

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, September 28, 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:

Mr. Robert Golds from the Warren County Chamber of Commerce gave a short presentation for the Warren Morris Council of Government about shared services and invited Alpha to become a member.

Ordinances:

Councilman H. Zikas made a motion to introduce the following ordinance with the public hearing date set for October 26, 2010:

**ORDINANCE 2010-11
AN ORDINANCE TO CREATE THE POSITION OF
MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF
ADMINISTERING THE BOROUGH OF ALPHA'S AFFORDABLE HOUSING PROGRAM
PURSUANT TO THE
FAIR HOUSING ACT**

BE IT ORDAINED by the Council of the Borough of Alpha in the County of Warren and State of new Jersey that the following amendments be made to Chapter _____ of the Borough of Alpha.

SECTION 1 – PURPOSE.

The purpose of this article is to create the administrative mechanisms needed for the execution of the Borough of Alpha's responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985.

SECTION 2 – DEFINITIONS

As used in this article, the following terms shall have the meanings indicated:

MUNICIPAL HOUSING LIAISON- The employee charged by the governing body with the responsibility for the oversight and administration of the affordable housing program for the Borough of Alpha.

ADMINISTRATIVE AGENT- The entity responsible for administering the affordability controls of some or all units in the affordable housing program for the Borough of Alpha to ensure that the restricted units under administration are affirmatively marketed and sold or rented, as applicable, only to low-and moderate income households.

SECTION 3 – ESTABLISHMENT OF MUNICIPAL HOUSING LIASON POSITION AND COMPENSATION; POWERS AND DUTIES

- A. Establishment of the position of municipal housing liaison. There is hereby established the position of municipal housing liaison for the Borough of Alpha.
- B. Subject to the approval of the Council on Affordable Housing (COAH), the municipal housing liaison shall be appointed by the governing body and may be a full or part time municipal employee.
- C. The municipal housing liaison shall be responsible for the oversight and administration of the affordable housing program for the Borough of Alpha including the following responsibilities which may not be contracted out, exclusive of item 6 which may be contracted out:
 - 1. Serving as the Borough of Alpha’s primary point of contact for all inquiries from the State, affordable housing providers, administrative agents, and interested households;
 - 2. Monitoring the status of all restricted units in the Borough of Alpha’s Fair Share Plan;
 - 3. Compiling, verifying and submitting annual reports as required by COAH;
 - 4. Coordinating meetings with affordable housing providers and administrative agents, as applicable;
 - 5. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;
 - 6. If applicable, serving as the administrative agent for some or all of the restricted units in the Borough of Alpha as described in F. below.
- D. Subject to approval by COAH, the Borough of Alpha may contract with or authorize a consultant, authority, government or any agency charged by the governing body, which entity shall have the responsibility of administering the affordable housing program of the Borough of Alpha, except for those responsibilities which may not be contracted out pursuant to subsection C above. If the Borough of Alpha contracts with another entity to administer all or any part of the affordable housing program, including the affordability controls and affirmative marketing plan, the municipal housing liaison shall supervise all contracting administrative agent.

- E. Compensation.** Compensation shall be fixed by the governing body at the time of the appointment of the municipal housing liaison.
- F. Administrative powers and duties assigned to the municipal housing liaison.**
- (1) Affirmative marketing**
 - (a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the affirmative marketing plan of the Borough of Alpha and the provisions of N.J.A.C. 5:80-26.15; and**
 - (b) Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.**
 - (2) Household Certification**
 - (a) Soliciting, scheduling, conducting and following up on interviews with interested households;**
 - (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low-or moderate income unit;**
 - (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;**
 - (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.**
 - (e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and**
 - (f) Employing the random selection process as provided in the affirmative marketing plan of the borough of Alpha when referring households for certification to affordable units.**
 - (3) Affordability Controls**
 - (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;**
 - (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;**
 - (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;**
 - (d) Communicating with lenders regarding foreclosures; and**
 - (e) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.**

