

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, December 27, 2011.

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

NOTICE

Pursuant to the provisions of the Open Public Meetings Act, adequate notice of this meeting has been given. On January 5, 2011, the Municipal Clerk delivered to the Star Gazette and posted on the bulletin board in the Municipal Clerk's office a notice containing the date, time, and place of this meeting of the Borough Council. Also said notice has been mailed to persons requesting the same.

Mayor Hanics led prayer and the salute to the flag.

Roll Call: Present: Councilman Dunwell, Councilman Gara, Councilman Pfeifferle, Councilman Savary, Councilwoman Tarsi and Councilman Zikas. Also present Borough Attorney, Christopher Troxell, Deputy Borough Clerk, Christy Vishnesky, and Borough Engineer, Stanley Schrek.

Public Comment:

Tim Mellert, at 742 North Boulevard, discussed community upset regarding the police department. Mr. Mellert expressed his concern about safety for the school children due to the way they cross the street at Schley Avenue. Mayor Hanics suggested an additional crossing guard and Engineer, Stanley Schrek, gave an update regarding the grant application for the Safe Routes to School Program. Lengthy discussions ensued regarding the issues Mr. Mellert presented. Also discussed was snow shoveling of sidewalks for the elderly in the Borough and community concern about the possibility of Greenwich Township coming into the Borough.

Ordinances: None.

Resolutions:

Councilwoman Tarsi made a motion to approve the following resolution:

**RESOLUTION 2011-102
UTILITY FUND PARTIAL CANCELATION OF
EMERGENCY RESOLUTION - NJS 40A:4-48**

WHEREAS, an emergency had arisen with respect to flooding and water infiltration into the sanitary sewer system and, no adequate provision was made in the 2011 Utility budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$77,000 and three (3) percent of the total operating appropriations in the budget for 2011 is \$88,463 and

WHEREAS, the previously estimated financial need provided for through the emergency resolution was in excess of the final need by a total of \$30,000,

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Alpha hereby authorize the CFO to cancel the unnecessary portion of the emergency in the amount of \$30,000 and also

1. The emergency appropriation made for Utility Other Expenses in the original amount of \$77,000 is hereby reduced to \$47,000 via cancelation of \$30,000,
2. That said amended emergency appropriation of \$47,000 shall be provided for in full in the 2012 budget, and shall be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1) and prior approval
3. The municipal clerk shall file two (2) certified copies of this resolution with the Director of the Division of Local Government Services

Councilman Pfefferle seconded the motion. *Roll Call*; Ayes; Councilman Dunwell, Councilman Gara, Councilman Pfefferle, Councilman Savary, Councilwoman Tarsi and Councilman Zikas. Nays; None.

Councilwoman Tarsi made a motion to approve the following resolution:

**RESOLUTION 2011-103
RESOLUTION OF THE BOROUGH OF ALPHA
AUTHORIZATION NJDOT GRANT SUBMISSION
AND CONTRACT EXECUTION**

WHEREAS, the borough of Alpha Governing Body hereby approves to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Safe Routes to School.

NOW THEREFORE BE IT RESOLVED, that the Council of the Borough of Alpha formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor, Engineer and Clerk are hereby authorized to submit and electronic grant application to the New Jersey Department of Transportation on behalf of the Borough of Alpha.

BE IT FURTHER RESOLVED, that the Mayor, Engineer and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Alpha and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Discussions ensued regarding this resolution including how it pertains to the safety issues previously discussed in Public Comment. Councilman Pfefferle seconded the motion. *Roll Call*; Ayes; Councilman Dunwell, Councilman Gara, Councilman Pfefferle, Councilman Savary, Councilwoman Tarsi and Councilman Zikas. Nays; None.

Councilwoman Tarsi presented information regarding her suggestion that we renew our membership agreement with the Public Alliance Insurance Coverage Fund.

