

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, July 9, 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 C. Schwar Councilman M. Schwar and Councilman Zikas. Also present Borough Clerk, Laurie Barton, CFO, Lorraine Rossetti and Attorney Christopher Troxell.

Public presentation: Warren County Community College-Samir Elbassiouny

Mr. Elbassiouny gave a presentation of the Warren County Community College's 2012 Community Report.

Mr. Elbassiouny also gave information on the different clubs and programs the college has to offer.

Public Presentation-Jim Hill-Frey Engineering

Mr. Hill gave a brief presentation to Mayor and Council regarding the manholes in need of being raised throughout the Borough. Mr. Hill requested authorization to proceed with getting quote solicitations from local contractors for a manhole raising project. Motion made by Councilman Dunwell to authorize Jim Hill to solicit quotes for manhole raising not to exceed the prevailing wage of \$14, 187.00. Motion second by Councilman Cartabona, roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

Public Comment

Mayor Hanics before allowing public input apologized for his outburst from the last meeting. Mayor Hanics went on to state that he was not tolerating any statements from the public regarding any Facebook issues.

Brad Kisselbach, Phillipsburg Police Department, inquired about organizing a meeting with a committee to discuss the pool. Mr. Kisselbach stated that his organization would still like to move forward in opening the pool back up.

Councilman Cartabona volunteered to meet with the PBA to discuss further.

Charles Bodogh, East Central Avenue, stated how he was disheartened in listening to the presentation (Jim Hill) discussing the manholes that have been paved over.

Mr. Bodogh briefly discussed the plaques that have missing names at the memorial and names to be added.

Tracy Grossman, 7th Avenue, inquired about any progress with green Acres in getting the time extended for plans with the pool.

Councilman Dunwell responded that he spoke with the Engineer regarding the matter. The Borough would need to send a letter with official action for a request in an extension.

Discussions ensued regarding having a question put on the November ballot.

Travis Cortelyou, 7th Avenue, directed a statement to Councilman Dunwell regarding Mr. Dunwell allegedly trespassing on his property recently. Discussions ensued regarding the issue of whether Mr. Cortelyou's staircase is actually on Borough Property.

Mr. Cortelyou inquired about how many meters are left to be installed. Councilman Dunwell replied that approximately 100 need to be installed.

Councilman Savary asked the Borough Attorney to make a comment on the issue of people thinking they own the streets in front of their houses. Attorney Troxell responded by stating that in his legal opinion the street is public borough property.

Resolutions

Motion made by Councilman Cartabona to approve the following resolution. Motion seconded by Councilman Zikas, roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas.

RESOLUTION 2013-91 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>
JUNE 2013	8010600-0 BIHLER	\$13,074.85 (billing adj. for meter reading error)

Motion made by Councilman Zikas to approve the following resolution. Motion seconded by Councilwoman Schwar, roll call: Ayes: Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Abstain: Cartabona.

**RESOLUTION 2013-92
RESOLUTION OF THE ALPHA BOROUGH COUNCIL
APPROVING THE RENEWAL OF LIQUOR LICENSE FOR THE PERIOD
JULY 1, 2013-JUNE 30, 2014 FOR THE FOLLOWING LICENSE.**

WHEREAS, the liquor licenses noted below require approval for the period July 1, 2013-June 30, 2014;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Borough of Alpha that the following liquor license be and hereby approved for the period stated:

<u>License No.</u>	<u>Licensee</u>	<u>Type of License</u>
2102-33-006-07 Consumption	Karen E Bezner Chapter 7 Trustee for Midtown Tavern LLC	Plenary Retail

Motion made by Councilman Cartabona to approve the following resolution. Motion seconded by Councilman Dunwell, roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, and M. Schwar. Abstain: Zikas.

**RESOLUTION 2013-93
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. These documents are also on file at the Clerk's office for review purposes.

Said Bids will be received, opened and read aloud in public at the **Alpha Borough Municipal Building, 1001 Thursday August 8, 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

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

**RESOLUTION 2013-94
RESOLUTION FOR CORRECTIVE ACTION PLAN FOR 2012 AUDIT REPORT
OF THE BOROUGH OF ALPHA, WARREN COUNTY, NEW JERSEY**

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

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

WHEREAS, the audit report was received on June 14, 2013, and

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

WHEREAS, Lorraine Rossetti, the Chief Financial Officer, has prepared a corrective action plan for findings in the 2012 Audit Report of the Borough of Alpha, Warren County, New Jersey, and

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

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpha, Warren County, New Jersey approve the corrective action plan and that the Chief Financial Officer of the Borough of Alpha, County of Warren, New Jersey is hereby directed to carry out the Corrective Action Plan for the 2012 Audit Report and the Municipal Clerk will forward a copy of this resolution to the Department of Community Affairs.

