

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, October 23, 2012.

Mayor Hanics announced that adequate notice of the meeting was given to the Star Gazette and posted on the bulletin board in the Clerk's office satisfying the requirements of the Open Public Meeting Act:

#### NOTICE

Pursuant to the provisions of the Open Public Meetings Act, adequate notice of this meeting has been given. On January 4, 2012, the Municipal Clerk delivered to The Express-Times and posted on the bulletin board in the Municipal Building, a notice containing the date, time and place of this meeting of the Alpha Borough Council. Also, said notice has been mailed to persons requesting the same.

Mayor Hanics led prayer and the salute to the flag.

*Roll Call:* Present: Councilman Dunwell, Councilman Pfefferle, Councilman Savary and Councilwoman Tarsi. Absent: Councilwoman Schwar and Councilman Zikas. Also present Borough Clerk, Laurie A. Barton, and Attorney Christopher Troxell.

#### *Executive Session*

Motion made by Councilman Pfefferle at this time to pass a resolution to go into executive session for 20 minutes for potential litigation regarding the AYAA. Motion seconded by Councilwoman Tarsi, all were in favor.

#### EXECUTIVE SESSION RESOLUTION

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist.

1. The public shall be excluded from discussion(s) of the hereinafter specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is: Litigation
3. It is anticipated at this time, that the above stated subject matter(s) will be made public when it is no longer a matter of confidentiality.
4. Action may or may not be taken after executive session.

**NOW THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Alpha that the public shall be excluded from an executive session for approximately 20 minutes.

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

#### *Public Comment*

Louis Cartabona, 5<sup>th</sup> Avenue, inquired about benefits of having shared services with the County.

Tom Fey, East Blvd., inquired about having the Christmas tree lighting at Veterans Park. Mr. Fey stated that he will be meeting with the teachers this week and report back at the next meeting.

Charles Bodogh, East Central Avenue, stated that the sink in the men's restroom should be anchored down as they are loose.

Kathy Cupon, Court Administrator, reported that she now has a full staff for court and reported that it went very well at the last session with the court attendant and equipment. Mrs. Cupon stated that the Philipsburg Police have very good presence within the Borough. Mrs. Cupon also stated that Pohatcong Township Police Department is still working on cases within the Borough.

Mrs. Cupon also brought up the re-appointment of the judge that had since expired in 2011.

Motion made by Councilwoman Tarsi to reappoint Louis Mellinger as Judge for the Borough of Alpha for the next three years. Questions: Councilman Savary asked why this hasn't been done. Councilman Dunwell explained the possibility of future shared services of the court that can save the Borough money. Motion dies due to a lack of a second.

#### *Bids-Outdoor Lease*

Borough Clerk Laurie Barton opened the only bid received from Adams Outdoor. Mrs. Barton handed bid package to the Attorney for review. Motion made by Councilwoman Tarsi to accept the bid, motion seconded by Councilman Savary, all were in favor.

#### *Ordinance*

Motion made by Councilman Dunwell to introduce the following ordinance with public hearing scheduled for November 8<sup>th</sup>. Councilman Savary seconded motion. Councilman Dunwell explained the differences of the three days stipulation and the seven day stipulation in the first two paragraphs of the ordinance. Roll call: Ayes: Dunwell, Pfefferle, Savary and Tarsi. Nays: none

**ORDINANCE 2012-13  
BOROUGH OF ALPHA  
AN ORDINANCE TO AMEND CHAPTER 403 – WATER AND SEWERS  
OF THE CODE OF THE BOROUGH OF ALPHA**

**BE IT ORDAINED**, by the Borough Council of the Borough of Alpha that the following amendments shall be and are herewith enacted to Chapter 403 – WATER AND SEWERS of the Code of the Borough of Alpha:

§ 403-5. Maintenance of pipes and fixtures; notice to repair or replace.

All persons using water shall keep their pipes and fixtures within their premises, together with the service pipe to the curb stop, in good repair and protect the same from frost at their own expense. If the owner of any premises shall neglect or refuse to repair a leak within three days, exclusive of Sundays and legal holidays, after receipt of written notice from the Director directing such repairs, the water supply for such premises shall be shut off at the main or at the curb, and service shall not be resumed for such premises until after all repairs ordered have been made and the fee as set forth in § 403-21B has been paid.