- (4) Resale and rental**
 - (a) Instituting and maintaining an effective means of communicating information between owners and the administrative agent regarding the availability of restricted units for resale or rental; and**
 - (b) Instituting and maintaining an effective means of communicating information to low and moderate income households regarding the availability of restricted units for resale or re-rental.**
- (5) Processing request from unit owners**
 - (a) Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;**
 - (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems; and**
 - (c) Processing requests and making determinations on requests by owners of restricted units for hardship waivers.**
- (6) Enforcement**
 - (a) Securing annually lists of all affordable housing units for which tax bills are mailed to absentee owners and notifying all such owners that they must either move back to their unit or sell it;**
 - (b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the administrative agent;**
 - (c) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the administrative agent where complaints of excess rent can be made;**
 - (d) Sending annual mailings to all owners of affordable dwelling units reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d) 4;**
 - (e) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;**
 - (f) Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls; and**
 - (g) Providing annual reports to COAH as required.**
- (7) The administrative agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.**

SECTION 4 – SEVERABILITY

If any section, subsection paragraph, sentence or other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this ordinance but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this ordinance shall remain in full force and effect.

SECTION 5 – INCONSISTENT ORDINANCES REPEALED

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

SECTION 6 – EFFECTIVE DATE

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

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

Councilman Savary made a motion to introduce the following ordinance with the public hearing date set for October 26, 2010:

**ORDINANCE 2010-12
AN ORDINANCE ENTITLED
“AN ORDINANCE OF THE BOARD OF HEALTH,
BOROUGH OF ALPHA, PROHIBITING THE
FEEDING OF WILDLIFE AND/OR STRAY ANIMALS”**

BE IT ORDAINED by the Board of Health, Borough of Alpha, Warren County, New Jersey as follows:

SECTION 1- PROHIBITED CONDUCT. No person shall feed or attract in any public park or on any other property, public or private, any wild or stray animals which are not licensed to a resident of the Borough of Alpha and not under the control of any person. The definition of “wild or stray animals” shall include but not be limited to the following: dogs, cats, waterfowl, raccoons, skunks, groundhogs, pigeons and other birds. This Ordinance shall not apply to enclosed, elevated bird feeder devices or confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfirmed wildlife at environmental education centers). This prohibition shall also apply to any conditions by which the feeding of animals creates a public health risk or unsanitary conditions.

SECTION II – ENFORCEMENT. This Ordinance shall be enforced by the contracted police department, the Health Department, and/or other Municipal officials and/or designees of the Borough of Alpha.

Any person found to be in violation of this Ordinance shall be ordered to cease the feeding immediately.

SECTION III – VIOLATIONS AND PENALTIES. Any person(s) found to be in violation of the provisions of this Ordinance shall be subject to a fine of at least Fifty Dollars (\$50.00) but not to exceed the sum of One Thousand Dollars (\$1,000.00).

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

Resolutions:

Councilwoman Tarsi made a motion to approve the following resolution:

**RESOLUTION 2010-77
RESOLUTION
LIEN REDEMPTION**

WHEREAS, the Tax Collector of the Borough of Alpha has advised the 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 Borough of Alpha Council this 28th day of September 2010, that refunds are made to the certificate holder as noted:

**Arthur Frustaci
1178 Fifth Avenue
Alpha, NJ 08865
Block 75, Lot 2
Certificate #200903
\$2,773.46**

Councilman Savary 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 2010-78
REFUND OF UNUSED ESCROW MONIES**

WHEREAS, the preliminary and final site plan for the escrow account listed below has now been completed, and

WHEREAS, a balance of unused escrow monies remain in the account, and

WHEREAS, the proper professionals have signed an escrow release form certifying the work to be complete and all professional payments have been made,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpha hereby authorize the Finance Officer to release the estimated account balance below to the below listed owner:

08-001	Radar Ink, LLC	615 Third Avenue	\$1,115.50
		Alpha, NJ 08865	

Councilman Hajdu 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 2010-79
AMENDING RESOLUTION 2010-73 AUTHORIZING LEASE OF REAL PROPERTY
FOR A SECOND LOCATION OF TELECOMMUNICATION
ANTENNAS AND FACILITIES THEREON**

WHEREAS, the Borough of Alpha has already determined that a certain portion of land and space on its water tower/pump station within real property owned by the Borough of Alpha at Industrial Drive, Alpha, known as Block 100, Lot 1.04 of the Borough of Alpha may co-exist with for public and private uses; and

WHEREAS, NJSA 40A:12-14, et seq. requires that all such real property be leased to the highest bidder by open public bidding.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, as follows:

- 1. A small portion of Block 100, Lot 1.04 has been and is hereby declared to be surplus real property not needed for solely public purposes by the Borough of Alpha, and telecommunication equipment and facilities may co-exist there, to the extent permitted by law; and,**
- 2. The Clerk of the Borough of Alpha is hereby authorized and directed to advertise a (public) lease of a portion of said real property to be used for commercial telecommunication equipment and facilities on or near the water tower/pump station of the Borough at said location, not to interfere with the first winning bid and locator at the site, as permitted under the law and to the extent the Borough Council authorizes. The property is to be leased, subject to the first lease, to the highest bidder submitting a sealed bid to the Alpha Borough Clerk at the Municipal Building, 1001 East Blvd, Alpha New, Jersey 08865 during regular business hours, which sealed bid must be received by 4:00 p.m. October 26, 2010. Each bid must state the rent and must be accompanied by a certified check or bank check for three months rents. The bids will be opened at the regular Borough Council meeting on October 26, 2010 at 7:00 p.m. or as soon thereafter as practical; and,**
- 3. The lease shall be subject to any and all deed restrictions and covenants of record, and the Borough may reserve the right to terminate the lease for good cause upon 120 days' notice; and,**
- 4. The minimum rent shall be Twenty-Four Thousand Dollars and no 00/100 (\$24,000.00) per year for a ten year period or term (for a total of \$240,000.00), such period to begin when all permits and approvals, are provided to the Borough Council, Engineer and Attorney; and,**
- 5. The Borough reserves and preserves the right to reject any and all bids if it determines such rejection to be in the public interest or for any or no reason; and,**
- 6. Said lease shall be to the highest bidder after advertisement thereof, by two insertions of at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to such sale. A deposit of three month's rent based on the bid price shall be paid with the bid or on the day of bid, as outlined above, and the balance paid thereafter as outlined in the lease unless otherwise stated by the Borough of Alpha for any reason or no reason. Said lease shall be contingent upon the Borough of Alpha and the highest bidder entering into a contract for the lease of said portion of said real property as a second locator of equipment at the site, which contract is to be satisfactory to the Borough of Alpha and shall contain, among other terms and provisions and state that the highest bidder/purchaser shall indemnify and hold the Borough of Alpha harmless from any and all claims, lawsuits, damages and the like; that the highest bidder/purchaser shall maintain in liability insurance and environment insurance of amounts to be determined by the Borough of Alpha; and that construction on said property may be restricted or mandated by the Borough of Alpha as it deems necessary, and is subject to this winning bidder to interfering with the first winning bidder at the site.**

BE IT FURTHER RESOLVED, that the Mayor, Clerk and Borough Attorney are authorized to execute all necessary documents to effectuate a lease of said property.

Councilman Hajdu 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 2010-80
RESOLUTION OF THE ALPHA BOROUGH COUNCIL
APPROVING THE RENEWAL OF A LIQUOR LICENSE FOR THE PERIOD
JULY 1, 2010-JUNE 30, 2011 FOR THE FOLLOWING LICENSE.**

WHEREAS, the liquor licenses noted below require approval for the period July 1, 2010-June 30, 2011;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Borough of Alpha that the following liquor licenses be and hereby are approved for the period stated:

<u>License No.</u>	<u>Licensee</u>	<u>Type of License</u>
2102-33-006-006	MidTown Tavern LLC	Retail Consumption

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 NO. 2010-82
RESOLUTION AWARDING A LICENSED WATER
OPERATOR FOR THE BOROUGH OF ALPHA
POTABLE WATER SYSTEM**

WHEREAS, the Mayor and Council of the Borough of Alpha maintains its own public potable water system pursuant to the regulations of the New Jersey Department of Environmental Protection and the laws of the State of New Jersey; and

WHEREAS, the Borough of Alpha is required to have a licensed operator for its potable water system; and

WHEREAS, Mr. Fred Schindler of Van Cleef Engineering Associates has been a licensed water professional under New Jersey Department of Environmental Protection regulations for decades, holding water licenses W-4 (#0007869) and T-3 (A 0007868); and

WHEREAS, Mr. Schindler has served as superintendent for water and sewer for Gloucester City, New Jersey; and,

WHEREAS, Mr. Jepson agrees to provide the required coverage for the Borough of Alpha potable water system per New Jersey Department of Environmental Protection requirements at a rate of Two Thousand Dollars (\$2,000.00) per month.

