

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, March 26, 2013.

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

NOTICE

Pursuant to the provisions of the Open Public Meetings Act, adequate notice of this meeting has been given. On January 3, 2013, 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 Cartabona, Councilman Dunwell, Councilman Savary, Councilwoman Schwar, Councilman Schwar, and Councilman Zikas. Also present Deputy Borough Clerk, Christy Vishnesky, Engineer Frank Seney, Jr., and Attorney Christopher Troxell.

Public Comment

Jessica Hanics from 1135 Schley Avenue, speaking on behalf of the Alpha Volunteer Fire Company, reported about the Egg Hunt on the previous Saturday with regards to the budget and receipts. She thanked Klara Tarsi for making possible discounts for prizes and candy. She stated 150 children turned out for it, she is looking forward to next year, and forwarded the billing paper work for the event to the CFO.

Councilman Cartabona discussed the pictures of the Egg Hunt that were on the Lehigh Valley Live website and posted in the Express-Times.

Bid Openings

The following bids were received and read by the Borough Attorney for Lawn Care Services:

- *Total Lawncare and Landscaping Services, LLC – Somerset, NJ*
1 year \$16,985 – 3 year \$47,955
- *Cut n Vac Lawncare Systems – Bethlehem, PA*
1 year \$18,200 – 3 year \$51,600
- *Cedar Ridge Lawn Maintenance, LLC – Hampton, NJ*
1 year \$13,050 – 3 year \$39,150

The Borough Attorney returned the bids to the Deputy Clerk after opening and reading. Councilman Savary made a motion to accept the bids pending attorney review, Councilwoman Schwar seconded. Roll call; Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar, and Zikas. Nays; none.

Ordinance

Motion made by Councilman Cartabona to introduce the following ordinance. Motion seconded by Councilman Dunwell. Roll call; Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar, and Zikas. Nays; none.

**ORDINANCE 2013-5
ORDINANCE TO EXCEED THE 2013 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough of the Alpha in the County of Warren, finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough of Alpha hereby determines that a 3.5 % increase in the budget for said year, amounting to \$47,876.36 in total, which is \$20,518.44 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council of the Borough of Alpha hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Alpha, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Borough of Alpha shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$47,876.36, and that the CY 2013 municipal budget for the Borough of Alpha be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed by the Clerk with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed by the Clerk with said Director within 5 days after such adoption.

Second reading was scheduled for April 23rd, 2013. Roll call; Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar, and Zikas. Nays; none.

Councilman Cartabona made a motion to introduce the following ordinance, Councilman Dunwell seconded. Roll call; Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar, and Zikas. Nays; none.

:

ORDINANCE 2013-06

BOND ORDINANCE AUTHORIZING IMPROVEMENTS TO WATER SYSTEM AND INFRASTRUCTURE AND APPROPRIATING \$1,500,000.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$1,490,000.00 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED, by the Borough Council of the Borough of Alpha, in the County of Warren, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

SECTION 1:

The purchase described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Borough of Alpha, New Jersey (the "Borough"). For said improvement (the "Improvement") there is hereby appropriated the amount of \$1,500,000.00, of which \$10,000 is now available by virtue of provision in one or more previously adopted budgets for down payment or capital improvements in the account Water/Sewer Capital Improvement Fund. Said appropriation shall serve as the down payment though not required as a self liquidating utility by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law").

SECTION 2

In order to finance the additional cost of the Improvement not covered by the above appropriation, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount not to exceed \$1,490,000.00 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not to exceed \$1,490,000.00 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3

(a) The improvement authorized is entitled Water System and Infrastructure Improvements and includes but is not limited to the upgrading of machinery, equipment and facilities for the Water Utility.

(b) The estimated cost of the improvement is \$1,500,000.00.

(c) The estimated maximum amount of bonds to be issued is not to exceed \$1,490,000.00

(d) The period of usefulness is, in accordance with N.J.S.A.40A:2-22 is 30 years.

SECTION 4

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Certified Finance Officer of the Borough (the "CFO"); provided that no Note shall mature later than one year from its date.

The Notes shall bear interest at such rate or rates and be in such form as may be determined by the CFO.

The CFO shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the CFO upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The CFO is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The CFO is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made.

Such report must include the amount, the description, the interest rate, the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

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

SECTION 6:

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

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

(b) An aggregate amount not exceeding \$350,000.00 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimate cost of the Improvements, as indicated herein.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed electronically in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$1,490,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

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

SECTION 7:

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

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance.