Additionally, the Borough shall have the right to replace a consumer's service line from the curb stop to the water meter, or any portion thereof, and bill them according to the fee schedule set forth in § 403-21B, under any of the following circumstances:

- A. The service pipe is constructed of a material not listed in § 403-23.
- B. The service pipe is declared unreliable by the Director due to prior adverse experience.
- C. The curb stop is deemed unserviceable due to its location.
- D. The service pipe, due to its age and material of construction, fails during system maintenance.

In all cases, except item D above, the consumer will be provided with at least (7) seven calendar days advanced notice to choose a qualified professional and replace their service line themselves. It shall be incumbent upon the consumer to notify the Borough within the seven (7) calendar day period of its selection of a qualified professional to replace their service line themselves. If notice is not timely made, the Borough may proceed as referenced above.

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§ 403-21 B. (4). Repairs of pipes or appurtenances by Department of Public Works or outside contractors: actual cost plus equipment rental. Payroll costs for municipal employees shall be at 1.50 times actual payroll rate.

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§ 403-21 B. (6). Services of Department of Public Works employees: 1.50 times the actual hourly rate per hour for all Department of Public Works employees involved.

### *Resolutions*

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

#### **RESOLUTION 2012-135**

#### **A RESOLUTION TO APPROVE A SHARED SERVICES AGREEMENT WITH WARREN COUNTY FOR SHARING WARREN COUNTY ROAD ICE CONTROL MATERIAL AND EQUIPMENT THE BOROUGH OF ALPHA'S PROPERTY**

**WHEREAS**, the Common Council of the Borough of Alpha ("Borough" or "Alpha") believes it is in the best interests of the Borough to contract pursuant to N.J.S.A. 40A:65-1, *et seq.* (the "Uniform Shared Services and Consolidation Act") and other applicable New Jersey law(s) to enable the County of Warren ("Warren" or "Warren County") to store road ice control material and equipment on Borough property off of Industrial Drive in the Borough and for the Warren County to supply Alpha with such material and services and equipment to load the Borough's trucks; and

**WHEREAS**, N.J.S.A. 40A:65-1, *et seq.* (the "Uniform Shared Services and Consolidation Act") provides a mechanism for making such contracts between public entities and/or agencies.

**NOW, THEREFORE BE IT RESOLVED** that the Borough shall enter into an agreement with Warren County to allow Warren County to store road ice control material and equipment on Borough property off of Industrial Drive in the Borough and for Warren County to supply Alpha with such material and services and equipment to load the Borough's trucks, understanding that Alpha will pay for the amount of road ice control material it uses at a fair and reasonable price. The Mayor is hereby authorized to sign the agreement.

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

**RESOLUTION 2012-136**  
**RESOLUTION REQUESTING AN EXTENSION OF TIME TO COMPLETE**  
**THE WORK FOR THE ALPHA SAFE ROUTES**  
**TO SCHOOL PROJECT AT AND INCLUDING THE LEE**  
**AVENUE PEDESTRIAN BRIDGE**

**WHEREAS**, the Mayor and Council of the Borough of Alpha have previously determined that certain construction and improvements are needed at the Lee Avenue Pedestrian Bridge and for safe routes to the Alpha Public School; and

**WHEREAS**, the Mayor and Council of the Borough of Alpha have openly and publicly bid such contract for the improvement work thereto, pursuant to New Jersey law; and

**WHEREAS**, the Borough of Alpha had received the lowest responsible bid from P.A. Contractors, based on the recommendation of the Borough Engineer, and had awarded the contract accordingly; and

**WHEREAS**, the Mayor and Council of the Borough of Alpha had received approval for grant money from the Alpha Safe Routes to School Federal Project #STP-COOS (051) NJDOT PROJECT #7502304; and

**WHEREAS**, the contractor has advised that it needs an extension of time to remove the pedestrian bridge which crosses Norfolk Southern's railroad in the Borough of Alpha due to Norfolk Southern's inability to provide a six-hour window of no railroad traffic in the said Alpha area.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the Council hereby respectfully requests an extension of time to February 28, 2013 to complete the Alpha Safe Routes to School Project [Federal Project # STP-COOS (051) and State Project # 7502304] due to the contractor's inability to obtain the six-hour window of time required for the removal of the pedestrian bridge superstructure from Norfolk Southern, whose railroad tracks and train traffic run under said bridge.

**BE IT FURTHER RESOLVED**, that the Mayor, Clerk, Borough Attorney, and/or Borough Engineer are authorized to execute all necessary documents to effectuate the contract extension.