NOW THEREFORE BE IT RESOLVED that the Common Council of the Borough of Alpha, County of Warren, State of New Jersey, hereby approves the hiring of Mr. Fred Schindler as of September 1, 2010 as the licensed operator of the Borough of Alpha potable water system at a rate

of Two Thousand Dollars (\$2,000.00) per month for all required work and services per New Jersey Department of Environmental Protection rules and regulations.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute any and all necessary documents to effect the hiring.

Councilman Hajdu seconded the motion. Questions were addressed. *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 2010-83
RESOLUTION AUTHORIZING
SETTLEMENT OF NJDEP VIOLATIONS AND
PAYMENT TO NJDEP BY THE BOROUGH OF ALPHA**

WHEREAS, the Mayor and Council of the Borough of Alpha have determined that a settlement of contested notices of violation(s), concerning the Alpha Water System, from the New Jersey Department of Environmental Protection (“NJDEP”) is in the best interests of the Borough of Alpha and its residents; and

WHEREAS, the Mayor and Council of the Borough of Alpha have reviewed the consent order to settle the matters involving the Borough’s potable public water system and have been advised by the Borough CFO that there are available funds for such settlement;

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, that the Mayor is hereby authorized to execute the consent order settling the matters involving the Borough’ potable water system and the CFO is hereby authorized to pay up to Five Thousand Five Hundred Dollars (\$5,500.00), upon her own verification of available funds, to the NJDEP by making said check payable to “Treasurer, State of New Jersey.”

BE IT FURTHER RESOLVED that the Mayor, Clerk, CFO and Borough Attorney are authorized to execute all necessary documents to effectuate the settlement.

Councilman H. Zikas seconded the motion. Corrections in wording of the resolution were discussed. *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 08/24/10 and 09/14/10. Councilwoman Tarsi seconded the motion. All were in favor.

Mr. David Maske of Van Cleef gave a brief presentation and explanation regarding Resolution 2010-84 (RE: Highlands). Discussions ensued before Councilwoman Tarsi made a motion to approve the following resolution:

**RESOLUTION 2010-84
RESOLUTION OF THE ALPHA BOROUGH COUNCIL
INTENTION TO REVISE MASTER PLAN AND
DEVELOPMENT REGULATIONS FOR PLAN CONFORMANCE
FOR LAND IN THE PLANNING AREA**

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other significant natural resources; and

WHEREAS, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region; and

WHEREAS, Section 13:20-15.a, of the Highlands Act states that for any municipality located wholly in the Planning Area or for the portion of a municipality lying within the Planning Area, the municipality may, by ordinance, petition the Highlands Council of its intention to revise its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, to conform them with the goals, requirements and provisions of the Regional Master Plan (Plan Conformance); and

WHEREAS, the Borough of Alpha ("Alpha") is located in the Highlands Region with lands lying within the Planning Area, as defined by Section 7 of the Highlands Act; and

WHEREAS, the Highlands Council prepared and distributed to the Highlands municipalities Plan Conformance Guidelines outlining the process and procedures for petitioning the Highlands Council for Plan Conformance; and

WHEREAS, since Plan Conformance by the municipality is strictly voluntary for lands in the Planning Area and Alpha may at any time voluntarily revise its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, to conform them to the Regional Master Plan; and

WHEREAS, at any time during the Plan Conformance process, Alpha may withdraw from the Plan Conformance process and any approvals, rejections or conditions of revised municipal master plan or development regulations recommended by the Highlands Council during the Plan Conformance process, will not be binding on Alpha; and Alpha may choose not to obtain conformance with the Regional Master Plan for the lands lying within the Planning Area; and

WHEREAS, should Alpha choose to conform its master plan, development regulations and other regulations, as applicable to the development and use of land in the Planning Area, with the provisions of the Regional Master Plan and Plan Conformance Guidelines, Alpha will be required under the Highlands Act to enact an ordinance setting forth such intention; and

WHEREAS, upon application of Alpha, the Highlands Council has made, or will make, grant funding and other financial and technical assistance available to Alpha for the reasonable costs associated with the revision of the master plan, development regulations or other regulations, as applicable to the development and use of land in the Planning Area, which are designed to bring those plans and regulations into conformance with the Regional Master Plan; and

