

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, October 22, 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.

Roll Call: Councilman Cartabona, Councilman Dunwell, Councilman Savary, Councilwoman C. Schwar and Councilman Schwar. Absent: Councilman Zikas.

Also present: Attorney Christopher Troxell, Borough Clerk, Laurie A. Barton and Engineer, Frank Seney.

Public Comment

Millard Rooks, W. Vulcanite Ave., expressed concern over the project beginning on Vulcanite and Hobson Streets. Mr. Rooks stated his concerns with the understanding of what the Borough has the right to do regarding his property. Mr. Rooks addressed the issue of only being notified 15 minutes before a notice was given to them regarding access of their driveway. Engineer, Frank Seney, stated that he will speak with the contractor, who should have given a 48-hour notice.

Alice Whiting, W. Vulcanite Ave., spoke on behalf of her mother with the same issue Mr. Rooks brought up. Ms. Whiting inquired about why there was no advance warning to the homeowners on the project. Ms. Whiting brought up the easement that was done to her mother's property six years ago. Attorney Troxell elaborated further on the vacation of the street concerning Ms. White's mother's property. Attorney Troxell assured Ms. Whiting that this will not affect her property.

Ms. Whiting further expressed her concern regarding an old tree on her property for it to not be disturbed as well.

Kathy Cupon, Court Administrator, inquired about an email she received in reference to having an employee meeting concern the mold situation in the building.

Councilman Dunwell responded that he is trying to get something together this week to have all the professionals involved attend the meeting with the employees.

Mrs. Cupon inquired about accessing her records in basement that are ready to be destroyed. Councilman Dunwell replied that at this time no one is restricted from accessing the basement.

Chuck Bodogh, East Central Ave., inquired about not receiving a call for when West Vulcanite Avenue was closed. Mr. Bodogh cited heavy truck traffic using this road and spoke on the need of detour signs to be put in place.

Mr. Bodogh also stated his concerns over open ground junction boxes that children can access near the playground.

Mr. Bodogh brought up the issue of 7th Avenue only having a base coat put down on October 31st, which is Halloween. Concern for trick or treaters walking in the area was expressed.

Ordinances 1st Reading

Motion made by Councilman Dunwell to introduce the Ordinance 2013-15, motion seconded by Councilman Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

**ORDINANCE 2013-15
AN ORDINANCE PROVIDING FUNDING FOR PURCHASE OF A PICKUP TRUCK
AND APPROPRIATING \$22,000 FOR SUCH PURPOSE.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ALPHA, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The Borough of Alpha, in the County of Warren, in the State of New Jersey, authorizes the purchase of a Ford F 250 4WD Pickup Truck including options listed in Resolution 2013-142 to be purchased through the New Jersey State Contract A83577 T2100 for the Borough of Alpha, to be funded from the sources specified in Section 2 of the Ordinance.

Section 2. The amount of \$12,000.00 is hereby appropriated from the General Capital Fund Balance and the amount of \$10,000 is appropriated from the 2013 Current Fund Budget line item Purchase of Public Works Truck for the purposes stated in Section 1 of the Ordinance.

Section 3. In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Alpha may lawfully make as a general improvement.

Section 4. All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

Section 5. This Ordinance shall take effect immediately upon due passage and publication according to 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 October 22, 2013 at the Alpha Municipal Building at 1001 East Blvd., and that public hearing concerning same is to be held on November 12 , 2013 at the Alpha Municipal Building at which time all persons both for and against shall be given the opportunity to be heard concerning the same.

Motion made by Councilman M. Schwar to introduce the Ordinance 2013-16, motion seconded by Councilman Savary. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

ORDINANCE 201-16
ORDINANCE §410-19. B-3 BUSINESS ZONE

Section 410-19. B-3 Business Zone states the following permitted uses:

- A. Permitted principal uses. This zone is intended to permit small office and office conversions. The following principal uses are permitted in the B-3 Business Zone subject to the requirements of site plan review:
 - (1) Professional offices.
 - (2) Offices for business, executive and professional purposes.
 - (3) Professional offices on the first floor of a one-family residence.

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 October 22, 2013 at the Alpha Municipal Building at 1001 East Blvd., and that public hearing concerning same is to be held on November 12, 2013 at the Alpha Municipal Building at which time all persons both for and against shall be given the opportunity to be heard concerning the same.

Motion made by Councilman M. Schwar to introduce the Ordinance 2013-17, motion seconded by Councilwoman C. Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

ORDINANCE 2013-17
BOROUGH OF ALPHA
AN ORDINANCE TO AMEND CHAPTER 410 – ZONING
OF THE CODE OF THE BOROUGH OF ALPHA
BY REPEALING AN AMENDMENT OF CHAPTER 410.19 B-3 A(4)
WHICH CHANGED A SPECIFIC PERMITTED PRINCIPAL USE IN THE B-3 ZONE

BE IT ORDAINED, by the Borough Council of the Borough of Alpha that the following repeal shall be and are herewith enacted to Chapter 410 – Zoning of the Code of the Borough of Alpha:

The purpose and function of the B-3 Business Zone permitted uses are intended as *low intensity* businesses. The reason for this is due to the fact that these businesses are primarily located in a highly populated residential area. However, the Ordinance *2012-12 Amendment of Chapter 410, dated November 30, 2012, incorporates B-1 Business Zone permitted uses. The use categories and zones are incompatible and *should not* have been merged.

