

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, April 23, 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 and Councilman Schwar. Also present Borough Clerk, Laurie Barton, CFO, Lorraine Rossetti and Attorney Christopher Troxell. Absent: Councilman Zikas

#### *Public Comment*

Charles Bodogh (Fire Chief), East Central Avenue, inquired about the paper work that he gave council regarding the request for a new fire truck.

Christine, (inaudible last name), Dewey Avenue, inquired about getting her water meter changed. It was stated that she has been trying to get this changed and has emailed and called Councilman Dunwell with no response. Appointments were made for three Saturdays with the contractor and no one ever showed up. Councilman Dunwell apologized to the property owner and stated that he will get on this to be replaced as soon as possible.

#### *Ordinance-First Reading*

Ordinance 2013-08 was tabled until the next Council meeting. Attorney Troxell stated to the members of council to forward him any proposed changes for the specific department with regard to the Ordinance.

*Ordinance-Second Reading*

Motion made by Councilman Cartabona to open the public hearing for Ordinance 2013-5, motion seconded by Councilman Dunwell, all were in favor.

**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.

Motion made by Councilman Cartabona to close the public hearing, motion seconded by Councilman Dunwell, all were in favor.

Motion made by Councilman Cartabona to adopt the foregoing Ordinance (Ordinance 2013-5), motion seconded by Councilman Dunwell. Roll Call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

Motion made by Councilman Cartabona to open the public hearing for Ordinance 2013-6, motion seconded by Councilman Dunwell, all were in favor.

**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 reasonably 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.

Motion made by Councilman Cartabona to close the public hearing, motion seconded by Councilman Dunwell, all were in favor.

Motion made by Councilman Cartabona to adopt the foregoing ordinance (Ordinance 2013-6), motion seconded by Councilman Dunwell. Roll Call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

*Resolutions*

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

**RESOLUTION 2013-69  
REFUND OF UNUSED ESCROW MONIES**

**WHEREAS**, the Glen Magnetics Use Variance has now been completed, and

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

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

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Alpha hereby authorize the Certified Finance Officer to release the estimated account balance of \$775.00 to Glen Magnetics of 1165 Third Avenue, Alpha, NJ 08865.

*Approval of Minutes*

Motion made by Councilman Cartabona to approve the minutes of February 12, 2013 and February 26, 2013. Motion seconded by Councilwoman Schwar, roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

Motion made by Councilman Savary to approve and hold executive session minutes of April 9, 2013. Motion seconded by Councilwoman Schwar, roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

*Departmental Reports*

*Administration, Councilwoman Carol Schwar:* Councilwoman Schwar reported on the voicemail system being updated. A meeting has been scheduled to meet with the AYAA and Phillipsburg Area Colts for April 25<sup>th</sup>.

Councilwoman Schwar met with the Zoning Officer and in which they came up with a plan for the garbage containers at Eagle Village.

Councilwoman Schwar reported on discussions from the Land Use Board concerning a proposed ordinance regarding escrow fees being in place to cover professional fees.

Discussions ensued regarding wording from Ordinance 2013-07 that prohibits asphalt plants and to add the word bitumis concrete to the wording.

Discussions ensued regarding Ordinance 2012-12 that restricts certain businesses in the zoned area. Councilwoman Schwar stated that it should not have changed from B3 zone to B1 after speaking with the LUB Planner.

Inclosing, Councilwoman Schwar approved bills salaries and wages for her department.

*Finance, Councilman Michael Schwar:* Councilman Schwar reported on a meeting he had with the CFO, in which it appears the Borough will need a new cash management plan.

Councilman Schwar reported that he will work with the CFO to have a resolution for next meeting to have a plan in place.

In closing, Councilman Schwar approved bills, salaries and wages for his department.

*Health and Welfare, Councilman Harry Zikas:* Councilwoman Schwar approved bills, salaries and wages for this department.

*Public Property, Councilman Michael Savary:* A stop sign that was requested to be placed at Vulcanite and Schley has been installed. Councilman Savary stated as soon as the budget passes he will be working on getting the salt shed repaired.