Councilwoman Tarsi made a motion to approve the following resolution:

**RESOLUTION 2011-104
PUBLIC ALLIANCE INSURANCE COVERAGE FUND
RESOLUTION FOR RENEWAL OF MEMBERSHIP**

WHEREAS, the Borough of Alpha, hereafter referred to as “**Public Entity**,” is a member of the Public Alliance Insurance coverage Fund, herinafter referred to as “**Fund**,” and

WHEREAS, said renewal membership terminates as of January 1, 2012 at 12:01 a.m. eastern standard time, unless earlier renewed by agreement between the **Public Entity** and the **Fund**; and

WHEREAS, the **Public Entity** is afforded the following types of coverages (as indicated by and “x”):

- Worker’s Compensation
- Package (property, boiler, & machinery, crime, auto, & general liability, including Police Professional)
- Excess Liability
- Auto & General Liability (including Police Professional)
- Public Officials Liability
- Environmental Impairment Liability

WHEREAS, the **Public Entity** desires to renew said membership.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The **Public Entity** agrees to renew its membership in the Fund for a period of three years beginning January 1, 2012, and ending January 1, 2014 at 12:01 a.m. eastern standard time, and to be subject to the coverages, operating procedures, bylaws, and other organizational and operational documents of the **Fund** presently existing or as from time to time amended by the Fund and/or the Department of Banking and Insurance.
2. The **Public Entity** agrees that as a member of the Public Alliance Insurance Coverage fund the Public Entity must purchase all types of coverages offered by the Fund which are applicable to the **Public Entity**.
3. The **Public Entity** hereby appoints Klara Tarsi as the **Public Entity’s** Fund Commissioner and is authorized to execute the renewal Indemnity and Trust Agreement thereby evidencing annexed hereto and made a part hereof and to deliver same to the **Fund** the **Public Entity’s** renewal of its membership.

Councilman Dunwell seconded the motion. *Roll Call*; Ayes; Councilman Dunwell, Councilman Gara, Councilman Pfefferle, Councilman Savary, Councilwoman Tarsi and Councilman Zikas. Nays; None.

Councilwoman Tarsi made a motion to approve the following resolution:

**RESOLUTION 2011-105
RISK MANAGEMENT CONSULTANT**

WHEREAS, the Borough of Alpha, has resolved to joint the Public Alliance Insurance coverage Fund (“PAIC”) following a detailed analysis; and

WHEREAS, the Bylaws of PAIC require that each entity designate a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk management Plan; and

WHEREAS, the Bylaws indicate that PAIC shall pay each Risk Management Consultant a fee to be established annually by the Executive Committee;

NOW THEREFORE, BE IT RESOLVED that the Borough of Alpha does hereby appoint Charter Partners USA, Inc. as its Risk Management Consultant in accordance with the Fund’s Bylaws.

Councilman Pfefferle seconded the motion. *Roll Call*; Ayes; Councilman Dunwell, Councilman Gara, Councilman Pfefferle, Councilman Savary, Councilwoman Tarsi and Councilman Zikas. Nays; None.

Councilwoman Tarsi made a motion that the Mayor be authorized to sign the agreement with the Public Alliance Insurance Fund. Councilman Dunwell seconded the motion. *Roll Call*; Ayes; Councilman Dunwell, Councilman Gara, Councilman Pfefferle, Councilman Savary, Councilwoman Tarsi and Councilman Zikas. Nays; None.

Approval of Minutes:

Councilman Zikas made a motion to approve the following regular meeting minutes:

- **10/25/2011, 11/10/2011, & 11/22/2011**

Councilwoman Tarsi seconded the motion. *Roll Call*; Ayes; Councilman Dunwell, Councilman Gara, Councilman Pfefferle, Councilman Savary, Councilwoman Tarsi and Councilman Zikas. Nays; None.

Councilman Zikas made a motion to approve the following executive session meeting minutes:

- **11/10/2011, 11/22/2011, & 12/13/2011**

Councilwoman Tarsi seconded the motion. *Roll Call*; Ayes; Councilman Dunwell, Councilman Gara, Councilman Pfefferle, Councilman Savary, Councilwoman Tarsi and Councilman Zikas. Nays; None.

Department Reports:

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

Finance, Councilman Pfefferle: No report. Councilman Pfefferle approved all bills, salaries, and wages for his department and requested twenty minutes in executive session for personnel/shared services.

Health & Welfare, Councilman Zikas: No report. Councilman Zikas approved all bills, salaries, and wages for his department.

