

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, September 24, 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: Councilman Cartabona (*arrived at 7:32 p.m.*), Councilman Dunwell (*arrived at 7:10 p.m.*), Councilman Savary Councilwoman Schwar, Councilman Schwar and Councilman Zikas. Also present: Attorney Troxell, Borough Clerk Laurie A. Barton and Engineer, Frank Seney.

*Public Comment*

Tim Mellert, North Blvd, inquired about the catch basins being cleaned out but piles of debris being left behind.

Charles Bodogh, East Central Ave., stated he noticed the piles as well and if someone could take them over to Industrial Drive. Mr. Bodogh also inquired about the specifications for the curbing on 7<sup>th</sup> Avenue.

Robert Gable, 6<sup>th</sup> Avenue, stated that he is still receiving a bills from Phillipsburg Emergency Squad. Mr. Gable expressed his concern for this going to a collection agency for a bill he shouldn't be responsible for. Lengthy discussion ensued regarding billing from the Emergency Squad. Mr. Kile, a representative for the Phillipsburg Emergency Squad stated that the bills will never go to collection, even though the letter states that. It was stated that these notices will be stopped in the future.

*Bid Opening*

Motion made by Councilman Dunwell to accept he bid received for the Telecommunication, motion seconded by Councilman Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

*Resolutions*

Motion made by Councilwoman Schwar to approve Resolution 2013-123, motion seconded by Councilman Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

**RESOLUTION 2013-123  
REFUND OVERPAYMENT OF TAXES  
BLOCK 28, LOT 16  
767 DEWEY AVENUE**

**WHEREAS**, the Tax Assessor has granted exempt status for Block 28, Lot 16 for the tax year 2013;

**WHEREAS**, there is an overpayment of \$2,122.91 due to the exempt status.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Alpha on this 10<sup>th</sup> day of September 2013 that the Chief Financial Officer and Tax Collector are hereby authorized to refund the following payment:

Block 28, Lot16  
Oleszek, Edward  
767 Dewey Avenue  
Alpha, NJ 08865  
\$2,122.91

Motion made by Councilman Dunwell to approve Resolution 2013-132, motion seconded by Councilwoman Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

**RESOLUTION 2013-132  
RESOLUTION AUTHORIZING BOROUGH ENGINEER TO  
SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT  
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF  
SEVENTH AVENUE PHASE II**

**WHEREAS**, the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey formally authorizes the firm of Remington & Vernick Engineers to prepare the grant application for the reconstruction of Seventh Avenue in the Borough, Project Phase II.

**NOW, THEREFORE 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 in preparing the grant application for the reconstruction of Seventh Avenue, Project Phase II, in the Borough, and the Borough Council hereby approves the grant application for the reconstruction of Seventh Avenue, project phase II, in the Borough.

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, that the Mayor and Clerk are hereby authorized to (execute and) submit an electronic grant application identified as MA-2014 Borough of Alpha to the New Jersey Department of Transportation on behalf of Borough of Alpha.

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the

Borough of Alpha and that their signature(s) constitutes acceptance of the terms and conditions of the grant agreement and hereby approves the execution of the grant agreement.

Motion made by Councilwoman Schwar to approve Resolution 2013-133, motion seconded by Councilman Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

**RESOLUTION 2013-133  
RESOLUTION AUTHORIZING BOROUGH ENGINEER TO  
SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT  
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RECONSTRUCTION OF  
FIFTH AVENUE**

**WHEREAS**, the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey formally authorizes the firm of Remington & Vernick Engineers to prepare the grant application for the reconstruction of Fifth Avenue in the Borough.

**NOW, THEREFORE 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 in preparing the grant application for the reconstruction of Fifth Avenue in the Borough, and the Borough Council hereby approves the grant application for the reconstruction of Fifth Avenue in the Borough.

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, that the Mayor and Clerk are hereby authorized to (execute and) submit an electronic grant application identified as MA-2014 Borough of Alpha to the New Jersey Department of Transportation on behalf of Borough of Alpha.

**BE IT FURTHER RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Alpha and that their signature(s) constitutes acceptance of the terms and conditions of the grant agreement and hereby approves the execution of the grant agreement.

Motion made by Councilman Schwar to approve Resolution 2013-134, motion seconded by Councilwoman Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

**RESOLUTION 2013-134  
RESOLUTION FOR PROFESSIONAL ENGINEERING SERVICES  
FOR JET AND VIDEO PROJECT – FINAL PHASE 2013**

**WHEREAS**, the Mayor and Council of the Borough of Alpha have determined that jetting and videoing the sanitary sewer system are needed; and

**WHEREAS**, the Mayor and Council of the Borough of Alpha, through their agent Frey Engineering, LLC, seek to do said work, pursuant to New Jersey law and Borough policy.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that Frey Engineering, LLC of Lebanon, New Jersey is authorized to perform professional engineering services for the jetting and videoing of the sanitary sewer system, final phase 2013 in an amount not to exceed \$10,250.00, consistent with their proposal as attached, upon written certification of funds by the Borough CFO.