Councilman Savary stated he would like a formal vote tonight on filling in the pool, in which he cited numerous conversations were had regarding the pool.

Lengthy discussions ensued on ideas for the area in and around the pool.

Councilman Savary decided to continue this discussion for the next meeting.

Continuing on with his report Councilman Savary reported that the sprinkler system inspection was done by Fey Fire Protection.

Councilman Savary brought the discussion up about the dump area for grass debris being opened for the public. Discussions consisted of out of state people coming in and dumping.

Councilman Savary stated he will work on installing more signs.

In closing, Councilman Savary requested ten minutes in executive session for possible litigation. Councilman Savary approved bills, salaries and wages for his department.

*Public Safety, Councilman Louis Cartabona:* Councilman Cartabona reported on his inquiry about gas lines throughout the Borough. He spoke with the gas company in which they stated that line testing has just been completed in which they test every 12 months.

Councilman Cartabona requested twenty minutes in executive session for contractual. In closing, Councilman Cartabona approved bills, salaries and wages for his department.

*Public Works, Councilman Craig Dunwell:* Councilman Dunwell reported on the sewer back up on Leona Street. Councilman Dunwell reported on a misaligned sewer main that was discovered by the line jetting. A sink hole has appeared along Park Avenue between High Street and North Boulevard. Councilman Dunwell made a motion to authorize Jim Hill to proceed for repairs with regard to the sink hole, not to exceed \$10,000 dollars. Councilwoman Schwar seconded the motion. Roll Call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none.

Councilman Dunwell discussed the DEP's requirement of a GIS file for various parts of the water treatment system. Councilman Dunwell reported that Birdsall engineers had worked on this three years ago. Birdsall is in bankruptcy but if the Borough sends a letter to the trustee they will turn it over to the Borough. Attorney Troxell stated this letter went out this morning to the trustee.

Councilman Dunwell stated a correction to the bill list; bill # 13-00240 should be payable to Richard Hensley instead of Durnins.

Councilman Dunwell requested five minutes in executive session for potential litigation and 25 minutes in executive session for contractual regarding water improvement projects. In closing Councilman Dunwell approved bills, salaries and wages for his department.

*Professionals & Officials Report*

*Mayor's Report, Edward Hanics:* Mayor Hanics presented a proclamation for Volunteer Week.

*Attorney, Christopher Troxell:* Mr. Troxell reported on an email received by his office regarding the Warren County Health Department contract. Attorney Troxell expanded on what the contract was for and stated it is for collection and retaining of fees for licenses provided by the County Health Department.

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

**RESOLUTION 2013-70  
RESOLUTION AUTHORIZING A CONTRACT WITH THE  
WARREN COUNTY HEALTH DEPARTMENT**

**BE IT RESOLVED** the Borough of Alpha authorizes the Mayor to sign and enter into agreement with the County of Warren for the Warren County Health Department Services as stated and attached.

Councilman Savary inquired about an update regarding fees owed to the Planning Board. Councilman Schwar stated that he is working on this and should be discussed in executive session under potential litigation.

*Engineer's Report, Stephanie Cuthbert:* Engineer Stephanie Cuthbert updated Mayor and Council on various projects throughout the Borough in which the written report was distributed to Mayor and Council.

Mrs. Cuthbert reported on the Gas Company requesting a waiver of fees regarding street opening and application fees for the installation of gas lines.

Motion made by Councilman Dunwell to waive street opening and application fees for the installation of a gas line on Alpha Street, 5<sup>th</sup> Avenue and Pursel Street. Councilman Savary seconded the motion, all were in favor.

*Recycling Coordinator, Tom Fey:* Mr. Fey stated he received recycling reports from all the industrial companies at Industrial Park. Mr. Fey discussed having Alpha School participating in a recycling poem contest for the 4<sup>th</sup> and 5<sup>th</sup> graders. Mr. Fey also reported on his invitation to Council Members for the Memorial Day service.

*Public Comment*

Frank Killar, West Central Avenue inquired about where he can take used oil. Mayor Hanics referred Mr. Killar to Kutzman's Garage.