The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount in addition to user fees for water and sewer consumers.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonable expects to pay expenditures with respect to the Improvements prior to the date the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$1,490,000.00.

SECTION 10:

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

NOTICE IS HEREBY GIVEN, that the above entitled ordinance was approved on first reading at a meeting of the Governing Body of the Borough of Alpha held on March 26, 2013 at the Alpha Borough Municipal Building on East Blvd., and that public hearing concerning same will be held at a regular meeting of the Mayor and Council on April 23, 2013 at 7:00 p.m. at the Alpha Borough Municipal Building at which time all persons both for and against shall be given the opportunity to be heard concerning the same.

Councilman Dunwell gave an explanation for the purpose of the ordinance and second reading was scheduled for April 23rd, 2013.

Resolutions

Motion made by Councilwoman Schwar to approve the following resolution, seconded by Councilman Cartabona. Roll call; Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

RESOLUTION 2013-57

**A RESOLUTION AUTHORIZING THE
TRANSFER OF CURRENT FUND APPROPRIATIONS**

WHEREAS, N.J.S.A. 40A:4-58 provides for the transfer of excess appropriations by no less than 2/3 vote of full membership of the governing body during the last two months of the fiscal year and first three months of the next fiscal year; and

WHEREAS, the Chief Financial Officer has determined that excess appropriations exist in some accounts and there is need for supplemental appropriations in other accounts in the Year 2012 Current Fund Budget,

NOW THEREFORE BE IT RESOLVED, by Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey, that the following appropriation transfers are hereby approved effective 12/31/2012:

<u>Transfer From:</u>	<u>Transfer To:</u>	<u>Amount</u>
Group Insurance (23-220-201)	Social Security (36-472-201)	\$2,700.00

An explanation regarding the purpose of this resolution was given stating a bid was received outside of the budget.

Motion made by Councilman Dunwell to approve the following resolution, seconded by Councilwoman Schwar. Roll call; Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

**RESOLUTION 2013-60
NOTICE TO BIDDERS
PIPING AND VALVE UPGRADES
AT THE FRACE WATER TREATMENT PLANT
FOR THE BOROUGH OF ALPHA**

RE-ADVERTISEMENT

WHEREAS, the Borough of Alpha will be required to publicly bid for the project herein named as the Piping and Valve Upgrades at the Frace Water Treatment Plant for the Borough of Alpha in the Borough of Alpha, Warren County, New Jersey; and

WHEREAS, the Borough has and hereby does authorize such advertising for bids for such purpose; and

WHEREAS, it is in the best interest of the Borough to do so pursuant to law.

NOW THEREFORE BE IT RESOLVED by the Common Council of the Borough of Alpha that the following notice is advertised:

NOTICE TO BIDDERS

PUBLIC NOTICE IS HEREBY GIVEN that sealed bids will be received by the Borough of Alpha for the Piping and Valve Upgrades at the Frace Water Treatment Plant for the Borough of Alpha in the Borough of Alpha, Warren County, New Jersey.

Bid forms, contracts and specifications are on file at the office of Remington & Vernick Engineers, 232 Kings Highway East, Haddonfield, New Jersey 08033. Bid Specifications will also be on file in the Clerk's office, 1001 East Blvd., Alpha, NJ 08865 for viewing purposes only.

Said Bids will be received, opened and read aloud in public at the Alpha Borough Municipal Building, 1001 **Wednesday April 17, 2013 at 1:30 PM prevailing time.**

Copies of the bid forms, contracts and specifications may be obtained from said Remington & Vernick Engineers, by prospective bidders upon request, upon payment of the sum of \$75.00 for each set.

PAYMENT MUST BE RECEIVED PRIOR TO OBTAINING SAID SPECIFICATIONS, EITHER BY MAIL OR IN PERSON.

NO BIDS ARE TO BE DROPPED OFF AT THE ENGINEER'S OFFICE.

The Borough of Alpha reserves the right to consider the bids for sixty (60) days after the receipt thereof, and further reserves the right to reject any or all bids, either in whole or in part and also to waive any informality in any and make such awards or take action as may be in the best interest of the Borough of Alpha.