WHEREAS, the Highlands Council shall provide grant funds for all mandatory aspects of Plan Conformance in accordance with the Plan Conformance Grant Program, and shall also provide grant funds for the discretionary aspects of Plan Conformance as determined by the Highlands Council; and

WHEREAS, should Alpha formally withdraw from the Plan Conformance process, grant funding awarded to Alpha up to the date of withdrawal that has been appropriately utilized in accordance with the Plan Conformance Grant Program and applicable grant agreement shall not be reimbursable to the Highlands Council;

NOW, THEREFORE BE IT RESOLVED, that the Alpha Borough Council hereby submits this resolution of intention to revise its master plan and development regulations for Plan Conformance to the Highlands Council for the entire municipality, which lies solely within the Planning Area in accordance with the Highlands Act, the Regional Master Plan, and the Highlands Plan Conformance Guidelines.

BE IT FURTHER RESOLVED, that Alpha's stated intention to revise its master plan and development regulations for Plan Conformance is conditioned on the satisfactory and mutually agreed upon resolution of policy, regulatory, procedural, and mapping issues identified in previous Plan Conformance modules and discussions with Highlands Council Staff.

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

Department Reports:

Administration, Councilman H. Zikas: No report. Councilman H. Zikas 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 gave the county health report and discussions ensued regarding the ACO cat-feeding issue and West Nile Virus reports. Councilwoman Tarsi asked a question regarding enforcement of the Ordinance 2010-12. Councilman Savary approved all bills, salaries, and wages for his department.

Public Property, Councilman A. Zikas: Mayor Hanics reported about the pumping of the pool and about the plugs to be pulled out. Discussions ensued regarding the plugs and electricity down at the former pool area. Councilwoman Tarsi read a letter regarding air quality and discussions ensued regarding the emergency generators, and inspections. Councilman H. Zikas approved all bills, salaries, and wages for this department.

Public Safety, Councilman Gara: Councilman Gara gave the police safety call reports and he approved all bills, salaries and wages for his department.

Councilman H. Zikas made a motion for Trick-or-Treat to be set for Sunday, October 31st from 6pm-8pm. Councilman Savary seconded the motion. *Roll call*; Ayes; Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; Councilman Gara.

Public Works, Councilwoman Tarsi: Councilwoman Tarsi requested forty minutes in executive session for personnel and contractual and approved all bills, salaries, and wages for her department.

Committee Reports:

Insurance: Councilwoman Tarsi reported the Borough will be receiving the amount of \$5,105.00 for the C.A.P. that has now been completed and approved by the Department of Banking and Insurance.

100th Anniversary: Councilwoman Tarsi updated that over 3,000 letters had been mailed out and so far \$595.00 in donations has been received. Thank you notes will be sent to all who contributed.

Oktoberfest: Councilwoman Tarsi announced that the bands performing will be The Jeff Bell Five, The Julius Band, and Lou Pettinelli and the Crazy Five during the Oktoberfest (October 16th 1-8 p.m.). Food vendors will also be there and Councilwoman Tarsi asked for volunteers for the event.

League of Municipalities: Councilwoman Tarsi announced that the meeting that was to be held will now be Thursday, September 30, 2010 at 7:30pm at Washington Township Municipal Building on Route 31 and asked that Council attend.

Professionals & Official Reports:

Mayor, Edward Hanics, Jr.: Mayor Hanics reported on correspondences received through his office including a letter read by Councilwoman Tarsi from a resident regarding the recent water issue thanking Charlie Olah and the engineers.

A candlelight vigil is being held by Domestic Abuse and Sexual Assault Crisis Center of Warren County on October 6, 2010 at the President's house at Centenary College.

Police Department, Chief Paul J. Hager: Chief Hager addressed an application for a handicapped spot and asked for an update. Discussions ensued.

Fire Department, Matthew Fagan: No report.

Attorney, Christopher Troxell: Attorney Troxell requested ten minutes in executive session for personnel and contractual.

After clarification regarding certain questions on the Best Practices questionnaire, Councilman H. Zikas made a motion to approve the CFO to submit the Best Practices Questionnaire. Councilman Savary seconded the motion. *Roll call;* Ayes; Councilman Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; none.

