000.

(c) The estimated cost of the Improvement is \$2,300,000 which amount represents the initial appropriation made by the Borough.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Municipal Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Municipal Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$2,300,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$600,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

(e) This bond ordinance authorizes obligations of the Borough solely for a purpose described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A 40A:2-44(c).

SECTION 7:

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Borough authorized therefore by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvement prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$2,300,000.

SECTION 10:

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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 07/13/2010 at the Alpha Borough Municipal Building on East Blvd., and that public hearing concerning same will be held at a regular meeting of the Mayor and Council on 07/27/2010 at 7:00 p.m. at the Alpha Borough Municipal Building at which time all persons both for and against shall be given the opportunity to be heard concerning the same.

Motion seconded by Councilman H. Zikas, roll call: Ayes: Gara, Savary, Tarsi, A. Zikas and H. Zikas. Nays: none.

Payment of Bills, Claims and Salaries

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 Savary, Councilwoman Tarsi, Councilman A. Zikas, Councilman H. Zikas. Nays; none.

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

Executive Session-1hour

Motion made by Councilman H. Zikas to approve the following resolution to go into executive session for one hour:

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.

Motion seconded by Councilman Gara, all were in favor.

Councilman Savary inquired about an appraisal that is supposed to be done from the Tax Assessor. Further discussions ensued.

Regular Session

Motion made by Councilwoman Tarsi to approve the following resolution:

RESOLUTION 2010-64

RESOLUTION AUTHORIZING THE PLANNING BOARD OF

THE BOROUGH OF ALPHA TO UNDERTAKE A

PRELIMINARY INVESTIGATION OF CERTAIN PROPERTY FOR

REDEVELOPMENT CRITERIA AND PUBLIC HEARING, PURSUANT TO N.J.S.A. 40A:12A-1, ET SEQ.

WHEREAS, the Mayor and the Council for the Borough of Alpha, County of Warren, and State of New Jersey, believe it to be in the best interests of the Borough to investigate the redevelopment of certain municipally-owned real property known as Block 99, Lot 2 of the Borough of Alpha, which is located in the Borough's industrial zone and is no longer needed for public purposes; and,

WHEREAS, the Borough desires to pursue the redevelopment of this property by first determining whether the property qualifies as “an area in need of redevelopment”; and

WHEREAS, the NJ Local Redevelopment and Housing Law requires the governing body to adopt a resolution authorizing the Borough Planning Board to undertake a preliminary investigation to determine whether the proposed area is a redevelopment area according to the criteria set forth in *N.J.S.A. 40A:12A-5*.

WHEREAS, the Mayor and the Council for the Borough of Alpha, County of Warren, and State of New Jersey, believe it to be in the best interests of the Borough to have the Borough of Alpha Planning Board (a/k/a Land Use Board) conduct the investigation and public hearing on the matter, pursuant to New Jersey law;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Alpha, County of Warren, and State of New Jersey, that it hereby authorizes the Borough of Alpha Planning Board (a/k/a Land Use Board) to undertake a preliminary investigation to determine whether Block 99, Lot 2 meets the criteria set forth under *N.J.S.A. 40A:12A-5* as an area in need of redevelopment and a preliminary investigation of redevelopment of the area, establish redevelopment criteria, and conduct a public hearing on the redevelopment of Block 99, Lot 2, real property presently owned by the Borough of Alpha, all pursuant to New Jersey law.

BE IT FURTHER RESOLVED that the Planning Board shall follow the provisions of the Local Redevelopment and Housing Law in conducting the appropriate hearings and investigations, including providing appropriate notice as required by law, and at the conclusion of such hearings, reporting its findings to the Borough Council.

Motion seconded by Councilman H. Zikas, roll call: Ayes: Gara, Savary, Tarsi, A. Zikas and H. Zikas.
Nays: none.

Executive Session-45 minutes

Motion made by Councilman H. Zikas to go back into executive session for forty-five minutes for personnel, contractual and litigation, Councilman Gara, seconded, all were in favor.

Regular Session

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

Councilman Savary inquired about the position of Code Enforcement Officer. Councilman H, Zikas stated that it will be re-posted on the website and the bulletin board.

Councilwoman Tarsi stated there will be an October (October 16th) fest for the 100th Anniversary.

Adjourn

Seeing no further business to come before Mayor and Council, motion made by Councilman H. Zikas and seconded by Councilwoman Tarsi, all were in favor.

Respectfully submitted,

Laurie A. Barton, R.M.C