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

**RESOLUTION 2012-137**  
**WATER AND SEWER UTILITY**  
**ACCOUNT ADJUSTMENTS**

**WHEREAS**, the following adjustments are necessary to correct Water and Sewer Utility accounts for inaccurate readings, bank deposit errors and final bills as listed below,

**WHEREAS**, the Borough Council must approve all account adjustments to any one account over five dollars,

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Alpha hereby authorize the Finance Officer / Utility Collector to make those adjustments listed below to bring all consumer accounts into proper balance.

<u>MONTH</u>	<u>ACCT #/DESCRIPTION</u>	<u>AMOUNT</u>
Oct 2012	8003100-0 ~ Meter Rdg Error	\$382.48
	TOTAL ADJUSTMENTS:	<u>\$ 382.48</u>

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

**RESOLUTION 2012-138  
DESIGNATION OF AGENTS TO ACT  
ON THE BEHALF  
OF THE BOROUGH OF ALPHA  
FOR THE FRACE WATER TREATMENT PLANT UPGRADES**

**WHEREAS**, the Borough of Alpha designates the following professionals, Mr. Dennis K. Yoder, P.E., and Mr. William Packer, Borough of Alpha Licensed Water Operator, as agents to represent the Borough of Alpha in all matters relating to the **FRACE WATER TREATMENT PLANT UPGRADES** and any other associated component.

**NOW, THEREFORE**, be it resolved that:

1. Mr. Dennis K. Yoder, P.E. is hereby authorized to act as agent and represent the Borough of Alpha in all matters relating to the **FRACE WATER TREATMENT PLANT UPGRADES** and any other associated component.
2. Mr. Dennis K. Yoder, P.E., is hereby authorized to sign any and /or all the forms and applications required for submittal to the New Jersey Department of Environmental Protection and any and all Federal, State or Municipal Agency relating to the **FRACE WATER TREATMENT PLANT UPGRADES**.
3. Mr. William Packer, Licensed Water Operator, is hereby authorized to act as agent and represent the Borough of Alpha in all matters relating to the **FRACE WATER TREATMENT PLANT UPGRADES** and any other associated component.
4. Mr. William Packer, Licensed Water Operator, is hereby authorized to sign any and /or all the forms and applications required for submittal to the New Jersey Department of Environmental Protection and any and all Federal, State or Municipal Agency relating to the **FRACE WATER TREATMENT PLANT UPGRADES**.
5. The above authorized agent may be contacted at Remington & Vernick Engineers, 232 Kings Highway, Haddonfield, NJ 08033 856-795-9595.

**THIS RESOLUTION** shall take effect immediately.

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

**RESOLUTION 2012-139**  
**RESOLUTION AUTHORIZING BOROUGH ENGINEER**  
**FOR NJDEP PERMIT PREPARATION – INSTALLATION OF A**  
**HARDNESS SEQUESTERING SYSTEM AT ALPHA STREET WELL**

**BE IT RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the firm of Remington & Vernick Engineers is hereby authorized to act as the Borough Engineer and proceed with the engineering services in regard to preparation of an NJDEP permit and related documentation for the installation of a hardness sequestering system at the Alpha Street well for the contemplated scope of work in accordance with the firm's proposal of October 19, 2012 (attached hereto) and in an amount not to exceed \$3,690.00, upon written certification of funds by the Borough CFO.

**BE IT FURTHER RESOLVED**, that the Mayor, Clerk, Borough Attorney, and/or Borough Engineer are authorized to execute all necessary documents to effectuate the services.

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

**RESOLUTION 2012-140**  
**RESOLUTION AWARDED A CONTRACT FOR**  
**PAYROLL AND ACCOUNTING PURPOSES FOR BOROUGH OF ALPHA**

**WHEREAS**, the Council of the Borough of Alpha have determined that the Borough would presently be best served by employing an outside firm to provide payroll, disbursement and accounting services for Borough property by awarding a contract to the lowest responsible bidder, pursuant to New Jersey law; and

**WHEREAS**, the CFO of the Borough of Alpha has openly sought quotations for such contract, pursuant to New Jersey law; and

**WHEREAS**, the Borough of Alpha has received the lowest responsible proposal from Action Data Services, Inc.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, that the said contract for payroll, disbursement and accounting services for the Borough of Alpha is hereby awarded to Action Data Services, Inc., said contract being attached hereto, not to exceed \$17,500.00 for the calendar year, upon certification of funds by the Borough CFO.