Engineer, Stanley Schrek: Mr. Schrek gave the engineer's report including updates regarding various projects and grants in the Borough. Mr. Schrek and Natalya Sinova from Van Cleef addressed questions from the public regarding the water system project.

Craig Dunwell of 1159 Seventh Avenue inquired about various chemicals and/or contaminants listed in the water report and discussions ensued regarding these items as well as technical and general water system operations. Also questioned and discussed were details regarding the costs of the upcoming water system project.

Louis Cartabona of 1119 Fifth Avenue asked about the water system regarding water loss/leaks, costs, testing, and design. Discussions ensued.

Chris Pfferle of 806 North Blvd asked about shutting off electricity to a contaminated well. Discussions ensued.

Tim Mellert of 742 North Blvd. asked about contaminants in the Borough water system. Discussions ensued.

Councilwoman Tarsi made a motion to move forward with the required cultural resource site review based on the fact that if funds are available.

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

CFO, Lorraine Rossetti: Ms. Rossetti added the following purchase orders to the bill list:

#10-00552 ~ CFO Banking Mileage ~ \$296.60

#10-00553 ~ Trump Taj Mahal ~ League Conference ~ \$891.00

Ms. Rossetti discussed water shut-offs and gave the water/sewer utility and the finance reports. Councilman H. Zikas made a motion for the clerk to advertise a Special Budget meeting to be held November 30, 2010 at 6pm. Councilman Gara seconded the motion. *Roll call*; Ayes; Councilman Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; none.

The clerk was instructed to advertise a special public hearing at the next council meeting (10/12/10) regarding the Lee Avenue Pedestrian Bridge.

Councilman Savary made a motion to approve Attorney Troxell to perform a title search on the Lee Avenue Pedestrian Bridge. Councilman Gara seconded the motion. *Roll call*; Ayes; Councilman Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; none.

Municipal Clerk, Laurie Barton: Mrs. Barton requested ten minutes in executive session for personnel.

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.

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

09/27/10 09:34:40		BOROUGH OF ALPHA Bill List By P.O. Number				Page No: 1		
P.O. Type: All		Age: 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	
10-00013	01/24/10	WORKS	WORKS DATA	2010 Phone System Maintenance	Open	792.00	0.00	
10-00255	05/05/10	CINTAS	CINTAS CORPORATION LOC 101	2010 Rug Service 4/26-12/31/10	Open	142.08	0.00	
10-00257	05/05/10	POHPOL	TOWNSHIP OF POHATCONG	Police Coverage April-Dec 2010	Open	45,460.00	0.00	
10-00259	05/05/10	VERI DSL	VERIZON ONLINE	2010 DSL Internet Service	Open	81.19	0.00	
10-00260	05/06/10	VITAL	VITAL COMMUNICATIONS, INC	2010 MOD IV/CAMA fees Apr-Dec	Open	100.00	0.00	
10-00402	07/08/10	VITAL	VITAL COMMUNICATIONS, INC	2011 Tax Collectors Binder	Open	53.70	0.00	
10-00414	07/22/10	VITAL	VITAL COMMUNICATIONS, INC	2011 Assessor Binder with tabs	Open	53.70	0.00	
10-00421	07/22/10	R2CON	R2 CONSULTANTS	Sonic wall annual renewal	Open	1,074.33	0.00	
10-00464	08/06/10	ALBOA	ALPHA BOARD OF EDUCATION	2010 School Tax	Open	281,207.30	0.00	
10-00495	08/31/10	EXPRES	EXPRESS-TIMES	7/30-8/11 ord/engineer/meeting	Open	781.20	0.00	
10-00497	08/31/10	ONECA	ONE CALL CONCEPTS	July one call messages	Open	10.70	0.00	
10-00498	08/31/10	DEGAN	KATHY DEGAN	Reimburse for conference hotel	Open	232.00	0.00	
10-00500	08/31/10	CEASA	CAESAR'S CONVENTION SALES CNTR	Mayor Ed Hannics convention	Open	477.00	0.00	
10-00501	08/31/10	HARRAHS	HARRAHS CASINO HOTEL	Alex Zikas league convention	Open	327.00	0.00	
10-00502	08/31/10	TRUMP	TRUMP PLAZA	Tom Seiss league convention	Open	95.00	0.00	
10-00503	09/01/10	WAMAT	WARREN MATERIALS	1 Ton of hot patch 7/27 11229	Open	58.97	0.00	
10-00509	09/01/10	MJRSE	MJR SERVICES INC	fold & insert 2010/2011 taxbills	Open	200.00	0.00	
10-00514	09/08/10	ZIGTECH	ZIGTECH PC REPAIR	DPW laptop diagnostic	Open	45.00	0.00	
10-00522	09/08/10	FLEMD	FLEMINGTON DEPARTMENT STORE	Safety Shoes for DPW	Open	264.85	0.00	
10-00542	09/21/10	BE DISTR	B & E DISTRIBUTING	9/7/10 lift station degreaser	Open	2,408.25	0.00	
10-00545	09/21/10	VANCLF	VANCLEEF ENGINEERING ASSOCIATE	Quarry Redevelopment-Plan Bd	Open	420.00	0.00	
10-00546	09/21/10	NJSTA	NJ STATE LEAGUE MUNICIPALITIES	2010 League conference regist	Open	400.00	0.00	
10-00547	09/21/10	NJSTA	NJ STATE LEAGUE MUNICIPALITIES	OPRA review seminar, Holmdel	Open	55.00	0.00	
10-00548	09/21/10	VERIZ	VERIZON WIRELESS	9/5-10/4 municipal cell phones	Open	228.04	0.00	
10-00549	09/21/10	DOG	NJ DEPT OF HEALTH & SENIOR SER	April State Dog Report	Open	23.40	0.00	
Total Purchase Orders:		25	Total P.O. Line Items:	44	Total List Amount:	334,990.71	Total Void Amount:	0.00
<p>#10-00552- CFO - Banking Mileage - \$296.00 #10-00553- Trump Taj - Conference fee - \$891.00</p>								