Section 410-19. B-3 Business Zone states the following permitted uses:

- A. Permitted principal uses. This zone is intended to permit small office and office conversions. The following principal uses are permitted in the B-3 Business Zone subject to the requirements of site plan review:
 - (1) Professional offices.
 - (2) Offices for business, executive and professional purposes.
 - (3) Professional offices on the first floor of a one-family residence.
 - (4) *All uses permitted in Section 410-19. B-1 Business Zone (A.)

B-1 Business Zone already incorporates in Section A(2) the uses enumerated in the B-3 Business Zone. B-3 Business Zone should have remained unchanged and the zone boundary unaltered.

Section 410-17. B-1 Business Zone states the following permitted uses:

- A. Permitted principal uses. This district is intended for general business uses which may serve both a local population and a regional population. The following principal uses are permitted in the B-1 Business Zone subject to the requirements of site plan review:

- (1) Stores or shops for retail business or wholesale display entirely within the confines of a building.
- (2) Banks and offices for business, executive and professional purposes.
- (3) Restaurants.
- (4) Municipal buildings and uses.
- (5) Churches and similar places of worship, parish houses, convents, cemeteries and other facilities of recognized religious groups.
- (6) Institutional uses and nonprofit clubs, lodges and fraternal organizations.
- (7) Home improvement centers and lumberyards.
- (8) Garden centers and plant nurseries.
- (9) Light manufacturing uses such as printing, cabinetry, assembly of electronic parts and similar type uses.
- (10) Mini storage. Limited to the storage of personal items generally associated with and stored in, residential structures.

Therefore, the November 30, 2012 Amendment of the B-3 Business Zone should be repealed and should read as follows:

Section 410-19. B-3 Business Zone states the following permitted uses:

B. Permitted principal uses. This zone is intended to permit small office and office conversions. The following principal uses are permitted in the B-3 Business Zone subject to the requirements of site plan review:

- (4) Professional offices.
- (5) Offices for business, executive and professional purposes.
- (6) Professional offices on the first floor of a one-family residence.

PUBLIC NOTICE is hereby given that the above-entitled Ordinance was introduced and passed at first reading at a meeting of the Borough Council of the Borough of Alpha held on October 22, 2013 at the Alpha Volunteer Fire House, 1109 Lee Avenue Alpha, New Jersey. A public hearing regarding same will be held at a meeting beginning at 7:00 p.m. on November 12, 2013 at the Municipal Building, 1001 East Boulevard, Alpha, New Jersey at which time all persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.

Motion made by Councilman M. Schwar to introduce the Ordinance 2013-18, motion seconded by Councilwoman C. Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

**ORDINANCE 2013-18
BOROUGH OF ALPHA
AN ORDINANCE TO AMEND CHAPTER 57 – LAND USE PROCEDURES
OF THE CODE OF THE BOROUGH OF ALPHA
BY REVISION OF ARTICLE IV Application and Review Procedures,
SECTION 57-13. FEES AND ESCROW DEPOSITS.**

BE IT ORDAINED by the Borough Council of the Borough of Alpha that **Chapter 57 Land Use Procedures** of the Code of the Borough of Alpha, particularly **Article IV Application and Review Procedures, Section 57-13. Fees and escrow deposits**, shall be amended to the end that the following revisions shall be made thereto:

Section 1. Section 57-13A.(1) *Site plan review* shall be amended to provide as follows:

- (a) Minor Site Plan: \$300.00
- (b) Preliminary Site Plan: \$750.00
- (c) Final Site Plan: \$500.00

- (d) As-built Site Plan: \$500.00
- (e) Site Plan Resubmission: \$350.00
- (f) Property Owner's List: No change
- (g) Extension of Preliminary Approval: \$500.00
- (h) Application for Site Plan Waiver: \$500.00

Section 2. Section 57-13A.(2) *Subdivision* shall be amended to provide as follows:

- (a) [1] Lot line adjustment not creating an additional building lot: \$300.00
[2] Minor subdivision creating one or more new lots: \$400.00
- (b) [1] Sketch plat for major subdivision: \$500.00
[2] Preliminary plat for major subdivision:
 - [a] Less than 10 lots: \$750.00 plus \$25.00/lot
 - [b] Ten lots or more: \$1,500.00 plus \$25.00/lot
- [3] Final plat for major subdivision:
 - [a] Less than 10 lots: \$750.00 plus \$25.00/lot
 - [b] Ten lots or more: \$1,000.00 plus \$25.00/lot
- [4] Resubmission: \$750.00
- [5] *No change*
- [6] Extension of preliminary approval: \$1,000.00 plus \$25.00/lot

Section 3. Section 57-13A.(3) *Zoning fees* shall be amended as follows:

- (a) Zoning appeal: \$350.00
- (b) Conditional use permit: \$350.00
- (c) Zoning ordinance/Zoning Map interpretation: \$350.00
- (d) *Bulk* variance: \$350.00
- (e) Use variance: \$750.00
- (f) All other categories of Board of Adjustment applications: \$500.00
- (g) Extension of variance approval: \$300.00

Section 4. Section 57-13B. Escrow Deposits shall be amended to provide as follows:

- (3) Required deposits.
 - (a) Site plan review
 - [1] Minor site plan: \$1,000.00
 - [2] Preliminary site plan:
 - [a] Light Industry/Warehouse: \$4,000.00 plus \$200/1,000 SF (\$0.25 per square foot).
 - [b] Retail/Office - \$4,000.00 plus \$200/1,000 SF (\$0.50 per square foot).
 - [c] Multifamily \$2,500.00 plus \$250 per unit.
 - [d] Others: \$4,000.00 plus \$200/1,000 SF or \$250/unit
 - (b) Minor Subdivision
 - [1] Lot line adjustment (no new building lots): \$1,500.00
 - [2] Minor subdivision (1 or more new lots): \$1,500.00
 - (c) Major Subdivision
 - [1] Sketch plat for major subdivision: \$1,000.00 plus \$250/lot
 - [2] Preliminary plat for major subdivision: \$4,000.00 plus \$250/lot
 - [3] Final plat for major subdivision: \$2,500.00 plus \$250/lot
 - (d) Zoning variances:
 - [1] An application seeking relief pursuant to N.J.S.A. 40:55D-70(a.), i.e., appeal of the Zoning Officer's decision, a review escrow deposit fee of \$750.00 shall be paid.
 - [2] An application seeking relief pursuant to N.J.S.A. 40:55D-70(b.), i.e., interpretation of Zoning Map, Zoning Ordinance or decision upon *special questions*, a review of escrow deposit fee of \$750.00 shall be paid.
 - [3] An application seeking relief pursuant to N.J.S.A. 40:55D-70(c.), i.e., *bulk* or *hardship* variance:
 - (a) for an improved residentially zoned lot, a review deposit fee of \$500.00 shall be paid.
 - (b) for an unimproved residentially zoned lot, a review deposit fee of \$1,000.00 shall be paid.
 - (c) for a commercially zoned lot, whether improved or unimproved, a review deposit fee of \$1,500.00 shall be paid.
 - (d) For an industrial zoned lot, whether improved or unimproved, a review deposit fee of \$1,500.00 shall be paid.

[4] A use variance, expansion of a nonconforming use, conditional use deviation, floor area ratio increase, permitted density increase, exceeding the permitted height of a principal structure by 10 feet or 10 percent, a review deposit fee of \$1,500.00 shall be paid.

[5] Extension of variance approval: \$1,000.00

Section 5. Convening of a special meeting of the Land Use Board at the request of an application: \$1,500.00

PUBLIC NOTICE is hereby given that the above-entitled Ordinance was introduced and passed at first reading at a meeting of the Borough Council of the Borough of Alpha held on October 22, 2013 at the Alpha Volunteer Fire House, 1109 Lee Avenue Alpha, New Jersey. A public hearing regarding same will be held at a meeting beginning at 7:00 p.m. on November 12, 2013 at the Municipal Building, 1001 East Boulevard, Alpha, New Jersey at which time all persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.

Motion made by Councilwoman C. Schwar to introduce the Ordinance 2013-19, motion seconded by Councilman M. Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

**ORDINANCE 2013-19
BOROUGH OF ALPHA
AN ORDINANCE TO AMEND CHAPTER 315 – SITE PLAN REVIEW
OF THE CODE OF THE BOROUGH OF ALPHA
BY ENUMERATING DEFINITIONS AND REQUIREMENTS OF MINOR SITE PLAN**

BE IT ORDAINED by the Borough Council of the Borough of Alpha that Chapter 315 Site Plan Review of the Code of the Borough of Alpha, particularly **Section 315-2. Definitions**; and **Section 315-6. Concept Plan** shall be amended that the following revisions shall be made thereto:

§ 315-2. Definitions.

The definition of *Minor Site Plan* is as follows:

MINOR SITE PLAN – The development of one or more lots which does not involve planned development, any new street or extension of any off-tract improvement and contains the information reasonably required in order to make an informed determination as to whether the requirements established by this chapter for approval of a minor site plan have been met and shall be limited to the following classes of development:

- A. A change in use involving no building construction, other than interior modifications or interior structural alterations, and no need for additional off-street parking, lighting or drainage improvements.
- B. Minor structural changes, such as entry enclosures, porticos and other structural appurtenances, including roof appurtenances.
- C. Building additions not exceeding 100 square feet in ground coverage and accessory buildings and structures not exceeding 500 square feet in ground coverage, provided that the same do not invade upon any required parking area, setback area or otherwise violate any requirements of the Borough Development Regulations.
- D. Site plans detailing development not reasonably anticipated to create impacts beyond those normally attending applications otherwise meeting the requirements of Subsections A, B and C above.

§ 315-6.1 Minor Site Plan Requirements.

Minor Site Plan Requirements shall be as follows:

- A. Lot or tract boundary information must be shown, but may be based upon tax map, deed or other reasonably accurate base.
- B. Names of owner(s), block and lot numbers and street address of subject property and of properties within 200 feet of the tract.
- C. General topography need be shown on the site.