**BE IT FURTHER RESOLVED** that the Mayor, Clerk and/or CFO are authorized to execute all necessary documents to effectuate the said contract for the Borough.

## *Minutes*

Motion made by Councilwoman Tarsi to approve the regular minutes of 06/26/2012 and 07/10/2012, motion seconded by Councilman Pfefferle. Roll call: Ayes: Dunwell, Pfefferle, Savary and Tarsi. Nays: none.

## *Department Reports*

*Administration, Councilwoman Carol Schwar:* No report.

*Finance, Councilman Chris Pfefferle:* No report. Councilman Pfefferle requested 10 minutes in executive session for personnel regarding the Engineer's bill on the bill list and 20 minutes in executive session for potential litigation regarding the AYAA. In closing, Councilman Pfefferle approved bills, salaries and wages for his department.

*Health and Welfare, Councilman Harry Zikas Jr.:* No report. Councilman Dunwell approved the bills, salaries and wages for this department.

*Public Property, Councilman Michael Savary:* Councilman Savary stated that there is progress with the installation of the cameras in the municipal building and the dump area back at the salt shed.

Councilman Savary requested five minutes in executive session for litigation. In closing, Councilman Savary approved bills, salaries and wages for his department. Councilwoman Tarsi inquired about the panic buttons and where the call goes when the button is pressed.

Discussions ensued regarding having a test done on buttons. Councilman Savary stated that he will be setting up a meeting with Dave Cooper regarding the camera issues. Mayor Hanics asked when the cameras will be turned on. Councilman Dunwell responded that they are live (on) now.

*Public Safety, Councilwoman Klara Tarsi:* Councilwoman Tarsi gave the court report for the month of September. In closing, Councilwoman Tarsi approved bills, salaries and wages for her department.

*Public Works, Councilman Craig Dunwell:* Councilman Dunwell stated that the Engineer will report on the many projects throughout the Borough. Councilman Dunwell requested five minutes in executive session for personnel. In closing, Councilman Dunwell approved bills, salaries and wages.

### *Professionals and Officials Reports*

*Attorney, Christopher Troxell:* Attorney Troxell stated a correspondence came into the Court Administrators office regarding the now defunct North Hunterdon Court. Mr. Troxell stated that it was confirmed by the Court Administrator that the Borough was never part of the North Hunterdon Court.

*Engineer, Frank Seney:* Mr. Seney updated Mayor and Council on the projects that are ongoing throughout the Borough. (*Report distributed to Mayor and Council*).

*Recycling Coordinator, Tom Fey:* Mr. Fey stated that his graduation was last Wednesday for his completion and certification of Recycling Coordinator. Mr. Fey stated that he will coordinate with Councilwoman Schwar and Councilman Zikas for a meeting with Waste Management.

Mr. Fey is looking into putting notices on residents doors to those who are not recycling.

Attorney Troxell stated he will look into the recycling ordinance regarding notices to residents who violate the ordinance.

### *Public Comment*

Tim Mellert, North Blvd., asked if there are more grants available for the Safe Routes to School to get more sidewalks installed around the school area.

Tom Fey, East Blvd, asked about the borough website.

Louis Cartabona, 5<sup>th</sup> Ave, stated that there is a couch on East Central Avenue that has been sitting there for a month.

### *Payment of Bills and Claims*

Motion made by Councilwoman Tarsi to have the director's reports part of the minutes, motion seconded by Councilman Dunwell, all were in favor.

Motion made by Councilwoman Tarsi to authorize the CFO to pay bills approved by the directors including additions from Councilman Pfefferle, motion seconded by Councilman Savary. Roll call: Ayes: Dunwell, Pfefferle, Savary, and Tarsi. Nays: none.