**BE IT FURTHER RESOLVED**, that the Mayor, Clerk, and/or Frey Engineering, LLC, are authorized to execute all necessary documents.

Motion made by Councilman Dunwell to approve Resolution 2013-135, motion seconded by Councilman Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

**RESOLUTION 2013-135  
RESOLUTION FOR PROFESSIONAL ENGINEERING SERVICES  
FOR SANITARY SEWER SYSTEM METER STATION REHABILITATION PROJECT**

**WHEREAS**, the Mayor and Council of the Borough of Alpha have determined that certain improvements of the sanitary sewer system are needed, including rehabilitation of the sanitary sewer system meter station; and

**WHEREAS**, the Mayor and Council of the Borough of Alpha, through their agent Frey Engineering, LLC, seek to do said work, pursuant to New Jersey law and Borough policy.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that Frey Engineering, LLC of Lebanon, New Jersey is authorized to perform professional engineering services for the sanitary sewer system meter station rehabilitation project in an amount not to exceed \$10,300.00, consistent with their proposal as attached, upon written certification of funds by the Borough CFO.

**BE IT FURTHER RESOLVED**, that the Mayor, Clerk, and/or Frey Engineering, LLC, are authorized to execute all necessary documents.

Motion made by Councilman Dunwell to approve Resolution 2013-136, motion seconded by Councilman Schwar. Roll call: Ayes: Cartabona, Dunwell, C. Schwar, M. Schwar and Zikas. Nays: none.

**RESOLUTION 2013-136  
RESOLUTION FOR SANITARY SEWER SYSTEM METER STATION REHABILITATION PROJECT**

**WHEREAS**, the Mayor and Council of the Borough of Alpha have determined that certain improvements of the sanitary sewer system are needed, including rehabilitation of the sanitary sewer system meter station; and

**WHEREAS**, the Mayor and Council of the Borough of Alpha, through their agent Frey Engineering, LLC, seek to do said work, pursuant to New Jersey law and Borough policy; and

**WHEREAS**, Frey Engineering, LLC has conducted a comprehensive assessment and developed a scope of work to rehabilitate said meter station according to the attached proposal in an amount estimated not to exceed \$39,000.00.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that Frey Engineering, LLC of Lebanon, New Jersey is authorized to act as a site manager/ professional engineering firm for the sanitary sewer system meter station rehabilitation project, according to the attached scope of work at a cost estimated not to exceed \$39,000.00, consistent with their proposal as attached, upon written certification of funds by the Borough CFO.

**BE IT FURTHER RESOLVED**, that the Mayor, Clerk, and/or Frey Engineering, LLC, are authorized to execute all necessary documents.

#### *Department Reports*

*Administration, Councilwoman Carol Schwar:* Councilwoman Schwar discussed the possibility of a new email blast system. In closing Councilwoman Schwar approved bills, salaries and wages for her department. Councilwoman Schwar requested ten minutes in executive session for personnel regarding the library.

*Finance, Councilman Michael Schwar:* Councilman Schwar discussed scheduling a budget meeting for the week of October 4<sup>th</sup>. Councilman Schwar expressed the difficulties in obtaining the salaries for the personnel in the library, and added that the CFO was finally able to get the information today. A salary resolution should be ready for the first meeting in October. Councilman Schwar announced that the CFO will be out of the office the next three days for a conference.

Councilman Schwar advised Council of the increasing in insurance rates as a direct result of Super Storm Sandy which will be in effect for 2014. In closing Councilman Schwar approved bills, salaries and wages for his department.

*Health and Welfare, Councilman Harry Zikas Jr.:* No report. In closing, Councilman Zikas approved bills, salaries and wages for his department.

*Public Property, Councilman Michael Savary:* Councilman Savary reported on tub grinding scheduled for next Friday, October 4<sup>th</sup>.

Councilman Savary stated he received quotes for metal for the salt shed and is waiting for one more quote. In closing, Councilman Savary approved bills, salaries and wages for his department.

Lengthy discussions ensued regarding the tub grinding going Health and Welfare department for next year and storage of vegetative waste.

*Public Works, Councilman Craig Dunwell:* Councilman Dunwell reported on the ongoing projects throughout the Borough.

Councilman Dunwell reported on the mold situation with the municipal building. Serve Pro should be in the building to start the north side. It is anticipated to take two days. Then testing will be done. The north side should be open by Monday. Councilman Dunwell requested 40 minutes in executive session for contraction and litigation. In closing, Councilman Dunwell approved bills, salaries and wages for his department.