- D. Documentation supporting the adequacy of any existing septic must be provided.
- E. Location of one-hundred-year floodplain with source of information.
- F. Location of any wetlands on and within 150 feet of the tract as determined by a qualified individual.
- G. Existing and proposed rights-of-way, easements or covenants affecting the property.
- H. Gross and net area of existing lot(s).
- I. Setback dimensions of existing structures and required by Zoning Ordinance building setback lines.
- J. A schedule of required and provided zone district requirements including lot area, width, depth, yard setbacks, impervious surface ratio, floor area ratio, etc.
- K. Location, type and size of proposed utility services, including but not limited to gas, electric, water, sewer and cable television; location of proposed wells and septic systems where public sewer and water are not available.
- L. Location and first floor and garage floor elevation of all existing buildings and structures and the location of all existing driveways.
- M. Location of existing and proposed signs and details of their size, lighting and type of construction.
- N. The location, type and size of proposed curbs, sidewalks, driveways, fences, landscaping, retaining walls, drainage facilities, parking spaces and loading areas on the site.
- O. A narrative indicating the proposed use of the property and anticipated impacts upon traffic circulation, parking, lighting, stormwater runoff and sewage disposal.

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Motion made by Councilwoman C. Schwar to introduce the Ordinance 2013-20, motion seconded by Councilman M. Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

**ORDINANCE 2013-20
BOROUGH OF ALPHA
AN ORDINANCE TO AMEND CHAPTER 315 – SITE PLAN REVIEW
OF THE CODE OF THE BOROUGH OF ALPHA
BY ESTABLISHING A COMPLETENESS CHECKLIST FOR *MINOR* SITE PLANS**

BE IT ORDAINED, by the Borough Council of the Borough of Alpha that **Chapter 315- Site Plan** Review of the Code of the Borough of Alpha, particularly **Section 315-14. Checklists**, shall be amended, to the end that the following new checklist shall be added thereto, to be entitled:

***Minor Site Plan Checklist*¹.**

Yes	No	Waiver ²		
			Section 315-5A	Taxes and assessments paid
			Section 315-5B	Corporate (including LLC's) ownership and disclosure
			Section 315-7A	Submission of plans and fees 10 copies of application 10 copies of plan Fees in compliance with Section 57-13
			Section 315-9A(1)	Sheet size
			Section 315-9A(2)	Title block information

Section 315-9A(3)	North arrow, date, revisions
Section 315-9C(2)	Scale
Section 315-9C(3)	Information Required
	(a) Names, addresses and titles
	(b) Tax Map information
	(c) Key map
	(d) Date, graphic scale and North arrow
	(e) Setback requirements
	(f) Principal and accessory structure data
	(g) Buildings, drainage and parking
	(h) Parking, drives, sidewalks, curbs, etc.
	(i) Rights-of-way and easements
	(j) Contiguously owned lands
	(k) Site lighting
	(l) Owners within 200 feet
	(m) Plan preparer credentials
	(n) Location of 100-year flood plain with source information
	(o) Location of any wetlands on and within 150 feet of the tract as determined by a qualified individual
	(p) General site topography and drainage
	(q) Existing septic system location and designed capacity
	(r) Gross and net areas of site
	(s) Utility services
	(t) Floor elevations
	(u) Sign details
	(v) Use description (existing and proposed)

Notes: 1. The checklist item descriptions are not all-inclusive. The applicant is directed to refer to Chapter 315, Site Plan Review, for more specific detail on requirements for completeness.

2. Specific reasons for consideration must be submitted in writing for each waiver requested.

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Motion made by Councilwoman C. Schwar to introduce the Ordinance 2013-21, motion seconded by Councilman M. Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

ORDINANCE 2013-21
BOROUGH OF ALPHA
AN ORDINANCE TO AMEND CHAPTER 57 – LAND USE PROCEDURES
OF THE CODE OF THE BOROUGH OF ALPHA
BY REVISION OF ARTICLE IV Application and Review Procedures,
SECTION 57-13.1 FEES AND ESCROW DEPOSITS.

BE IT ORDAINED by the Borough Council of the Borough of Alpha that **Chapter 57 Land Use Procedures** of the Code of the Borough of Alpha, particularly **Article IV Application and Review Procedures, Section 57-13. Fees and escrow deposits**, shall be amended to the end that the following revisions shall be made thereto:

§ 57-13.1. Non-Payment of Escrow Deposits

A. In the event of an applicant’s non-payment of Escrow Deposits the following actions shall be taken:

- (1) No Final Action Until Payment is Made.

No final action on an application for development shall be taken by the Land Use Board until all escrow fees payable in connection with such application have been paid in full, and any additional escrow required after the payment of the initial escrow deposit as estimated by the Board engineer, Board attorney or Board planner necessary to complete the administration of the development application have been paid in full. Every Resolution and memorialization adopted by the Land Use Board pursuant to N.J.S.A. 40:55D-10(g.) shall be expressly conditioned upon the applicant making payment in full of all sums due or to grow due on account of such escrow account within ten (10) days of the date of being billed therefor by the Borough or advised thereof by a representative (secretary or otherwise) of the Land Use Board, in default of which the Land Use Board may thereupon, upon notice to the applicant or at any time thereafter, declare such Resolution of memorialization and any relief granted thereto to be null, void and of no further effect.

(2) Property Owner Liable.

Without regard to whether the property owner is the applicant, the property owner and applicant (if the applicant is other than the property owner) shall be jointly and severally liable to the Borough for the payment of escrow fees on account of professional services rendered in administration of the application. Although the Borough will first attempt to collect the fees due and payable from the applicant (if the applicant is other than the property owner) the Borough, in its sole discretion, shall be entitled to collect such fees from the property owner if the applicant, after a period of twenty (20) days of the date of notification, does not pay such additional escrow fees requested. No memorializing Resolution shall be adopted; any memorializing Resolution previously adopted shall be subject to revocation and no zoning permit or building permit shall be issued until such additional escrow fees have been paid.