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

O. Type: All				Open: N	Paid: N	Void: N	
Range: First to Last				Rcvd: Y	Held: Y	Aprv: N	
Format: Condensed				Bid: Y	State: Y	Other: Y	Exempt: Y
#	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
!-00089	02/24/12	REMINGTO REMINGTON & VERNICK ENGINEERS	2012 Licensed water Op/Super	Open	1,500.00	0.00	
!-00293	05/04/12	CUTNVAC CUT-N-VAC LAWCARE SYSTEMS, INC	Lawn Care Service Contract	Open	1,292.00	0.00	
!-00295	05/04/12	CARRO CHARLES E. CARRO, ESQ	Municipal Prosecutor	Open	216.66	0.00	
!-00297	05/08/12	HEALTH STATE OF NJ HEALTH BENEFITS	State of NJ Health Benefits	Open	8,915.77	0.00	
!-00305	05/14/12	ALBOA ALPHA BOARD OF EDUCATION	2011 School Tax	Open	292,568.10	0.00	
!-00406	06/21/12	REMINGTO REMINGTON & VERNICK ENGINEERS	6/26/12 HELD Fees	Open	4,663.00	0.00	
!-00549	08/22/12	WEST WEST GROUP	drunk driving, motor veh +	Open	530.50	0.00	
!-00560	08/28/12	TANNER TANNER NORTH JERSEY, INC	reception chairs - munic bldg	Open	549.90	0.00	
!-00564	08/30/12	TRACT TRACTOR SUPPLY	Paint Supplies-Public Prop	Open	1,187.83	0.00	
!-00641	09/21/12	DONNE HELD DONNELLEY	State Safety HELD	Open	125.00	0.00	
!-00671	10/04/12	HOME HOME DEPOT/GECF	Saw Blades, Bolts, Nuts, Drill	Open	236.47	0.00	
!-00694	10/16/12	STAP STAPLES BUSINESS ADVANTAGE	Bldg, Admin, Fin, Util, Supplie	Open	109.35	0.00	
!-00695	10/17/12	REMINGTO REMINGTON & VERNICK ENGINEERS	09/2012 Engineer Services	Open	7,404.25	0.00	
!-00696	10/17/12	VANCLE VANCLEEF ENGINEERING ASSOCIATE	Aug/Sept 2012 Engineering Svs	Open	2,043.00	0.00	
!-00697	10/18/12	SEWER MASON, GRIFFIN & PIERSON	Sept 2012-Special Sewer Council	Open	2,765.00	0.00	
!-00698	10/18/12	COUN COUNTY OF WARREN TREASURER	4th Qtr 2012 - County Taxes	Open	334,486.58	0.00	
!-00699	10/18/12	COUNT COUNTY OF WARREN TREASURER'S	4th Qtr 2012 - Open Space	Open	29,528.75	0.00	
!-00700	10/18/12	JCPL JCPL	Electric Bill	Open	6,820.81	0.00	
!-00701	10/18/12	EAS EAS BY ACTION DATA	Payroll Services	Open	44.28	0.00	
!-00702	10/18/12	ACTION ACTION DATA SERVICES	Payroll Services	Open	132.46	0.00	
!-00703	10/18/12	VERIZ VERIZON WIRELESS	Wireless/Cell Bill	Open	115.88	0.00	
!-00704	10/18/12	QC QC, INC.	Water Testing	Open	615.00	0.00	
!-00705	10/18/12	TRICO TRI-CO MUN COURT ADMIN ASSOC	Municipal Court - Budget Trng	Open	14.00	0.00	
!-00706	10/18/12	TRDCF TREASURER, STATE OF NJ	2012 Qtly Mrg Rprt-Jul/Aug/Sep	Open	100.00	0.00	
!-00707	10/18/12	EXPRES EXPRESS-TIMES	Advertising	Open	623.60	0.00	
!-00708	10/18/12	HUNDE HUNTERDON COUNTY DEMOCRAT	Advertising	Open	16.34	0.00	
!-00709	10/18/12	MGL MGL PRINTING SOLUTIONS	1/2013-Homestead Benefit Bills	Open	52.00	0.00	
!-00710	10/18/12	WARREND WARREN DISTRIBUTING CO.	Community Day - Draft Beer	Open	250.75	0.00	
!-00712	10/18/12	COYNE COYNE CHEMICAL ENVIRON SERVICE	Wastewater Treatmt Chemicals	Open	960.00	0.00	
!-00713	10/18/12	ONECA ONE CALL CONCEPTS	Regular Locates	Open	10.76	0.00	
!-00714	10/19/12	POWER POWERCO, INC	Ignition Switch for Backhoe	Open	39.70	0.00	
!-00715	10/19/12	HOME HOME DEPOT/GECF	Nuts, bolts, Garden Hose, Adpt	Open	107.95	0.00	
!-00716	10/19/12	WARRENM WARREN MATERIALS	Black Top & Black Top Tools	Open	253.51	0.00	
!-00717	10/19/12	WARRENM WARREN MATERIALS	Black Top	Open	63.47	0.00	
!-00718	10/19/12	COOPER COOPER POWER SYSTEMS	Alarm-Remote Monitoring (24hr)	Open	436.00	0.00	
!-00719	10/19/12	AQUA AQUA NEW JERSEY	6/28-9/27 Hydrant Rental	Open	62.49	0.00	
!-00720	10/19/12	FASTENAL FASTENAL	Bolts & Nuts - Frace St Pmphse	Open	34.65	0.00	
!-00721	10/19/12	CAPITAL CAPITAL SUPPLY CONSTRUCTION	Capitol Supply-Curb Box Key	Open	77.92	0.00	
!-00723	10/23/12	PAYRO PAYROLL AGENCY ACCT 751561	10/19/12-Payroll-Current Fund	Open	18,783.63	0.00	
!-00725	10/23/12	ELIZGA ELIZABETHTOWN GAS	Elizabethtown-Propane Bill	Open	195.85	0.00	
!-00726	10/23/12	JCPL JCPL	JCP&L - Electric Bills	Open	2,783.45	0.00	
!-00727	10/23/12	EXPRES EXPRESS-TIMES	ExpressTimes- Advertising	Open	1,617.40	0.00	
Total Purchase Orders:		43	Total P.O. Line Items:	138	Total List Amount:	722,334.06	Total Void Amount: 0.00