*Payment of Bills and Claims*

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

Motion made by Councilwoman Schwar to have the CFO authorized to pay all bills approved by the director's, motion seconded by Councilman M. Schwar. Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

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

April 25, 2013 12:30 PM

BOROUGH OF ALPHA  
Bill List By P.O. Number

Page No: 1

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P.O. Type: All  
Range: First to Last  
Format: Condensed

Open: N Paid: N Void: N  
Rcvd: Y Held: Y Aprv: N  
Bid: Y State: Y Other: Y Exempt: Y

| PO #     | PO Date  | Vendor                                      | PO Description                 | Status                         | Amount | Void Amount | PO Type |
|----------|----------|---|--------------------------------|--------------------------------|--------|-------------|---------|
| 12-00843 | 12/19/12 | HASSL                                       | ASCOM HASSLER/GE CAP PROG      | 12/5/12-1/4/13 Annual ACH Fee  | Open   | 50.00       | 0.00    |
| 13-00077 | 02/11/13 | CATALI                                      | VINCENT CATALI                 | 2013 ACO Annual Truck Allowanc | Open   | 41.66       | 0.00    |
| 13-00118 | 02/22/13 | <b>HELD</b> VANCELEEF ENGINEERING ASSOCIATE | 6/2013 Highlands-Prof Services | <b>HELD</b> Open               | 633.00 | 0.00        |         |
| 13-00148 | 03/08/13 | ALBOA                                       | ALPHA BOARD OF EDUCATION       | 2013 School Tax - Jan to May   | Open   | 292,568.10  | 0.00    |
| 13-00150 | 03/08/13 | BAER  | BAER AGGREGATES, INC.          | Inv #1642 25 Ton Grit for Salt | Open   | 326.96      | 0.00    |
| 13-00160 | 03/18/13 | MGL   | MGL PRINTING SOLUTIONS         | Utility Billing Postcards      | Open   | 540.80      | 0.00    |
| 13-00164 | 03/22/13 | HEALTH                                      | STATE OF NJ HEALTH BENEFITS    | 2013 Health Benefits           | Open   | 8,915.77    | 0.00    |
| 13-00200 | 04/08/13 | TRACT                                       | TRACTOR SUPPLY                 | Hand Tools, Lawn Tools         | Open   | 91.94       | 0.00    |
| 13-00218 | 04/16/13 | STAP  | STAPLES BUSINESS ADVANTAGE     | Copy Room Paper                | Open   | 96.60       | 0.00    |
| 13-00220 | 04/17/13 | STAP  | STAPLES BUSINESS ADVANTAGE     | Chair Mat for CFO Desk         | Open   | 23.18       | 0.00    |
| 13-00221 | 04/18/13 | STPWT                                       | STATE OF NEW JERSEY-PWT        | 2013 1st Qtr Water System Tax  | Open   | 184.56      | 0.00    |
| 13-00224 | 04/18/13 | LSI   | LINE SYSTEMS, INC              | Apr 2013 Telephone Bill        | Open   | 597.79      | 0.00    |
| 13-00225 | 04/18/13 | PAYRO                                       | PAYROLL AGENCY ACCT 751561     | 2013 Choice 125 Plan Renwl Fee | Open   | 235.00      | 0.00    |
| 13-00226 | 04/18/13 | JCPL  | JCP&L                          | Mar-Apr 2013 Electric bills    | Open   | 1,331.79    | 0.00    |
| 13-00227 | 04/18/13 | AAROE                                       | LYN PAUL AAROE, ESQUIRE        | Fergco Bro LLC LUB Atty Fees   | Open   | 975.00      | 0.00    |
| 13-00228 | 04/18/13 | TRDCF                                       | TREASURER, STATE OF NJ         | 2013 1st Qtrly Marriage St Fee | Open   | 25.00       | 0.00    |
| 13-00229 | 04/18/13 | DOG   | NJ DEPT OF HEALTH & SENIOR SER | March 2013 State Dog Fees      | Open   | 12.00       | 0.00    |
| 13-00230 | 04/18/13 | WILHELM                                     | WINEGAR,WILHELM,GLYNN & ROEMER | St v Blair Publ Defender Fees  | Open   | 150.00      | 0.00    |
| 13-00233 | 04/18/13 | PENNB                                       | PENN BOWER                     | Repl water Line per Ord 403-50 | Open   | 1,200.00    | 0.00    |
| 13-00234 | 04/19/13 | BCS   | UNIVAR USA INC.                | Inv #MV966155 Sulfuric Acid    | Open   | 3,554.84    | 0.00    |
| 13-00235 | 04/19/13 | METZE                                       | METZ & SON ELECTRICAL, INC     | Repair Outlet on Garage wall   | Open   | 110.00      | 0.00    |
| 13-00236 | 04/19/13 | QC  | QC, INC.                       | Inv #1505152 4/4/13 Testing    | Open   | 55.00       | 0.00    |
| 13-00240 | 04/23/13 | HENSLEY                                     | RICHARD HENSLEY                | Emergency Sewer Maintenance    | Open   | 454.75      | 0.00    |
| 13-00241 | 04/25/13 | WCISOI                                      | WARREN COUNTY SOIL CONSERVATIO | 2013 Wsys Improvement Project  | Open   | 625.00      | 0.00    |