*Public Safety, Councilman Louis Cartabona:* Councilman Cartabona reported on the meeting he attended for the Warren County League of Municipalities. Councilman Cartabona submitted a resolution to the Mayor to be considered for the next meeting regarding fair school funding.

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

#### *Committee Reports*

**Computer:** Councilman Cartabona discussed the need for computer equipment that will need to be upgraded. Councilman Cartabona stated discussions with Councilman Schwar and the Utility Clerk involved moving the server into the Mayor's office.

Councilman Cartabona introduced a guest speaker, Michael Carone (sp) , who is a web designer and web programmer. Mr. Carone stated he has been speaking with Councilman Cartabona in updating the borough's present website.

**Newsletter:** Councilwoman Schwar stated she would like to see a newsletter go out for the fall and that it should go out after Election Day.

#### *Professionals and Officials Reports*

*Mayor, Edward Hanics:* Mayor Hanics reported on a letter received by his office from the Clean Communities Council of New Jersey. A statistical report needs to be done. Mayor Hanics referred this to Councilman Savary's attention.

*Emergency Squad, (need name)* A representative from the Emergency Squad inquired about the annual donation and stated that the department has not received the check as of today. Councilman Schwar stated he will speak with the CFO next Monday on the status of the check.

*Attorney Christopher Troxell;* Attorney Troxell read Resolution 2013-138, for the award of the Telecommunication bid.

Motion made by Councilman Dunwell to approve Resolution 2013-138, motion seconded by Councilman Cartabona. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

**RESOLUTION 2013- 138  
RESOLUTION AWARDING A FOURTH LEASE FOR  
LOCATION OF TELECOMMUNICATION ANTENNAS  
AND FACILITIES ON BOROUGH PROPERTY TO PEG BANDWIDTH**

**WHEREAS**, the Mayor and Council of the Borough of Alpha have determined that a certain portion of land and space on its water tower/pump station within real property owned by the Borough of Alpha on Pursel Street, Alpha, known as Block 24, Lot 13 of the Borough of Alpha, may be leased to the highest bidder, pursuant to New Jersey law, as a fourth tenant on site; and

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

**WHEREAS**, the Borough of Alpha has received the only and highest bid from PEG Bandwidth, 5904 Stone Creek Drive, Suite 130, The Colony, Texas 75056 and

**WHEREAS**, said third tenancy is subject to the existing related leases publicly awarded by the Borough and PEG Bandwidth agreeing to the lease as presented by the Borough;

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, that the said lease for a fourth tenancy at the site is hereby awarded to PEG Bandwidth having bid Twenty-one Thousand Six Hundred Dollars (\$ 21,600.00) per year for a ten-year term and Thirty-one Thousand Nine Hundred Seventy Three Dollars and Twenty Seven cents (\$ 31,973.27) per year thereafter for the term of the lease, understanding that said lease and lessee shall not interfere with the existing or succeeding leases and lessees.

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

*Engineer, Frank Seney:* Ongoing projects throughout the Borough were given an update by Mr. Seney. Mr. Seney reported on the need of a hose for the water to be run from the Alpha St well over to 7<sup>th</sup> Avenue. Mayor Hanics inquired about how much footage he may need and he will look into the fire department assisting in getting a hose.

*Recycling Coordinator, Tom Fey:* Mr. Fey reported on getting information for someone to take the tub grinding waste and will report back with more information concerning this.

Mr. Fey reported on a paper shredding event sponsored by the County. It will be at the Wayne Dumont building this upcoming Saturday. Mr. Fey also reported on hazardous waste disposal event for country residents on Sunday at the landfill.

*Public Comment*

Chris Drgaota, Lyons Ct, inquired about the sewer work that has been bonded. Councilman Dunwell discussed the bond ordinance with reference the bond amount.

Diane Becker, 7<sup>th</sup> Ave., questioned the awkward placement of a fire hydrant that seems to be too close to a house. Councilman Dunwell stated that this is temporary and after the sidewalk installation it will be rotated back.

Tracy Grossman, 7<sup>th</sup> Ave., inquired about the resolution for grants for 5<sup>th</sup> Avenue and asked what is being done with this. Engineer, Frank Seney discussed the grant and what it would cover.

Dave Miers, Sampson Ave., expressed his concerns over the cleaning of the north side of the building for the mold remediation and having people in and out of the building.

*Payment of Bills and Claims*

Motion made by Councilwoman Schwar that the directors reports be a part of the official minutes, motion seconded by Councilman Zikas, all were in favor.