Executive Session

Motion made by Councilwoman Tarsi to pass the following resolution, motion seconded by Councilman Pfefferle, all were in favor.

## **EXECUTIVE SESSION RESOLUTION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist.

1. The public shall be excluded from discussion(s) of the hereinafter specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is: Personnel, Litigation and/or Contractual,
3. It is anticipated at this time, that the above stated subject matter(s) will be made public when it is no longer a matter of confidentiality.
4. Action may or may not be taken after executive session.

**NOW THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Alpha that the public shall be excluded from an executive session for approximately for 45 minutes, allowing for a five (5) minute recess between the regular session and the executive session.

### *Return to Regular Session*

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

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

### **RESOLUTION 2012-141 RESOLUTION AWARDING LEASE OF BOROUGH PROPERTY FOR COMMERCIAL ADVERTISING TO ADAMS OUTDOOR ADVERTISING**

**WHEREAS**, the Borough of Alpha has determined that a certain portion of land about 50 feet by 50 feet near Interstate Highway 78 within real property known as Block 99, lot 2 of the Borough of Alpha is not needed for public purposes; and

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

**WHEREAS**, the Mayor and Council of the Borough of Alpha have openly and publicly bid such lease, pursuant to New Jersey law; and

**WHEREAS**, the Borough of Alpha has received the only and highest bid from Adams Outdoor Advertising for a five year period as advertised.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, that the said lease for a portion (about 50 feet by 50 feet) of said real property to be used solely for a commercial billboard advertising is hereby awarded to Adams Outdoor Advertising with their having bid \$27,400.00 per year for a five-year term (\$137,000.00 in total over the five-year period), subject to the same or existing terms of the present lease and to any and all deed restrictions and covenants of record; and

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

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

**RESOLUTION 2012-142  
A RESOLUTION AUTHORIZING THE  
HIRING OF SPECIAL ACCOUNTANT**

**WHEREAS**, the Council of the Borough of Alpha deems the hiring of a special accountant or auditor to represent the Borough in a certain investigatory capacity for the Borough; and

**WHEREAS**, the services of special accountant would be exempted from public bidding, this retainer is awarded without competitive bidding as a “Professional Service” under provisions of the Local Public Contracts Law as provided by NJSA 40A:11-5 because it requires service performed by a person authorized to practice a recognized profession.

**NOW THEREFORE BE IT RESOLVED**, by the Council of the Borough of Alpha that the firm of Bedard, Kurowicki and Co., Certified Public Accountants, be hired or retained as special accountant for the Borough of Alpha at a range of \$80.00-\$250.00 per hour, not to exceed \$5,000.00 upon certification of funds by the CFO, and subject to proper documentation being provided by Bedard, Kurowicki and Co., to the Clerk.

**BE IT FURTHER RESOLVED**, that Councilman Pfefferle and the Clerk are hereby authorized to execute the contract and any related documents.

*Adjourn*

There being no further business to come before Council at this time, on motion made by Councilwoman Tarsi and seconded by Councilman Pfefferle, this meeting adjourned at 9:40 p.m.

Respectfully submitted,

*Laurie A. Barton, RMC*