

Council President, Harry Zikas, Jr. called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, October 12, 2010.

Council President Harry Zikas, Jr. 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.

Council President Harry Zikas, Jr. led prayer and the salute to the flag.

Roll Call: Councilman Gara, Councilman Savary, Councilwoman Tarsi, and Councilman H. Zikas and Borough Clerk, Laurie Barton. Absent: Councilman Hajdu and Councilman A. Zikas.

Also present, Borough Attorney, Christopher Troxell and CFO, Lorraine Rossetti.

Public Comment

Public Hearing –Lee Avenue Pedestrian Bridge

Shelly McGregor, in for Engineer Stanley Schrek, presented information regarding grant funding, physical condition, and possible options for the Lee Avenue Pedestrian Bridge.

Lou Cartabona of 1119 Fifth Avenue stated he would like to see whatever is done with the bridge not exceed any state or federal funding available for it to avoid a burden to tax payers. He also stated he would like safety concerns regarding the bridge addressed before a decision is made.

Craig Dunwell of 1159 Seventh Avenue reviewed the options presented by Ms. McGregor and clarified that the cost to refurbish the bridge is approximately \$500,000. Ms. McGregor clarified various funding details for Mr. Dunwell.

Lloyd Best of 1000 Dewey Avenue stated he thinks the bridge should be put up for sale in case anyone might want to buy it and then demolish it. He expressed that he does not like the idea of saving the bridge. He also stated that he feels existing buildings could have been used instead of a new municipal building and discussed various details regarding tax spending that he is not satisfied with.

Council President, Harry Zikas, Jr. reminded everyone to please keep their comments focused on the Lee Avenue Pedestrian Bridge for the time being.

Craig Dunwell of 1159 Seventh Avenue asked about the Borough's liability regarding the bridge. Attorney Troxell addressed this legal question for Mr. Dunwell, agreeing that ownership is an issue and is being researched at this time.

Carol Schwar of 1230 Fourth Avenue asked who has been paying the insurance on the bridge all this time. Attorney Troxell addressed her question.

Chris Pfefferle of 806 North Boulevard asked for clarification regarding state and federal funding available and details regarding what the money would cover. He also asked about the expiration of the grant money. Ms. McGregor addressed these items for Mr. Pfefferle, stating the plans must be turned in no later than December and the construction would need to begin no later than March or funding would be lost. Mr. Pfefferle stated he would want the Borough to do whatever would cost the least regarding the bridge.

Tim Mellert of 472 North Boulevard asked what modifications would need to be made to North Boulevard regarding the bridge. Ms. McGregor addressed this question for Mr. Mellert, explaining to him the modification options, which include ADA Ramps.

Lloyd Best asked how many handicapped people this bridge would serve and expressed again he thinks it's ridiculous and wants to see the bridge come down.

Charles Bodough of 117 East Central Avenue stated that the bridge wouldn't just serve handicapped school children but also handicapped seniors. He went on to discuss his concerns regarding possible modifications.

Councilman Savary presented questions regarding the possibility of a crosswalk at a lower grade point to cross the tracks which Ms. McGregor addressed, explaining it would involve railroad property and that the railroad is resistant to being involved in issues that don't interfere with the operation of the railroad. Mr. Savary asked for details regarding refurbishing of the bridge. He also asked about the details regarding the funding of the bridge. Lengthy discussions ensued.

Charles Bodough stated he doesn't think the ramp would be a good idea because it could be used for unintended purposes.

Council President, Harry Zikas, Jr. closed the public hearing for the Lee Avenue Pedestrian Bridge.

Public Comment

Myrna Pursel of the Alpha Volunteer Fire Company/Lady's Auxiliary reported the recent spaghetti dinner served 199 and earned \$1378 for the 100th Anniversary celebration and she presented the check. Council President, Harry Zikas, Jr. thanked her on behalf of Mayor and Council.

Louis Cartabona of 1119 Fifth Avenue discussed the Lee Avenue bridge with regards to liability and ownership. He discussed the water system including the reading of hazardous substance fact sheets from the New Jersey Department of Health and expressed his discomfort about the water situation.

Craig Dunwell of 1159 Seventh Avenue discussed the electricity consumption at the Pursel and Alpha Street well sites. He expressed a concern regarding water being pumped from these two wells and untreated water being pumped into the Borough water system. He stated that the water diversion was not reported and is a violation of state law and asked whether or not it is known if it wasn't reported. He also wanted to know how long the water has been being diverted. He requested the entire water project be put on hold. Mr. Dunwell was reassured by Councilman H. Zikas that the water is safe to drink and explained that the current water project will serve to increase that safety further. Mr. Dunwell was referred to the water quality experts for further detailed information regarding the water system.