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Ordinances 2nd Reading

Motion made by Councilwoman C. Schwar to open the public hearing for Ordinance 2013-14, motion seconded by Councilman Cartabona. Hearing no public comment, on motion by Councilman M. Schwar and seconded by Councilman Cartabona, all were in favor.

Motion made by Councilwoman C. Schwar to adopt Ordinance 2013-14, motion seconded by Councilman Cartabona. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

**ORDINANCE 2013-14
AN ORDINANCE SETTING THE 2013 SALARY RANGES
FOR ALL OF THE EMPLOYEES OF THE BOROUGH OF ALPHA.**

Section I

BE IT ORDAINED by the Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey that the annual salaries of the officers and employees of the Borough of Alpha, County of Warren, and State of New Jersey named herein:

Administrative Clerk	\$15.00 - \$20.00/hr
Air Quality	\$1.00-\$2000
Animal Control Officer	\$4,000 - 7,500
Building Service Worker	\$13.00 – 18.50/hr
Chief Financial Officer	\$60,000 - 80,000
Clean Communities Coord.	\$1.00-\$500
Clean Community Worker	\$8 - \$16/hour
Clerk/Typist P/T	\$10.00 – 18.00/hr
Construction Official	\$15,000 - 24,000
Code Enforcement Officer	\$2,000 - 5,000
Court Attendant	\$50 - \$150/use

Court Clerk	\$10.00 -\$16.00/hr
Court Clerk Call Out	\$20.00 - \$50.00 per call
Court Security	\$50.00 - \$200.00/use
Council member	\$1,500 -3,000
Deputy Borough Clerk	\$13.00 – 18.50/hr
Emergency Mgmt Coordinator	\$1,500 -3,000
Emergency Mgmt Deputy	\$250 – 1,000
Emergency Equipment Operator	\$12.00-30.00/hr
File Clerk	\$7.50-12.00/hr
Fire Inspector	\$500 – 1,500
Housing Liaison	\$1,000-2,500
Insurance Fund Commissioner	\$1 - 500
Land Use Board Secretary	\$5,000-16,000
Mayor	\$1,500 - 3,500
Library Director	\$35,000 - \$48,000
Library Assistant	\$10 - \$15/ hour
Municipal Court Administrator	\$10,000 – 15,000
Municipal Judge	\$5,000 – 10,000
Municipal Prosecutor	\$2,000 – 5,000
Laborer I	\$25,000 - \$35,000
Laborer II	\$33,000 - \$43,000
Laborer III	\$38,000 - \$50,000
Park Attendant I	\$8.00-12.00/hr
Park Attendant II	\$10 - \$15/hour
Plumbing Sub-Code Off/Inspector	\$1,000 - \$5,000
Public Defender	\$100 – 150 per use
Public Works Repairer II	\$50,000.00 - 55,000
PW Superintendent/Lic Water Operator	\$7,500 – 25,000
Public Works Repairer I	\$55,000 - 65,000
Pumping Station Operator	\$10.00-15.00/hr
Pumping Stat. Operator Retainer	\$200 - 300 per qtr
Recycling Coordinator	\$2,000-6,000
Registered Municipal Clerk	\$55,000-\$65,000
School Crossing Guard	\$20 - 30/day
Senior Public Works Repairer	\$65,000 – 85,000.00
Sewer C-2 Operator	\$8,000-16,000
Tax Assessor	\$15,000 – 20,000
Tax Collector	\$17,500 – 25,000
Tax Search Officer	\$500 – 1,000
Utility Collector	\$1,000 – 18,000
Water Meter Repairer	\$9 - \$25/hour
Zoning Officer	\$2,000 – 5,000
mileage allowance personal car	.30 -.65/mile

Section II

Longevity: \$500-2,500.00 per contract

Section III

Any ordinance or sections of the ordinance of the Borough of Alpha, New Jersey inconsistent herein shall be and the same hereby repealed.

Section IV

This ordinance shall be retroactive to January 1, 2013

PUBLIC NOTICE is hereby given that the above-entitled Ordinance was introduced and passed at first reading at a meeting of the Borough Council of the Borough of Alpha held on October 8, 2013 at the alpha Volunteer Fire House, 1109 Lee Avenue Alpha, New Jersey. A public hearing regarding same will be held at a meeting beginning at 7:00 p.m. on October 22, 2013 at the Municipal Building, 1001 East Boulevard, Alpha, New Jersey at which time all persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.

Resolutions

Lengthy discussions ensued regarding Resolution 2013-139 (School Funding). Motion made by Councilman M. Schwar to table this resolution until next meeting, motion seconded by Councilman Cartabona, all were in favor.