Public Property, Councilman Savary: Councilman Savary discussed an issue with the lighting at the field house and stated he has calls out for repairs. Discussions ensued regarding the safety and repair of the lights. Mr. Savary gave an update regarding additional costs to repair the air conditioning unit at the Municipal Building, stating it would be an additional \$1500 not to exceed \$2000 for a hood extension that will be required. Mr. Savary approved all bills, salaries, and wages for his department.

Public Safety, Councilman Gara: No report. Councilman Gara approved all bills, salaries, and wages for his department.

Public Works, Councilwoman Tarsi: Councilwoman Tarsi had no report as there was no contact with the DPW Supervisor during his vacation. Mrs. Tarsi approved all bills, salaries, and wages for her department. Councilman Savary asked about lids for the manhole covers and discussions ensued regarding obtaining these lids from other municipalities.

Committee Reports: None.

Professionals & Officials Reports:

Mayor, Ed Hanics, Jr.: Mayor Hanics reported about a phone call he received from a contractor (who did not leave their name or telephone number) in the Borough, who was concerned about receiving a ticket because he has no where to put his vehicles during snow plowing. Discussions ensued regarding possible solutions for residents who have no where to move their vehicles during snow plowing and updating ordinances that pertain to snow plowing.

Police Department, Chief Paul J. Hager: Councilman Gara stated Chief Hager was attending another meeting at this time but left no report for his department.

Fire Department: Absent, no report.

Emergency Squad: Absent, no report.

Attorney, Christopher Troxell: No report

Engineer, Stanley Schrek: Mr. Schrek discussed an upcoming meeting for well drilling, the leak detection reports, and other various projects ongoing in the Borough. Mr. Schrek announced the Highlands meeting is rescheduled for January 4th, 2012 at 10am at the Chester office. Also discussed, in length, were the Safe Routes to School project, water pressure, water leaks, water towers, and the water system in the Borough. Councilman Dunwell discussed possible updates to the ordinance regarding back-billing of water customers and technical items regarding leakage/pressure control in the water system. Councilman Dunwell suggested a ribbon cutting at the start of the new water plant to kick off a 75th Anniversary of the Alpha water system be incorporated with Community Day in July of 2012.

CFO, Lorraine Rossetti: Absent, no report.

Municipal Clerk, Laurie Barton: Deputy Clerk, Christy Vishnesky stated there was no report for the Clerk.

Recycling Coordinator, Tom Fey: Mr. Fey reported that he has four more classes in January and, once complete, the certificate will be good for ten years. Councilwoman Tarsi stated that, as per her resignation from the Solid Waste Advisory Council, she recommends the Borough appoint Tom Fey for this position for 2012. Motion will be made at the Reorganization Meeting.

Public Comment: None.

Payment of Bills and Claims:

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

Councilwoman Tarsi made a motion that the CFO be authorized to pay all bills, including the added items, authorized by the director. Councilman Gara seconded the motion. Ayes: Dunwell, Gara, Pfefferle, Savary, Tarsi and Zikas. Nays: none.

Motion made by Councilman Gara that the CFO be authorized to pay all salaries and wages approved by directors seconded by Councilman Zikas. Ayes: Dunwell, Gara, Pfefferle, Savary, Tarsi and Zikas. Nays: none.