Carol Schwar of 1230 Fourth Avenue asked who are the water quality experts for the Borough. Ms. McGregor stated that Clarence Deemer, who has recently retired was the licensed operator for the Borough and that recently Van Cleef has entered into contract with Mr. Fred Schindler and he will take over as licensed operator for the Borough. Carol Schwar asked about the DEP ordering the two wells in question to be shut down and this was confirmed to be true by Council President Harry Zikas, Jr.

Councilman Savary questioned council members regarding whether or not they drink the water and whether or not the correct information is listed on the reports. Heated discussions ensued.

Ordinances

Councilwoman Tarsi introduced the following ordinance announcing the public hearing date to be October 26, 2010.

ORDINANCE 2010-11 (First Reading) **Note: Final ordinance number to be: 2010-13
AN ORDINANCE PROVIDING FUNDING FOR PURCHASE OF RF RADIO FREQUENCY
READING REMOTES AND APPROPRIATING \$115,000 OF UTILITY CAPITAL FUND
BALANCE FOR SUCH PURPOSE.**

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ALPHA, IN
THE COUNTY OF WARREN AND STATE OF NEW JERSEY, AS FOLLOWS:**

Section 1. The Borough of Alpha, in the County of Warren, in the State of New Jersey, authorizes the purchase of RF Radio Frequency Remote Units for the Borough of Alpha to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$115,000.00 is hereby appropriated from the following account: Utility Capital Fund Balance for the purposes stated in Section 1 of the Ordinance.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Alpha may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to law.

Councilman Gara seconded the motion. Questions regarding details about the purpose of the items listed in the ordinance were addressed. *Roll call*; Ayes; Councilman Gara, Councilwoman Tarsi, and Councilman H. Zikas. Nays; Councilman Savary.

Resolutions

Councilwoman Tarsi made a motion to approve the following resolution:

**RESOLUTION 2010-86
REFUND OF UNUSED ESCROW MONIES**

WHEREAS, the below listed escrow accounts have now been completed, and

WHEREAS, a balance of unused escrow monies remain in the accounts, 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 Certified Finance Officer to release the estimated account balances below to the below listed owners:

95-017	Brian Properties	Rocco Paternostro 8 Louis Court Edison, NJ 08820	\$2,265.83
06-004	Vulcanite Holdings	1624 Warren Street Alpha, NJ 08865	\$439.30
07-001	Toll Brothers	Perryville Corporate Center PO Box 4002 Clinton, NJ 08806-4002	\$147.75
07-002	Cahill Properties	1 South 3 rd Street 8 th Floor Easton, PA 18042	\$741.75
07-004	CBS Outdoor Group Inc.	185 Highway 46 Fairfield, NJ 07004	\$346.50
07-009	JB Properties	9 Pinewood Road Milford, NJ 08848	\$2,872.50
07-010	Notable Properties	469 Ellis Road Milford, NJ 08848	\$81.25
08-003	Route 12 Properties	Anthony DeSapio 280 Ridge Road Frenchtown, NJ 08825	\$775.25
08-004	Spectra Gases	1224 Main Street Phillipsburg, NJ 08865	\$110.25

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

Councilwoman Tarsi made a motion to approve the following resolution:

**RESOLUTION 2010-87
CANCELLATION OF UNEXPENDED
UTILITY CAPITAL BALANCES**

WHEREAS, the Borough of Alpha funded Reserve for Facility & Equipment Improvements through Utility Fund Budget Appropriations prior to 2010,

WHEREAS, a remaining balance of that funding exists and is needed for additional water reading system improvements,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpha hereby authorize the Chief Financial Officer to cancel a portion of the unexpended balance in the account listed below to Utility Capital Fund Balance.

Account Name	G/L Account Number	Balance
Reserve for Facility & Equipment Improv. \$115,000.00	0-08-226-55-000-008	

Councilman Gara seconded the motion. *Roll call*; Ayes; Councilman Gara, Councilwoman Tarsi, and Councilman H. Zikas. Nays; Councilman Savary.