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

**RESOLUTION 2013-95
RESOLUTION AUTHORIZING CANCELLATION OF
MUNICIPAL CERTIFICATE OF SALE**

WHEREAS, Certificate of Sale #201010 was issued to the Borough of Alpha, 1001 East Boulevard, Alpha, New Jersey, for delinquent taxes on Block 100 Lot 4 (55 Industrial Drive) assessed to Alpha Press Co., at a tax sale held on October 14, 2010; and

WHEREAS, this certificate has been fully satisfied;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Municipal Clerk of the Borough of Alpha are hereby authorized to endorse Certificate of Sale # 201010 for cancellation.

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

**RESOLUTION 2013-96
RESOLUTION AUTHORIZING BOROUGH ENGINEER
TO PUBLICLY ADVERTISE FOR BIDS FOR
2013 ROAD PROGRAM WEST**

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 advertise and proceed with the public bidding for a contract for work known as the 2013 Road Program West, including improvements to West Vulcanite and Hobson Streets, in the Borough.

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

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

**RESOLUTION 2013-97
RESOLUTION AUTHORIZING BOROUGH ENGINEER
TO PUBLICLY ADVERTISE FOR BIDS FOR
RECONSTRUCTION OF SEVENTH AVENUE AND INDUSTRIAL DRIVE**

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 advertise and proceed with the public bidding for a contract for the reconstruction of and road work on Seventh Avenue and Industrial Drive in the Borough.

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

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

**RESOLUTION 2013-98
RESOLUTION AUTHORIZING BOROUGH ENGINEER
TO PROVIDE ADDITIONAL CONSULTING ENGINEERING SERVICES
FOR COMPLIANCE AND FORMAL STATE APPROVAL OF
THE BOROUGH'S DIGITAL TAX MAP**

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 providing for digital tax map of the Borough in complying with state guidelines and obtaining formal state approval for the contemplated scope of work in accordance with the firm's proposal of October 5, 2012 and with the firm's proposal of May 31, 2013 (attached hereto) for additional (unanticipated) work/services in an amount not to exceed another \$4,200.00, 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 Cartabona to approve the following resolution. Motion seconded by Councilman M. Schwar, roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: None.

**RESOLUTION 2013-99
RESOLUTION CONCERNING INSURANCE COVERAGE
OF THE FIRE TRUCKS OF THE ALPHA VOLUNTEER FIRE COMPANY**

WHEREAS, the Council of the Borough of Alpha deems that it is in the best interests of the Borough of Alpha to continue its working relationship with the Alpha Volunteer Fire Company, an entity for which the Borough of Alpha provides tax-raised funds;

WHEREAS, the Council of the Borough of Alpha understands the Alpha Volunteer Fire Company has fire trucks titled in its name; and

WHEREAS, the Council of the Borough of Alpha has received a recommendation from the Borough's insurance carrier/consultant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, that the Borough hereby extends liability and physical damage insurance coverage under its existing insurance policies to the fire trucks and/or motor vehicles registered to the Alpha Volunteer Fire Company.

Minutes

Motion made by Councilwoman Schwar to approve the regular meeting minutes of 04-09-13, motion seconded by Councilman M. Schwar, all were in favor.

Executive Session Minutes

Motion made by Councilman Savary to approve and hold executive session minutes of 06-25-13, Councilwoman C. Schwar seconded, all were in favor with the exception of Councilman Cartabona abstaining.

Department Reports

Administration, Councilwoman Carol Schwar: Councilwoman Schwar gave the report received from the Code Enforcement Officer. In closing, Councilwoman Schwar approved bills, salaries and wages for her department. Councilwoman Schwar requested 10 minutes in executive session for personnel regarding the Clerk's office.

Councilman Dunwell added that four properties with overgrown brush have been cut by the DPW and letters were sent to the Tax Collectors office to assess \$200.00 to the taxes for those properties.

Finance, Councilman Michael Schwar: Councilman Schwar stated he was in the CFO's office regarding the Audit report and will follow up with the recommendations.

Another insurance meeting with Sharon Cooper is scheduled for Thursday to go over the youth sports numbers. Councilman Schwar added that the insurance company needs to be made aware of any volunteer work being done with the Borough. In closing, Councilman M. Schwar approved bills, salaries and wages for his department.

Councilman M. Schwar added that he would like 15 minutes in executive session for personnel and litigation to discuss the Assistant Clerk and AYAA.