**RESOLUTION 2013-139
RESOLUTION OF THE BOROUGH OF ALPHA FOR THE STATE OF NEW JERSEY
TO FULFILL ITS CONSTITUTIONAL DUTY IN DISTRIBUTING STATE AID FOR EDUCATION IN A
FAIR MANNER**

WHEREAS, the Mayor and Governing Body of the Borough of Alpha believes that every child should have equal resources of state aid distributed by the legislature for an education in the State of New Jersey by utilizing a fair school funding mechanism; and

WHEREAS, the current distribution of state aid for education to the schools has not been distributed in a fair and equitable manner to provide property tax relief to all the citizens of the State of new Jersey ; and

WHEREAS, Article 111. Paragraph 1, of the New Jersey State Constitution states “ The powers of the government shall be divided among three distinct branches, the legislative, executive and judicial. No person or persons belonging to or constituting one branch shall exercise any of the powers properly belonging to either of the others, except as expressly provided in this Constitution; and

WHEREAS, Article VIII, Section IV, paragraph 1, of the New Jersey State Constitution states, “the legislature shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all children in the State between the ages of five and eighteen years;” and

WHEREAS, Article VIII, Section IV, Paragraph 2 of the New Jersey Constitution states “the fund for the support of free public schools...shall be annually appropriated to the support of free public schools, and for the equal benefit of all the people of this State;” and

WHEREAS, this body can no longer bear the burden of the continued diversion of its fair share of state school aid for the students between the ages of five and eighteen years of age who reside within the jurisdiction.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Governing Body of the Borough of Alpha, State of New Jersey and County of Warren do hereby call upon the legislature of the State of New Jersey to fulfill its constitutionally assigned duty to distribute the state aid for education to the school districts in this state in a fair manner that is for the equal benefit of all people of the state and not by means that are prejudiced by the actions of special interests that may have been presented before the Court or other venue.

BE IT FURTHER RESOLVED, that the Clerk of this entity is hereby directed to forward a copy of this resolution to Governor Christie, Senate President Stephen Sweeney, Senate Minority Leader Thomas Kean Jr., Assembly Speaker Sheila Oliver and Assembly Minority Leader Jon Brammick.

Motion made by Councilman Dunwell to approve Resolution 2013-145, motion seconded by Councilman M. Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

**RESOLUTION 2013-145
CANCELLATION OF UNEXPENDED
GENERAL CAPITAL RESERVE BALANCES**

WHEREAS, the Borough of Alpha currently has in Reserve monies previously raised for capital improvements, specifically Purchase of Public Works Vehicle,

WHEREAS, the Governing Body has decided to purchase a public works pickup truck and seeks to utilize those funds previously raised for this specific purpose,

WHEREAS, the Statutes of the State of New Jersey do not permit Reserve accounts to be direct funding sources for Ordinances,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpha hereby authorize the Chief Financial Officer to cancel the below balance from the below listed account to General Capital Fund Balance.

Res-Purchase of PW Vehicle	C-04-55-800-963	\$12,000.00
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Motion made by Councilman M. Schwar to approve Resolution 2013-146, motion seconded by Councilwoman C. Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

**RESOLUTION 2013-146
RESOLUTION ADOPTING CASH MANAGEMENT PLAN
FOR THE BOROUGH OF ALPHA**

WHEREAS, the Mayor and Council of the Borough of Alpha have determined that approving and adopting a cash management plan for the Borough of Alpha would be and is appropriate and in the best interests of the Borough; and

WHEREAS, the Mayor and Council of the Borough of Alpha have openly discussed the cash management plan with the Borough CFO.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Alpha, County of Warren, and State of New Jersey that the Council approves and adopts the cash management plan as attached hereto.

**2013 CASH MANAGEMENT PLAN OF
THE BOROUGH OF ALPHA IN THE COUNTY OF WARREN**

I STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Borough of Alpha, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds indentified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.

A. The Plan is intended to cover the deposit and/or investment of the following funds and various accounts at authorized depositories of the Borough of Alpha:

Current	Utility	Payroll	General Capital
Animal	Agency	Grant	Utility Capital
Assistance	Open Space	Historic	Parking Offense
VeteransPool	Escrow	Public Defender	

III DESIGNATION OF OFFICIALS OF THE BOROUGH OF ALPHA AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN

The Chief Financial Officer of the Borough of Alpha, or other designee specified by Resolution, is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, the CFO of the Borough of Alpha is directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgement kept on file with the CFO. Other municipal employees, such as the Clerk, Construction Official, Tax Collector, Court Administrator and Utility Collector are hereby authorized to make deposits of standard receipts into the respective funds.

IV DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated by annual resolution of the Borough Council as official depositories for the Deposit of all public funds referred to in the Plan, including any Certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

PNC Bank	
Bank of America	TD Bank
Team Capital	State of New Jersey Cash Management Fund

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the CFO.

V DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.

The following brokerage firms and/or dealers and institutions are hereby designated as firms with whom the CFO of the Borough of Alpha may deal for purposes of buying and selling securities identified in the Plan as Permitted Investments or otherwise providing for Deposits. All such brokerage firms and/or dealers shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the CFO.

VI AUTHORIZED INVESTMENTS

A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- 1 Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- 2 Government money market mutual funds;
- 3 Any obligation that a federal agency or federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 364 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- 4 Bonds or other obligations, having a maturity date not more than 364 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- 5 Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- 6 Local government investment pools;
- 7 Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or
- 8 Agreements for the repurchase of fully collateralized securities if:
 - a the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection
 - b the custody of collateral is transferred to a third party;
 - c the maturity of the agreement is not more than 30 days
 - d the underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17:9-41); and
 - e a master repurchase agreement providing for the custody and security of collateral is executed.

For purpose of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- A which is registered with the Securities and Exchange Commission under the “Investment Company” Act of 1940, “ 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7
- B the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- C which has:
 - i attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - ii retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940.” 15 U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

- a which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- b which is rated in the highest category by a nationally recognized statistical rating organization;
- c which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- d which is in compliance with rules adopted pursuant to the “Administration Procedure Act,” P.L.1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- e which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- f which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within the State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or though a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in the borrowing on such U.S. Government securities.