Old Business: None.

New Business:

Councilman H. Zikas made a motion to approve the following raffle licenses with the waiver of Borough fees:

#RA-2010-3 & #RA-2010-4 ~ St. Mary's Church

Councilwoman Tarsi seconded the motion. *Roll call*; Ayes; Councilman Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; None.

Councilman H. Zikas stated he abstains his vote on the bill for Harry's Place.

Discussions ensued regarding various employment positions in the Borough.

Executive Session: One Hour

Councilman H. Zikas made a motion to approve the following resolution to go into executive session for one hour for contractual and personnel:

**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, 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 Councilwoman Tarsi seconded the motion, all were in favor.

Return to Regular Session

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

Councilwoman Tarsi made a motion to approve the following resolution:

**RESOLUTION 2010-85
RESOLUTION APPROVING A CONTRACT PROPOSAL
FOR A CULTURAL RESOURCE REVIEW FOR THE
PROPOSED WATER SYSTEM UPGRADES FOR THE
BOROUGH OF ALPHA'S MUNICIPAL WATER SYSTEM**

WHEREAS, the Borough of Alpha, through its engineer, has applied to the Environmental Infrastructure Trust Fund of the State of New Jersey for monies to improve its water treatment plant; and

WHEREAS, the Borough Engineer, Stanley Schrek, P.E., has stated in open public session that the NJDEP has made the Borough, as part of the application, have a cultural resource review performed; and

WHEREAS, a proposal of Nancy Zerbe of Arch2, Inc. has provided a proposal for professional services for the cultural resources review, providing architectural and archaeological resources for \$10,4614.69 at maximum; and

WHEREAS, New Jersey law allows for the award of contracts for professional services without public bidding.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Alpha, that it approves a professional services contract with Arch2, Inc. for the cultural resources review relating to the potable water system upgrade(s) and application with NJEITF in an amount not to exceed \$10,461.69.

BE IT FURTHER RESOLVED, that the Mayor, CFO, and Clerk be authorized to sign documentation to carry out the contract as specified herein.

Councilman H. Zikas seconded the motion. *Roll call*; Ayes; Councilman Gara, Councilman Hajdu, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas. Nays; None.

Councilman Savary made a recommendation that progress be made regarding the demolition of the pool. Discussions ensued.

Craig Dunwell inquired about a new water service line in the Borough. Discussions ensued.

Councilman Savary asked for an update regarding the overlay on the roads. Discussions ensued.

Adjournment: 10:41pm

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

Respectfully submitted,

Laurie Barton, Municipal Clerk