Bids must be on the bid form prepared by Remington & Vernick Engineers, in the manner designated therein and required by the specifications, must be enclosed in sealed envelopes bearing the name and address of the bidder on the outside and also bearing on the outside reference to the particular work bid upon. Said bids shall be addressed to Borough of Alpha, Municipal Building, 1001 East Boulevard, Alpha, New Jersey, 08865, Attention: - Laurie Barton, Clerk.

Each bid shall be accompanied by a certified check, cashier's check or bid bond duly executed by the bidder as principal and having as surety thereon a surety company approved by the Borough of Alpha in an amount not less than ten percent (10%) but in no case in excess of \$20,000.00 of the amount bid. Any such bid bond shall be without endorsement or conditions. Bid shall also be accompanied by a certificate letter from a surety company stating that it will provide the bidder with the completion bond.

The award of the contract shall be made subject to the necessary moneys to do the work being provided by the Borough of Alpha in a lawful manner. The contract to be executed by the successful bidder will provide that it shall not become effective until the necessary moneys to do the work have been provided by the Borough of Alpha in a lawful manner. The award shall further be subjected to the securing of necessary State, Federal or Local permits governing the work.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et. seq., N.J.A.C. 17:27 (Affirmative Action), P.L. 1963. C150 (New Jersey Prevailing Wage Act), and Americans with Disabilities Act of 1990 (42 U.S.C. 12101, et.seq.).

The contractor is further notified that he must comply with P.L. 1977, c. 33, and submit a Disclosure Statement listing stockholders with his bid.

The contractor is further notified that he must comply with P.L. 1999 c.238 Public Works Contractor Registration Act and he and any subcontractors must be registered in accordance with the act.

The contractor is also further notified that he must comply with P.L. 2004 c. 57 and submit proof of business registration and submit proof of business registration for any named subcontractors in accordance with the act.

By Order of the
Borough of Alpha, Warren County, New Jersey

Dated: **April 4, 2013**

Councilman Cartabona inquired about the availability of a bid packet for viewing at the Clerk's office and discussions ensued.

Approval of Minutes

Councilman Zikas made a motion to approve the regular meeting minutes from 1/22/13, Councilman Schwar seconded, all were in favor.

Councilman Zikas made a motion to approve and hold the following executive session minutes, Councilwoman Schwar seconded. Roll call; Ayes: Cartabona, Savary, C. Schwar, and Zikas. Nays; none. Abstain; Dunwell & M. Schwar. :

- 2012: 07/10/12, 08/14/12, 09/11/12, 09/25/12, 10/09/12, 10/23/12, & 12/11/12
- 2013: 02/26/13 & 03/12/13

Department Reports

Administration, Councilwoman Carol Schwar: Councilwoman Schwar discussed the site at Eagle Village with regards to the construction official's recommendation for additional fencing, especially around the recycling area. Councilwoman Schwar discussed code complaints that the code enforcement officer is working on, updates made to the borough website, and updating the voicemail system. Councilwoman Schwar requested a list of mercantile licenses for the purpose of identifying places that may not yet be licensed. Councilwoman Schwar requested ten minutes in executive session for contractual regarding the pool and five minutes in executive session for personnel regarding the DPW. In closing, Councilwoman Schwar stated she is looking at the first week in April for the deadline for newsletter submissions and approved all bills, salaries, and wages for her department.

Finance, Councilman Michael Schwar: Councilman Schwar gave a reminder that the Budget meeting is being held on 3/27/13 at 6:30pm. Councilman Schwar stated that as of 3/15/13 all funds are closed and the auditors were in to start the closing process last week. Councilman Schwar gave a report of the items affecting the 2012 budget and a breakdown of how taxpayers' monies are disbursed among school, county, and municipality. Councilman Schwar requested five minutes in executive session for contractual and five minutes in executive session for personnel regarding the code book. In closing, Councilman Schwar approved all bills, salaries, and wages for his department.

Health and Welfare, Councilman Harry Zikas Jr.: No report. Councilman Zikas held bill #13-00128 for Lopatcong Township School for SWMA. Councilman Zikas approved all bills, salaries, and wages for his department except for Waste Management for which a meeting is being held 3/27/13 at 1pm.

Public Property, Michael Savary: No report. Councilman Savary reported the Lee Avenue Pedestrian Bridge is now down and requested ten minutes in executive session for potential litigation. Councilman Savary approved all bills, salaries, and wages for his department.