Councilwoman Tarsi made a motion to approve the following resolution:

RESOLUTION 2010-88

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2009 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Alpha, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a

certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

Councilman Gara made a motion to approve the following resolution:

RESOLUTION 10-89

RESOLUTION FOR CORRECTIVE ACTION PLAN FOR 2009 AUDIT REPORT

OF THE BOROUGH OF ALPHA, WARREN COUNTY, NEW JERSEY

WHEREAS, Local Finance Notice #92-15 issued July 8, 1992, requires that all municipalities prepare and submit a Corrective Action Plan as part of their annual audit process and in accordance with OMB Circulars and #92-15, and

WHEREAS, the resolution is submitted to the Division of Local Government Services, Department of Community Affairs and placed on file with the clerk sixty (60) days from the date the audit is received by the governing body, and

WHEREAS, the audit report was received on October 1, 2010, and

WHEREAS, this corrective action plan resolution has been prepared by the Chief Financial Officer and approved by the governing body of the municipality,

WHEREAS, Lorraine Rossetti, the Chief Financial Officer, has prepared a corrective action plan for findings in the 2009 Audit Report of the Borough of Alpha, Warren County, New Jersey, and

WHEREAS, the Chief Financial Officer has provided the Mayor and the Council of the Borough of Alpha, Warren County, New Jersey with a copy of this corrective action plan, and

WHEREAS, the Mayor and the Council of the Borough of Alpha, Warren County, New Jersey have reviewed the findings and the corrective actions of this plan.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpha, Warren County, New Jersey approve the corrective action plan and that the Chief Financial Officer of the Borough of Alpha, County of Warren, New Jersey is hereby directed to carry out the Corrective Action Plan for the 2009 Audit Report and the Municipal Clerk will forward a copy of this resolution to the Department of Community Affairs.

BOROUGH OF ALPHA, WARREN COUNTY

AUDIT REPORT YEAR 2009

CORRECTIVE ACTION PLAN

Recommendation Number 1

Description:	That all interfund balances be liquidated by year end.
Analysis:	Some interfun ds had not been reconciled by December 31 st and so were not repaid during the same calendar year.
Corrective Action:	Reconciliations of interfun ds in both effected accounts will be started earlier in the year to ensure proper balance in both funds. Interfund balances will be repaid priors to December 31 of each year.
Person Responsible:	Lorraine Rossetti, CFO
Implementation Date:	October 1, 2010

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

Bills & Claims

Councilwoman Tarsi made a motion that the CFO be authorized to pay all bills authorized by the directors. Councilman Gara seconded the motion. Roll call: ayes: Gara, Savary, Tarsi, and 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: Gara, Savary, Tarsi, and H. Zikas. Nays: none.