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



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
13-00283	05/10/13	ALBOA	ALPHA BOARD OF EDUCATION	2012 School Tax	Open	298,419.40	0.00
13-00402	07/01/13	THOMSON	THOMSON REUTERS - WEST	2013 NJ Drunk Drvg Law Subscri	Open	224.17	0.00
13-00464	07/01/13	LOBB	LOBB'S ROOFING & METAL WORKS	New Roof - Pump House	Open	7,850.00	0.00
13-00485	07/26/13	HUNDE	HUNTERDON COUNTY DEMOCRAT	7/26 Res #2013-93 Advertsmt	Open	65.02	0.00
13-00516	07/24/13	MJRSE	MJR SERVICES INC	2013 Tax Bills - Fold/Insert	Open	200.00	0.00
13-00526	08/19/13	EXPRE	EXPRESS-TIMES	8/19-8/28 Legal/Mtg Advertsmt	Open	557.15	0.00
13-00532	08/29/13	REVEL	REVEL	11/19-11/21 NJSLOM2013-Schwars	Open	318.00	0.00
13-00546	08/28/13	NAPA	CARVER'S AUTO PARTS OF WC	Inv #901900 Emerg Bctry Pumhse	Open	145.86	0.00
13-00551	09/19/13	HOME	HOME DEPOT/GECP	Paint & Miscellaneous Supplies	Open	100.00	0.00
13-00552	09/04/13	PAYRO	PAYROLL AGENCY ACCT 751561	09-04-03 Grant Fund PR	Open	324.62	0.00
13-00553	09/10/13	ACTION	ACTION DATA SERVICES	Sept 2013 Payroll Services	Open	138.35	0.00
13-00554	09/10/13	PAYRO	<del>PAYROLL AGENCY ACCT 751561</del>	Sept 2013 Payroll Services	Open	44.28	0.00
13-00555	09/01/13	VERIZ	VERIZON WIRELESS	8/5-9/4 Cell Phone Bill	Open	100.76	0.00
13-00556	09/01/13	LSI	LINE SYSTEMS, INC	Sept 2013 Mun Bldg Phone Bill	Open	1,203.20	0.00
13-00557	09/01/13	QC	QC, INC.	Aug 2013 water Testing	Open	185.50	0.00
Total Purchase Orders: 16				Total P.O. Line Items: 37	Total List Amount: 309,876.31	Total Void Amount: 0.00	

*New Business*

Councilman Zikas discussed the recent situation of Councilman Savary with regards to the pending criminal charges with the Prosecutor's Office. Motion made by Councilman Zikas asking for the resignation at this time for Councilman Savary. Hearing no second motion fails.

*Executive Session*

Motion made by Councilman Cartabona to approve the following resolution to go into executive session for 55 minutes. Motion seconded by Councilman Zikas, 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 55 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 Councilman Savary, all were in favor.

Motion made by Councilman Zikas to approve resolution 2013-137, motion seconded by Councilman Dunwell. Roll Call: Ayes: Cartabona, Dunwell, Savary, C. Schwar, M. Schwar and Zikas. Nays: none.

**RESOLUTION 2013-137  
CERTIFIED INDUSTRIAL HYGIENIST APPOINTMENT**

**WHEREAS**, the Borough of Alpha desires to hire an industrial hygienist to oversee, manage and perform remediation in its municipal building at 1001 East Boulevard, Alpha, New Jersey; and

**WHEREAS**, the Borough has sought candidate firms for such a position to provide this professional service, pursuant to New Jersey law.

**NOW THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Alpha, County of Warren, State of New Jersey that George H. Wagner II, CIH, of Avogadro Environmental Corporation, 1350 Sullivan Trail, Suite A, Easton, Pennsylvania is hereby appointed to act as a certified industrial hygienist in overseeing, managing and performing the remediation in its municipal building at 1001 East Boulevard, Alpha, New Jersey, in an amount not to exceed \$15,000.00.

**BE IT FURTHER RESOLVED**, that this is awarded without competitive bidding as a “professional service” under the provisions of the Local Public Contract Law as provided by *NJSA* 40A: 11-5 because it requires service performed by a person authorized by law to practice as a recognized profession and it is not possible to obtain competitive bids.

Motion made by Councilman Zikas to approve the application for membership to the Alpha Fire Department for Steve Limoli, motion seconded by Councilman Cartabona. Roll Call: Ayes: Cartabona, C. Schwar, and Zikas. Nays: Dunwell. Abstain: M. Schwar.

*Adjourn*

There being no further business to come before Council at this time, on motion made by Councilman Zikas and seconded by Councilwoman C. Schwar, this meeting adjourned at 9:21 p.m.

Respectfully submitted,

Laurie A. Barton

Borough Clerk