Public Safety, Councilman Louis Cartabona: Councilman Cartabona read the panic button test report and stated Cooper will be retesting the system again in June. Councilman Cartabona gave an update regarding the driveway at the intersection of Schley & W. Vulcanite Avenue and that the property owner there will work with the Borough on getting a sign. Councilman Cartabona discussed the Phillipsburg Police Department's support for the Egg Hunt Event, the couch being dumped on Industrial Drive, security issues at the Salt Shed, and the incident of a missing child last week. Councilman Cartabona approved all bills, salaries, and wages for his department. In closing, Councilman Cartabona requested an executive session of five minutes for contractual for the firehouse and five minutes in executive session for contractual/personnel regarding signs.

Public Works, Councilman Craig Dunwell: Councilman Dunwell inquired about discussing the bid openings to award tonight after attorney review and Councilman Savary requested ten minutes in executive session for contractual regarding the bids. Councilman Dunwell reported on the sewer jetting, sinkhole activity at Park & North, paving projects that the county will be doing in the next five years, and the buried manholes on Springtown & Lee. Discussions ensued regarding whether or not the county should repair the buried manholes and the item was referred to the engineer. Councilman Dunwell addressed the issue of complaints about phone calls received through the Code Red system about the Egg Hunt Event and the item was referred to OEM Coordinator Hunter Stagg for his report. Councilman Dunwell approved all bills, salaries, and wages for his department. Councilman Savary inquired about zoning with regards to asphalt plants and reintroducing the ordinance (with required changes) that would exclude them. Councilman Schwar requested five minutes in executive session for personnel for review and discussion of Resolution 2013-61 and Councilman Dunwell stated he would like to discuss it in public. Councilman Dunwell requested ten minutes in executive session for potential litigation and personnel regarding medical insurance.

Councilman Dunwell gave an explanation of Resolution 2013-61 in which he requests reimbursement for legal fees incurred for charges brought against him by a resident while he was

in the course of distributing notifications door-to-door for an upcoming water shut-off. The charges were later dismissed in court. Attorney Troxell offered information regarding the legal aspects of the resolution.

Councilwoman Schwar inquired whether or not the borough can bill the resident for reimbursement and Attorney Troxell responded no.

Committee Reports

Website-Councilman Cartabona offered praise regarding the updates made to the borough website.

Newsletter-Councilwoman Schwar stated she has not set an official deadline for submissions to be included in the upcoming Spring newsletter but is looking to have it delivered at the end of April.

Water/Sewer-Councilman Dunwell indicated the committee is working on potential litigation with the borough attorney.

Professionals & Officials Report

Fire Department, Charles Bodogh: Chief Bodogh gave the fire call reports for the month of February, discussed the Egg Hunt Event, and announced that the 29th would be the last fish dinner. He stated that spaghetti dinners will begin in May. Councilman Cartabona offered praise regarding the great job the firehouse does with the dinners.

OEM, Hunter Stagg: Mr. Stagg discussed wearing ID tags when going door to door for notifications for residents and discussed the recent missing child incident that occurred on the 23rd. Mr. Stagg stated drills will be conducted and the Phillipsburg fire chief and himself will be attending upcoming meetings.

Attorney's Report: Attorney Troxell stated he reviewed the brush ordinance, sections in the code book which allow for enforcement and code for littering and said it all looks good.

Engineer's Report: Engineer, Frank Seney, Jr. discussed his meeting with the DEP for the annual storm water prevention permit and discussed the various ongoing projects/applications including the Frace Street WTP generator, water softener upgrades, water mains, water treatment plant design, and Safe Routes to School regarding a fence along Lee Avenue railroad tracks. Lengthy discussions ensued regarding these items and Councilman Dunwell requested five minutes in executive session for contractual to discuss the fence at Lee Avenue.

CFO, Lorraine Rossetti: Councilman Schwar stated he gave the CFO report along with his own report for finance earlier.

Recycling Coordinator, Tom Fey: Christy Vishnesky, Deputy Clerk stated that Mr. Fey left a message for his report that he is compiling data to submit his report to Trenton at this time.

Public Comment

Charles Bodogh, 714 East Central Avenue inquired about the dumping incident at the salt shed with regards to whether or not it was captured on camera. Solutions to the matter of security at the salt shed were discussed.