VII SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGEMENT OF RECEIPT OF PLAN.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough of Alpha then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of a Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to insure that such Permitted Investments are either received by the Borough or by a third party custodian prior to or upon the release of the Borough’s funds.

To assure that all parties with whom the Borough of Alpha deals either by day of Deposits or Permitted Investments are aware of the authority and the limits set forth in the Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official.

The Borough is the recognized Escrow Agent to hold and invest development fees collected which will provide affordable housing in accordance with Rules of the N.J. Council on Affordable Housing (COAH) via the New Jersey Administrative Code (5:93-8 et seq). Escrow funds are held in the Trust Account and if the Borough is deemed to have violated the escrow agreement, the State COAH Agency may notify the Borough and the financial institution (depository) ceasing all transactions which pertain to the escrow account until there is resolution and release by the COAH Agency in accordance with the rules and conditions of the Escrow Agreement for Developer Fees. Said agreement shall apply to this management plan.

VIII REPORTING REQUIREMENTS.

At the first Council meeting within 45 days of each six month period in which this Plan is in effect, the Designated Official referred to in Section III hereto shall supply to the governing of the Borough of Alpha a written report of any Deposits or Permitted Investments made during the past 6 months pursuant to this Plan, which shall include, at a minimum, the following information:

- A The name of any institution holding funds of the Borough as a Deposit or Permitted Investment.

- B The amount of securities or Deposits purchased or sold during the immediately preceding six months.
- C The class or type of such securities purchased or Deposits made.
- D The book value of such Deposits or Permitted Investments.
- E The estimated income to be earned on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding six months.
- F The fees incurred, if any, to undertake such Deposits or Permitted Investments.
- G The market value of all Deposits or Permitted Investments as of the end of the immediately preceding six months.
- H All other information which may be deemed reasonable by the Chief Finance Officer from time to time which she believes of interest to the governing body of the Borough of Alpha.

IX CREDIT CARDS/DEBIT CARDS AND ELECTRONIC PAYMENTS.

A N.J.S.A. 40A:5-43 et seq and N.J.S.A. 2B:1-5 respectively provide for Municipal Courts and municipal agencies to be authorized to establish a system to accept electronic payments such as court imposed obligations, or other valid municipal charges.

B All systems established for receipt of electronic payments are subject to the rules established by the Director of the Division of Local Government Services and the Rules of Court which are further delineated by Rule 7:14-4(c) which authorizes municipal courts to accept electronic payments and Rules N.J.A.C. 5:30-9.1 et seq which are established by the Division of Local Government Services providing guidelines for local governments' use of and receipt of electronic payments.

C Definitions applied when utilizing electronic devices are in accordance with the definitions found in N.J.A.C. 5:30-9.2.

D Prior to any municipal agency utilizing a method of electronic payments, the Chief Finance Officer must have evaluated the process to insure compliance with the rules and regulations and approved the accounting procedures to be utilized.

X TERM OF PLAN.

This Plan shall be in effect from July 2013 until December 31, 2013. Attached to this Plan will be a resolution of the governing body of the Borough of Alpha approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

Motion made by Councilwoman C. Schwar to approve Resolution 2013-147, motion seconded by Councilman Cartabona. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

**RESOLUTION 2013-147
RESOLUTION DIRECTING ALL CELLULAR LEASE PAYMENTS MADE TO THE
THE BOROUGH OF ALPHA FOR OCCUPYING THE BOROUGH WATER TOWERS TO THE
WATER/SEWER UTILITY**

WHEREAS, the Mayor and Council of the Borough of Alpha have determined that directing all money received from the cellular lease payments – made to the Borough of Alpha for leases involving its water tower properties – into the Borough's water/sewer utility account for a five-year period would be and is appropriate and in the best interests of the Borough; and

WHEREAS, the Borough of Alpha presently leases space on its water towers at Pursel Street and Industrial Drive to four cellular providers; and

WHEREAS, the said leases are for, at minimum, 10 years in duration, with the first lease commencing in or around 2004; and

WHEREAS, the Mayor and Council of the Borough of Alpha have seen the lease payment revenue directed to the Borough's current fund; and

WHEREAS, the Mayor and Council of the Borough of Alpha acknowledge that, as part of the Borough's water utility improvement plan, the Pursel Street water tower is in need of painting and safety improvements and the Industrial Drive water tower is in need of periodic inspection and maintenance; and

WHEREAS, the Mayor and Council of the Borough of Alpha anticipate cellular lease revenue to be received by the Borough to be about \$92,560. for 2013 and approximately \$580,000. for the five-year period; and

WHEREAS, the Mayor and Council of the Borough of Alpha had openly discussed this issue at a budget meeting in February 2013 with the Borough CFO in attendance.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, that the Council, considering the above, hereby directs the CFO to recognize all money(ies) received from cellular lease payments – made to the Borough of Alpha for leases involving its water tower properties – in (or into) the Borough's water/sewer utility account for a five-year period (2013, 2014, 2015, 2016, and 2017), subject to the express, written approval of the Borough CFO and the Borough Auditor.