Health and Welfare, Councilman Harry Zikas Jr.: Councilman Zikas gave the Board of Health report received for the month of July. In closing, Councilman Zikas approved bills salaries and wages for his department.

Brief discussions ensued regarding the payment of a food bill for volunteers from clean up for their lunch.

Public Property, Councilman Michael Savary: Councilman Savary reported on the cleanup of the field house that was recently damaged by vandals. A list of all items that were damaged was submitted to the Insurance. Councilman Savary stated that the fund received for Clean Communities will go towards hiring summer help that will run into September.

Discussions ensued regarding letters to homeowners with trees hanging in the streets and alley ways.

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

Discussions of using the clean communities grant money to purchase recycling containers ensued.

Councilman Savary added that he would like to request 20 minutes in executive session for possible litigation and personnel.

Public Safety, Councilman Louis Cartabona: Councilman Cartabona gave the report received from the Court Administrator for the month of June. In closing, Councilman Cartabona approved his bills, salaries and wages for his department. Councilman Cartabona requested 10 minutes in executive session for contractual.

Public Works, Councilman Craig Dunwell: Councilman Dunwell stated that tomorrow will start the 2013 water improvement project, on the west side of Route 519 and Homa Lane.

Councilman Dunwell reported his meeting with the Engineer, Frank Seney regarding Industrial Drive and 7th Avenue project. Councilman Dunwell stated that bids for the project should be awarded at the special July 30th meeting along with a possible award for the Heater Upgrade project.

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

Mayor Hanics briefly discussed water issues behind Homa Farm.

Councilman Dunwell added that he requests five minutes in executive session for contractual regarding flooding issues behind Homa Farm.

Professionals and Officials Reports

Mayor, Edward Hanics: Mayor Hanics reported on the correspondence received from the DOT. A seminar is being held and it is requested from the DOT for municipalities to send an Engineer to attend regarding grant management.

Police Chief, James Faulborn: Chief Faulborn gave the police report for the month of June. Brief discussions ensued regarding criminal background checks on coaches for the youth programs in Alpha.

Councilman Cartabona brought up the issue of someone being noticed illegally dumping in the grass collection area who was not a resident. Chief Faulborn stated that the individual noticing the violation would need to sign a complaint in municipal court. Chief Faulborn added that if a policeman witnesses the violation then they can do the complaint.

Fire Chief, Charles Bodogh: Chief Bodogh gave the fire report for the month of June. Chief Bodogh added that a car show will be held on August 3rd and a coin toss will be on August 18th. Chief Bodogh discussed the issue of the Borough not having its own National Night Out.

Attorney, Christopher Troxell: Attorney Troxell requested 10 minutes in executive session for litigation.

Engineer, Stephanie Cuthbert: Councilman Dunwell briefly went through the report that was distributed to Mayor and Council citing updates on projects.

CFO, Lorraine Rossetti: Ms. Rossetti reported on being busy with auditing adjustments. reconciliations are almost all done.

Budget requests forms coming out next month. The ordinance for the emergency appropriation regarding the tax maps is almost done but needs a firm price to be added to the ordinance.

Ms. Rossetti briefly discussed the recent computer issues in her office.

Public Comment

Deb Oakes, West Blvd., stated her concern of a possible sinkhole forming behind the birm on Hobson.

Chris, Lyons Court, inquired about the scope of work being done at the Frace Street treatment plant.

Travis Cortelyou, 7th Avenue, brought up the issue once again asking for Councilman Savary's resignation from Council, citing recent lawsuit for terminating an employee.

Charles Bodogh, East Central Avenue, brought up the issues of residents mowing and having their grass clippings out on the roadways.

Blaine Feley, resident of Phillipsburg inquired about the minutes not being updated on the website.

Payment of Bills & Claims

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

Motion made by Councilwoman C. Schwar to authorize the CFO to pay bills approved by the directors , with the exception of holding bill# 13-000281 for Cedar Ridge , seconded by Councilman M. Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Abstain: Zikas. Nays: None.

Motion made by Councilwoman Schwar to authorize the CFO to pay all salaries and wages approved by the directors, motion seconded by Councilman M. Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar, and Zikas. Nays: None.

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 hour(s), 10 minutes, allowing for a five (5) minute recess between the regular session and the executive session.

Return to Regular Session

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

Adjourn

There being no further business to come before Council at this time, on motion made by Councilman Zikas and seconded by Councilman Cartabona, this meeting adjourned at

10:15 p.m.

Respectfully submitted,

Laurie Ann Barton, Borough Clerk