Payment of Bills and Claims

Motion made by Councilman Zikas to have the director's reports part of the minutes, motion seconded by Councilwoman Schwar. Roll call; Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

Motion made by Councilwoman Schwar to have the CFO authorized to pay all bills approved by the director's, *with the exception of #13-00128 for Lopatcong Township School and adding #13-00184 in the amount of \$935 to Craig Dunwell for legal fee reimbursement.* Motion seconded by Councilman Zikas. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

Motion made by Councilwoman Schwar that the CFO be authorized to pay all salaries and wages approved by the Directors, motion seconded by Councilman Savary. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

Councilman Dunwell clarified for Councilman Savary that purchase order #12-00873 for Chamberlain Electric was for adding a timer on November 15th at the cost of \$400.

P.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 #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type			
12-00821	12/10/12	HEALTH	STATE OF NJ HEALTH BENEFITS	Nov/Dec 2012 St Health Fees	Open	9,397.95	0.00			
12-00873	12/27/12	CHAMBER	CHAMBERLIN ELECTRIC, INC	11/15 Inv#4216 Service call	Open	400.00	0.00			
13-00077	02/11/13	CATALLI	VINCENT CATALLI	2013 ACD Annual Truck Allowanc	Open	41.66	0.00			
13-00118	02/22/13	VANCLE	VANCLEEF ENGINEERING ASSOCIATE	6/2013 Highlands-Prof Services	Open	633.00	0.00			
13-00128	03/05/13	LOPTSC	LOPATCONG TNSP SCHOOL	Lopat Prevention through media	Open	1,844.00	*HELD 0.00			
13-00143	03/08/13	TCTAW	TCTA OF SUSSEX & WARREN COUNTY	2013 TCTASW Dues-Tax Collector	Open	15.00	0.00			
13-00148	03/08/13	ALBOA	ALPHA BOARD OF EDUCATION	2013 School Tax - Jan to May	Open	309,778.20	0.00			
13-00149	03/08/13	ONECA	ONE CALL CONCEPTS	Inv #3025049 Regular Locates	Open	6.84	0.00			
13-00152	03/08/13	ATLSA	ATLANTIC SALT	Inv #41810 79.78 Ton of Salt	Open	4,383.11	0.00			
13-00154	03/08/13	SOSMETAL	SOSMETAL PRODUCTS, INC.	Ref#1117251 Hand Soap-Dispense	Open	85.79	0.00			
13-00155	03/08/13	BCS	UNIVAR USA INC.	2/25 Sulfuric Acid-Wm Tr Plant	Open	3,546.32	0.00			
13-00156	03/08/13	WCMCA	WARREN CTY MUNIC CLERKS ASSOC.	2013 WCCA Fee-Balance Remainin	Open	25.00	0.00			
13-00157	03/08/13	EXPRES	EXPRESS-TIMES	Feb 2013 Advertising	Open	1,111.70	0.00			
13-00158	03/08/13	HUNDE	HUNTERDON COUNTY DEMOCRAT	Feb 2013 Advertising	Open	103.02	0.00			
13-00159	03/15/13	TRACT	TRACTOR SUPPLY	Hydraulic & vacuum Fittings	Open	175.96	0.00			
13-00161	03/20/13	HOME	HOME DEPOT/GEFC	Fitting for PVC Pipes	Open	62.49	0.00			
13-00162	03/22/13	NJECD	NJ ECONOMIC DEVELOPEMENT AUTH.	2013 March 1st - Loan Payment	Open	14,572.41	0.00			
13-00163	03/22/13	PAYRO	PAYROLL AGENCY ACCT 751561	Annual Pension Contribution	Open	49,950.00	0.00			
13-00164	03/22/13	HEALTH	STATE OF NJ HEALTH BENEFITS	2013 Health Benefits	Open	26,747.31	0.00			
13-00166	03/22/13	PAYRO	PAYROLL AGENCY ACCT 751561	3/22/13 PR Utility Fund	Open	6,548.68	0.00			
13-00167	03/22/13	PAYRO	PAYROLL AGENCY ACCT 751561	3/22/13 PR Animal	Open	553.71	0.00			
13-00168	03/22/13	PETTY	PETTY CASH	Clerk-Petty Cash Reimbursement	Open	83.51	0.00			
13-00169	03/22/13	TADDED	FRANCESCO TADDED, LLC	2/1-3/7 Labor Attorney Fees	Open	544.50	0.00			
13-00170	03/22/13	EAS	EAS BY ACTION DATA	Inv #18440 Payroll Services	Open	44.28	0.00			
13-00171	03/22/13	SEWER	MASON, GRIFFIN & PIERSON	Feb 2013-Special Sewer Counsel	Open	1,610.00	0.00			
13-00172	03/22/13	VERIZ	VERIZON WIRELESS	2/5-3/4 Cell Phone Bill	Open	40.34	0.00			
13-00173	03/22/13	QC	QC, INC.	2/22 & 3/15 Water Testing	Open	780.00	0.00			
13-00174	03/25/13	JCP&L	JCP&L	Feb/Mar Electric Bills	Open	3,841.05	0.00			
13-00175	03/25/13	ELIZGA	ELIZABETHTOWN GAS	Propane Bills	Open	716.33	0.00			
13-00176	03/25/13	LSI	LINE SYSTEMS, INC	3/1-3/31 Telephone Bill	Open	626.10	0.00			
13-00177	03/25/13	CUPON K	KATHERINE CUPON	1/18 & 2/20 Education Reimburs	Open	60.00	0.00			
13-00180	03/25/13	VANCLE	VANCLEEF ENGINEERING ASSOCIATE	2/1-2/28 Engineering Services	Open	400.50	0.00			
13-00182	03/25/13	AAROE	LYN PAUL AAROE, ESQUIRE	2/21 & 3/20 LUB Atty Fees	Open	1,112.50	0.00			
Total Purchase Orders:				34	Total P.O. Line Items:	91	Total List Amount:	439,841.06	Total Void Amount:	0.00