12/22/11
10:46:51

BOROUGH OF ALPHA
Bill List By P.O. Number

Page No: 1

P.O. Type: All
Range: 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
11-00143	03/14/11	SCHINDLE FRED SCHINDLER, LICENSED OPER	Licensed Water Operator servic	Open	2,000.00	0.00	
11-00289	05/13/11	MGL MGL PRINTING SOLUTIONS	2012 cat & dog tags	Open	327.00	0.00	
11-00320	05/25/11	FREY ENG FREY ENGINEERING, LLC	2011 Sewer Operator Fee	Open	200.87	0.00	
11-00348	06/02/11	VERI DSL VERIZON ONLINE	2011 DSL Internet Serv Sep-Dec	Open	91.99	0.00	
11-00349	06/02/11	VITAL VITAL COMMUNICATIONS, INC	2011 MODIV/CAMA Assess May-Dec	Open	100.00	0.00	
11-00350	06/02/11	WASTE WASTE MANAGEMENT OF NJ	2011 Garbag Collec/Tip Jul-Dec	Open	15,765.00	0.00	
11-00440	07/11/11	CARRO CHARLES E. CARRO, ESQ	Municipal Prosecutor Services	Open	216.66	0.00	
11-00498	08/05/11	RINGO MARYBETH RINGO	2011 SWA Coordinator stipend	Open	340.80	0.00	
11-00728	11/30/11	KUTZMAN KUTZMAN BROTHERS	repair rotor, calipers & start	Open	770.50	0.00	
11-00730	11/30/11	ONECA ONE CALL CONCEPTS	October 2011 locates	Open	11.46	0.00	
11-00760	12/05/11	SLC SLC METER EAST INC.	meters for Linde, 1-2" + 1-1"	Open	2,155.00	0.00	
11-00772	12/12/11	BAER BAER AGGREGATES, INC.	3/4" stone for wat/sew repairs	Open	538.60	0.00	
11-00773	12/12/11	JIORL JIORLE'S OFFICE SUPPLIES	Schwar & Zikas name plates	Open	49.90	0.00	
11-00776	12/12/11	STORR STORR TRACTOR CO.	Nov repair hyd lines in tract	Open	1,034.65	0.00	
11-00781	12/16/11	STAP STAPLES BUSINESS ADVANTAGE	clerk office supply 7080628994	Open	642.50	0.00	
11-00784	12/19/11	ROSSE LORRAINE ROSSETTI	CFO mileage-seminar & banking	Open	52.07	0.00	
11-00787	12/20/11	RINGO MARYBETH RINGO	advertising SWA & Senior engag	Open	579.93	0.00	
11-00788	12/20/11	DEGAN KATHY DEGAN	reimburse for seminar & dues	Open	150.00	0.00	
11-00794	12/20/11	STAP STAPLES BUSINESS ADVANTAGE	tax collector supplies-binders	Open	90.28	0.00	
11-00795	12/20/11	JCPL JCP&L	12/5-12/13 elec & st light bil	Open	3,426.01	0.00	
11-00796	12/20/11	COYNE COYNE CHEMICAL ENVIRON SERVICE	12/6 ferrous chloride 870181	Open	1,031.10	0.00	
11-00797	12/20/11	VERIZ VERIZON WIRELESS	12/5-1/4 municipal cell phones	Open	310.19	0.00	
11-00798	12/20/11	CINTAS CINTAS CORPORATION LOC 101	rug rental increase-14 periods	Open	68.60	0.00	
11-00799	12/20/11	PAYRO PAYROLL AGENCY ACCT 751561	12/16 utility Fund Payroll	Open	9,024.40	0.00	
11-00800	12/20/11	PAYRO PAYROLL AGENCY ACCT 751561	12/30 utility Fund Payroll	Open	6,370.70	0.00	
11-00801	12/20/11	PAYRO PAYROLL AGENCY ACCT 751561	12/16 Current Fund Payroll	Open	18,389.78	0.00	
11-00802	12/20/11	PAYRO PAYROLL AGENCY ACCT 751561	12/30 Current Fund Payroll	Open	12,945.50	0.00	
11-00803	12/20/11	QC QC, INC.	11/29 Bacteria/Hard/ph 1365221	Open	110.00	0.00	
11-00804	12/20/11	LSI LINE SYSTEMS, INC	December local & long distance	Open	587.03	0.00	
11-00805	12/22/11	ELIZGA ELIZABETHTOWN GAS	11/10-12/12 gas heat	Open	953.25	0.00	
11-00806	12/22/11	ACTION ACTION DATA SERVICES	12/16 payroll service 8883	Open	123.96	0.00	
11-00807	12/22/11	EAS EAS BY ACTION DATA	12/19 payroll agency 8884	Open	74.28	0.00	
11-00808	12/22/11	WILHELM WINEGAR,WILHELM,GLYNN & ROEMER	12/19 Public Defender-Rodgers	Open	150.00	0.00	
11-00809	12/22/11	PACONT PA CONTRACTORS	Safe Routes-sidewalk/driveway	Open	15,335.04	0.00	
Total Purchase Orders: 34 Total P.O. Line Items: 98 Total List Amount:				94,017.05	Total Void Amount:	0.00	

Councilwoman Tarsi reported that she visited Pohatcong Township where she researched budgetary items regarding the Police Department. Based upon her findings, she made a motion to approve the following resolution to show good faith to Pohatcong Township that the Borough intends to renew the police shared services agreement for four more years:

RESOLUTION 2011-106
APPROVING AN AMENDMENT TO THE
INTERLOCAL SERVICES AGREEMENT WITH THE
TOWNSHIP OF POHATCONG FOR THE PROVISION
OF POLICE COVERAGE AND PROTECTION

WHEREAS, the Township of Pohatcong and the Borough of Alpha entered into an Interlocal Services Agreement dated June 14, 2004 pursuant to which the Township commenced providing full time police coverage and protection to the Borough on January 1, 2006 in return for annual compensation; and

WHEREAS, due to the continuing adverse economic climate and the implementation of the Municipal Levy Cap Legislation, N.J.S.A 40A:4-45.44, et seq., the Township and the Borough have determined that it is in the best interest of their respective citizens to amend the existing Interlocal Services Agreement in order to implement a compensation freeze for 2012, effectuate about 2% annual increases thereafter, and provide for the (2) year extension of the Agreement in conjunction with revising the early termination requirements.

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Alpha, County of Warren, and State of New Jersey, that the June 14, 2005 Interlocal Services Agreement be and hereby is amended in accordance with the terms set forth in the Amendment to Interlocal Services Agreement attached hereto as **Exhibit A**, the terms and conditions of which are incorporated herein by reference.

BE IT FURTHER RESOLVED that, upon the adoption of a reciprocal Resolution by the Township of Pohatcong, Mayor and Clerk be and hereby are authorized to execute and deliver the Amendment on behalf of the Borough of Alpha.

Councilman Gara seconded the motion. Lengthy discussions ensued regarding whether or not the resolution should be presented before the governing body has a chance to discuss the issue privately. Attorney Troxell recommended an executive session for fifteen minutes for contractual to discuss the resolution before approval. Councilwoman Tarsi rescinded the motion and Councilman Gara seconded the motion to rescind. Further discussions ensued with how to proceed regarding the shared services of the Police Department.

Executive Session: Thirty-five minutes:

Councilman Gara made a motion to approve the following resolution to go into executive session for thirty-five minutes for contractual and personnel:

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 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.

Councilman Zikas seconded the motion. All were in favor.

Return to Regular Session:

Councilwoman Tarsi made a motion to return to regular session and Councilman Dunwell seconded the motion. All were in favor.

Councilwoman Tarsi made a motion to approve the following resolution:

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NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Alpha, County of Warren, and State of New Jersey, that the June 14, 2005 Interlocal Services Agreement be and hereby is amended in accordance with the terms set forth in the Amendment to Interlocal Services Agreement attached hereto as **Exhibit A**, the terms and conditions of which are incorporated herein by reference.

BE IT FURTHER RESOLVED that, upon the adoption of a reciprocal Resolution by the Township of Pohatcong, Mayor and Clerk be and hereby are authorized to execute and deliver the Amendment on behalf of the Borough of Alpha.

Councilman Gara seconded the motion. *Roll Call:* Ayes; Mr. Gara, Mrs. Tarsi, Mr. Zikas. Nays; Mr. Pfefferle and Mr. Savary. Abstained; Mr. Dunwell. **The resolution failed to pass.**

Councilwoman Tarsi made a motion that the Shared Services Committee move forward with discussions regarding the shared services of the Police Department.

Discussions ensued regarding shared services and reorganization packets. **The motion died.**

Councilman Savary asked about AYAA with regards to payment of bills and insurance coverage. Discussions ensued. Councilwoman Tarsi made a motion that the unpaid bills (\$173.66 for fire equipment and \$614 for Charter Partners) be paid out of O&E from Recreation. Councilman Savary seconded the motion. *Roll Call:* Ayes; Mr. Savary and Mrs. Tarsi. Nays; Mr. Dunwell, Mr. Gara, Mr. Pfefferle, and Mr. Zikas. **The motion failed to pass.**

Old Business:

Councilman Gara thanked the Borough of Alpha for the pleasurable past nine years he has served with them.

Adjourn :9:27pm

Seeing no further business to come before Mayor and Council, Councilman Zikas made a motion to adjourn. Councilman Pfefferle seconded the motion and all were in favor.

Respectfully submitted,

Christy Vishnesky, Deputy Clerk