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Total Purchase Orders: 25 Total P.O. Line Items: 36 Total List Amount: 312,798.74 Total Void Amount: 0.00



*New Business*

Motion made by Councilman Savary to approve the following:

- *Approval of Raffle License # 2013-2 Alpha Vol. Fire Dept on 10/01/2013*

Motion seconded by Councilwoman Schwar, Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

Motion made by Councilwoman C. Schwar to approve the following:

- *Approval of Pavilion Permit Nazarenko with alcohol- for: 05/05/2013*

Motion seconded by Councilman Savary, Roll call: Ayes: Savary, C. Schwar and M. Schwar. Nays: none. Abstain: Dunwell and Cartabona. Absent: Zikas.

Motion made by Councilman Savary to approve the following:

- *Approval of Pavilion permit for Girl Scout Troop # 91243 for May 11<sup>th</sup> to hold a Dutch-Oven Cooking (Request Waiver of Fee)*

Motion seconded by Councilwoman Schwar, Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

Motion made by Councilman Dunwell to approve the following:

- *Approval of Pavilion Permit: Plattenburg w/alcohol for 05/26/2013*

Motion seconded by Councilman M. Schwar, Roll call: Ayes: Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Abstain: Cartabona. Absent: Zikas.

*Executive Session*

Motion made by Councilwoman C. Schwar to go into executive session for one hour (1) and twenty (35) minutes, motion seconded by Councilman M. Schwar, 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, one (1) hour and twenty (35) 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 regular session, motion seconded by Councilwoman C. Schwar, all were in favor.

Motion made by Councilman Dunwell to approve the following resolution:

**RESOLUTION 2013-71  
RESOLUTION REJECTING ALL BIDS FOR A CONTRACT  
FOR PIPING AND VALVE UPGRADES AT THE  
FRACE STREET WATER TREATMENT PLANT**

**WHEREAS**, the Mayor and Council of the Borough of Alpha have determined that certain improvements are needed for the Borough's potable water system, including but not limited to piping and valve upgrades at the Frace Street water treatment plant; and

**WHEREAS**, the Mayor and Council of the Borough of Alpha have openly and publicly bid such contract for said improvement work twice – specifically upgrading piping and valves at the Frace Street water treatment plant – pursuant to New Jersey law; and

**WHEREAS**, the Borough of Alpha has received one bid again for said contract with this lowest responsible bid being too high, among other things.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that all bids for the water system improvements contract for contemplated work, construction and improvements to the Borough's potable water system – specifically upgrading piping and valves at the Frace Street water treatment plant – are hereby rejected. The Borough reserves the right to negotiate with the low bidder.

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

Motion seconded by Councilman Savary. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

*Adjourn*

There being no further business to come before Council at this time, on motion made by Councilman Cartabona and seconded by Councilman Dunwell, this meeting adjourned at 10:19 p.m.

Respectfully submitted,

*Laurie A. Barton, R.M.C.*