13-00184 3/26/13 CRAIG DUNWELL REIMBURSEMENT-LEGAL FEES 935.00

Old Business None.

New Business

Motion made by Councilman Savary to approve the following, motion seconded by Councilman Zikas, all were in favor:

- **Town-Wide Yard Sale – Alpha PTO – June 1st & 2nd**

Executive Session

Motion made by Councilman Zikas to go into executive session for one hour (1) and twenty (20) minutes, motion seconded by Councilman Savary, all were in favor. Councilman Zikas exited the meeting at this time and did not attend the executive session:

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, one (1) hour and twenty (20) minutes, allowing for a five (5) minute recess between the regular session and the executive session.

Return to Regular Session

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

Councilwoman Schwar reminded that a reply to the DEP is needed with regards to the pool by April 2nd.

Councilman Schwar made a motion to approve Cedar Ridge Lawncare Maintenance, LLC for a 3-year contract for the borough lawn care services bid. Councilwoman Schwar seconded. Roll call; Ayes; Cartabona, Dunwell, Savary, C. Schwar, and M. Schwar. Nays; None.

Attorney Troxell read the following resolution and Councilman Cartabona made a motion to approve, Councilwoman Schwar seconded. Roll call; Ayes; Cartabona, Savary, C. Schwar, and M. Schwar. Nays; None. Abstain: Dunwell.

**RESOLUTION 2013-61
REIMBURSEMENT OF COUNSEL FEES
TO COUNCILMAN CRAIG DUNWELL
PURSUANT TO CHAPTER 22
OF THE BOROUGH OF ALPHA CODE**

WHEREAS, the Mayor and Council of the Borough of Alpha have previously adopted an ordinance, namely Chapter 22, Defense and Indemnification, to indemnify Borough municipal employees, officers and officials, pursuant to N.J.S.A. 59:10-1, et seq.; and

WHEREAS, the Mayor and Council of the Borough of Alpha have the authority for such indemnification and to reimburse an employee, officer or official for reasonable defense costs and expenses in a civil or criminal matter wherein he or she is a named defendant; and

WHEREAS, Councilman Craig Dunwell had a disorderly persons offense brought against him arising out of his duties or actions as a Borough officer or official; and

WHEREAS, the charge was dismissed in a municipal court of competent jurisdiction; and

WHEREAS, the Mayor and Council of the Borough of Alpha may wait until a final determination of such a legal matter to reimburse costs and expenses and/or honor indemnity.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, hereby authorize the reimbursement to Councilman Craig Dunwell of \$935.00, representing the counsel fee advanced to his defense counsel, Robert Woodruff, Esq. for

the matter dealing with a charge against Councilman Dunwell in his official capacity. Same is to be made by the Borough Certified Finance Officer with approval from the Borough auditor.

Adjourn

There being no further business to come before Council at this time, on motion made by Councilman Savary and seconded by Councilman Dunwell, this meeting adjourned at 10:36 p.m.

Respectfully submitted,

Christy Vishnesky, Deputy Clerk