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
10-00005	01/24/10	FORTD	FORT DEARBORN LIFE INSURANCE	2010 Employee Life Insurance	Open	138.75	0.00
10-00014	01/25/10	LOPAT	TOWNSHIP OF LOPATCONG	2010 Assessor Air Cards	Open	14.35	0.00
10-00158	03/05/10	TRITE	DE LAGE LANDEN FINANCIAL SERV	2010 New Copier Lease Ricohmp	Open	274.98	0.00
10-00256	05/05/10	HEALTH	STATE OF NJ HEALTH BENEFITS	Employee Medical Benefit 2010	Open	7,963.07	0.00
10-00258	05/05/10	TROXE	CHRISTOPHER M. TROXELL, ESQ	2010 Retainer April-December	Open	3,750.00	0.00
10-00412	07/22/10	WEST	WEST GROUP	Drunk Driving & Criminal/Vehic	Open	248.50	0.00
10-00492	08/31/10	METZE	METZ & SON ELECTRICAL, INC	troubleshooter sewer pump cycling	Open	89.95	0.00
10-00538	09/17/10	HOME	HOME DEPOT/GEFCF	Brooms & cleaning products	Open	129.60	0.00
10-00539	09/21/10	EXPRES	EXPRESS-TIMES	9/10 Petition for Substan	Open	123.60	0.00
10-00540	09/21/10	TSC	TSC NORTH AMERICA	6/1/10 website maintenance	Open	35.00	0.00
10-00541	09/21/10	ONECA	ONE CALL CONCEPTS	August 2010 mark outs	Open	11.77	0.00
10-00543	09/21/10	FLORPER	FLORIO & PERRUCCI, L.L.C.	8/31 personnel issue-JH,LB,CT	Open	100.00	0.00
10-00544	09/21/10	CAREER	CAREER TRACK	10/20/10 #99052 Human Res sem	Open	199.00	0.00
10-00551	09/21/10	HOME	HOME DEPOT/GEFCF	parts for pump house	Open	300.16	0.00
10-00560	09/10/10	PAYRO	PAYROLL AGENCY ACCT 751561	9/10/10 Current Fund Payroll	Open	9,456.93	0.00
10-00561	09/24/10	PAYRO	PAYROLL AGENCY ACCT 751561	9/24/10 Current Fund Payroll	Open	15,818.64	0.00
10-00562	09/10/10	PAYRO	PAYROLL AGENCY ACCT 751561	9/10/10 Utility Fund Payroll	Open	15,766.87	0.00
10-00563	09/24/10	PAYRO	PAYROLL AGENCY ACCT 751561	9/24/10 Utility Fund Payroll	Open	12,014.10	0.00
10-00564	09/10/10	PAYRO	PAYROLL AGENCY ACCT 751561	9/10/10 Grant Fund Payroll	Open	461.28	0.00
10-00565	10/05/10	RADAR	RADAR INK, LLC	Res 10-78 close escrow ac 08-1	Open	1,115.50	0.00
10-00571	10/06/10	HOME	HOME DEPOT/GEFCF	Air freshener, keys & fogger	Open	70.29	0.00
10-00572	10/06/10	CUPON K	KATHERINE CUPON	9/17 TRI COUNTY COURT MEETING	Open	25.00	0.00
10-00573	10/06/10	ELIZGA	ELIZABETHTOWN GAS	8/10-9/9/10 natural gas heat	Open	168.14	0.00
10-00574	10/06/10	NJSTA	NJ STATE LEAGUE MUNICIPALITIES	2010-2011 legislative bulletin	Open	49.00	0.00
10-00575	10/06/10	VERIZON	VERIZON	9/10-10/9 garage phone454-3143	Open	227.88	0.00
10-00576	10/06/10	HASSL	ASCOM HASSLER/GE CAP PROG	100th yr celebration postage	Open	1,100.00	0.00
10-00577	10/06/10	DEGAN	KATHY DEGAN	cape may conference mileage	Open	63.00	0.00
10-00578	10/06/10	LSI	LINE SYSTEMS, INC	Sept 2010 local & long phone	Open	504.26	0.00
10-00579	10/06/10	ALFIR	ALPHA VOLUNTEER FIRE CO	truck payment, OSHA & operatin	Open	29,400.54	0.00
10-00580	10/06/10	BONY	THE BANK OF NEW YORK	wire Bond payment due 10/15/10	Open	98,043.75	0.00
10-00581	10/06/10	ALLIE	ALLIED OIL COMPANY	9/13 premium gas for garage	Open	675.57	0.00
10-00582	10/06/10	BCS	BCS, LLC	9/28 sulfuric acid #s15788976	Open	3,153.75	0.00
10-00583	10/06/10	JCP&L	JCP&L	september elec & lights	Open	11,363.82	0.00
10-00584	10/06/10	QC	QC, INC.	8/25-9/15 water testing	Open	605.00	0.00
10-00585	10/06/10	REIVAX	REIVAX CONTRACTING CORPORATION	hydrant & valve replace	Open	59,363.34	0.00
10-00586	10/06/10	VANCLEF	VANCLEEF ENGINEERING ASSOCIATE	general & capital engineering	Open	12,643.00	0.00
10-00587	10/09/10	DRAKES	DRAKE'S	40x120 Tent rental for 100th	Open	2,000.00	0.00
10-00588	10/09/10	FIRE	TREASURER STATE OF NEW JERSEY	6 fire permits for Octoberfest	Open	252.00	0.00
10-00589	10/09/10	JEFFBELL	JEFF BELLFY BAND	ENTERTAINMENT for Octoberfest	Open	500.00	0.00
10-00590	10/09/10	JOYOUS	GENE SACARAKIS	Octoberfest entertainment	Open	800.00	0.00
10-00591	10/09/10	LOUISPET	LOUIS PETTINELLI	Octoberfest Entertainment	Open	500.00	0.00
10-00592	10/09/10	CRAZYHEA	CRAZY HEART	10/16 Octoberfest entertainmnt	Open	800.00	0.00
10-00593	10/09/10	CITY	CITY ENTERTAINMENT SYSTEMS	10/16 Octoberfest Production	Open	2,200.00	0.00
10-00594	10/09/10	TRDCF	TREASURER, STATE OF NJ	July-Sept Quarterly marriage	Open	175.00	0.00
10-00595	10/09/10	DOG	NJ DEPT OF HEALTH & SENIOR SER	September 2010 State Report	Open	2.40	0.00
T. Purchase Orders: 45 Total P.O. Line Items: 105 Total List Amount: 292,697.79 Total Void Amount: 0.00							
10-005-97 Metz Prob Lawyers Air Escape Balloning Schwabs Shirts						\$573.60 \$40.00 \$100.00 \$782.00	

Councilwoman Tarsi made a motion to approve the following raffle license with a waiver of the local fee:

#RA-2010-5 ~ Alpha Fire Dept. ~ (waiver of fee requested)

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

Adjournment 8:20 P.M.

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

Respectfully submitted,

Laurie A. Barton, P.M.C