Motion made by Councilman M. Schwar to approve Resolution 2013-148, motion seconded by Councilman Savary. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

**RESOLUTION 2013-148
REDEMPTION OF TAX
SALE CERTIFICATES
#2012007
#2012009
#2012010**

WHEREAS, the Tax Collector of the Borough of Alpha advised the Mayor and Council that the following properties have been redeemed and the money due thereon paid to the Borough of Alpha Tax Collector;

NOW THEREFORE BE IT RESOVLED, by the Mayor and Council of the Borough of Alpha this 22nd day of October 2013 that the refunds are made to the certificate holder as noted:

CERTIFICATE HOLDER
FWDSL & Associates LP
5 Cold Hill Road South, Ste 11
Mendham, NJ 07945

BLOCK/LOT	CERTIFICATE #	AMOUNT
36/26 (761 North Blvd)	#2012007	\$20,391.87
96/6 (1554 Third Ave)	#2012009	\$18,821.56
96/7 (1554 Third Ave)	#2012010	\$36,773.01

Motion made by Councilman M. Schwar to approve Resolution 2013-149, motion seconded by Councilman Savary. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas.

**RESOLUTION 2013-149
REFUNDS TO CERTIFICATE HOLDERS**

WHEREAS, the Tax Collector of the Borough of Alpha has advised the Mayor and Borough Council of the Borough of Alpha, that the following properties have been redeemed within (5) years of the tax sale and a premium was paid at the time of sale,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough of Alpha Council this 22nd day of October 2013 that refunds been made to the certificate holder as noted:

FWDSL & Associates, LP
5 Cold Hill Road South, Ste 11
Mendham, NJ 07945

Block 36, Lot 26
Certificate #2012007
Premium \$8,000

Block 96, Lot 6
Certificate #2012009
Premium \$6,800

Block 96, Lot 7
Certificate #2012010
Premium \$9,500

Minutes

Motion made by Councilman M. Schwar to approve the minutes of 07-30-2013 (Special meeting), motion seconded by C. Schwar, all were in favor with the exception of Councilman Dunwell abstaining.

Executive Session Minutes

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

- 08/13/2013
- 09/10/2013
- 09/19/2013
- 09/24/2013

Motion seconded by Councilman Savary, all were in favor with the exception of the following abstentions: Cartabona for all, Dunwell for 8/13/2013 and 9/10/2013.

Department Reports

Administration, Councilwoman Carol Schwar: Councilwoman Schwar reported on the report that was completed fro the DEP concerning the exemption for recycling.

Councilwoman Schwar gave the report received from the Code Enforcement Officer regarding various complaints throughout the borough. Lengthy discussions of basketball hoops in the roadway ensued.

Councilwoman Schwar requested 15 minutes in executive session for personnel regarding the library. In closing, Councilwoman Schwar approved bills, salaries and wages for her department.

Finance, Councilman Michael Schwar: Councilman Schwar discussed the submission of the best practices list with the CFO and getting a better score for next year. Councilman Schwar reported on a surplus policy the Borough needs to have in place and will bring a formal policy to Council in the future.

Councilman Schwar discussed the need of obtaining three quotes for purchases for the Borough.

Councilman Schwar stated he attended the Complete Streets seminar yesterday that was held in New Brunswick. In closing Councilman Schwar approved bills, salaries and wages for his department.

Health and Welfare, Councilman Harry Zikas Jr.: Councilwoman Schwar gave the report received from the County Health Department. In closing Councilwoman Schwar approved the one bill that was in the packet.

Public Property, Councilman Michael Savary: Councilman Savary reported that the salt shed repair will start soon. Councilman Savary received a written estimate for moving the fire truck. In closing Councilman Savary approved bills, salaries and wages for his department.

Councilman Savary requested 50 minutes in executive session for personnel.

Public Safety, Councilman Louis Cartabona: Councilman Cartabona reported that he is having continuing discussions with residents in having them cut back their vegetation to allow emergency vehicles access to alleys and roadways. Councilman Cartabona stated he attended the monthly meeting of the American Legion. Councilman Cartabona stated that Council is invited to go to the school to see the different flags throughout the history painted on the walls in the gym. The American Legion is working with the school to have a veteran's recognition ceremony at the school.

Councilman Cartabona reported he visited one of the two vendors for the fire truck that the committee is looking at.

Councilman Cartabona gave the court report received for the month of September and stated that court has been held at the Phillipsburg court room.

In closing Councilman Cartabona approved bills, salaries and wages for his department. Councilman Cartabona requested 15 minutes in executive session for contractual and five minutes for personnel.

Public Works, Councilman Craig Dunwell: Councilman Dunwell reported on the DPW and the clean communities temporary help cleaning up debris at Leigh Fuel. A bill will be submitted as a lien to the property.

Councilman Dunwell reported on an underground vault that was discovered during construction on West Vulcanite Avenue.

Councilman Dunwell requested 20 minutes in executive session for contractual and 10 minutes for potential litigation. Discussions ensued regarding the people handling of calling the DEP for the vault situation. Councilman Savary inquired about why Pete Pursel does not have a town issued phone and referenced his use on his personal phone during the day. Councilman Savary requested 10 minutes in executive session to discuss this further.

Professional and Officials Reports

Mayors Report, Edward Hanics: Mayor Hanics reported he received another correspondence regarding the Clean Communities status report that needs to be done for 2012.

Mayor Hanics reported that he will not be at the next meeting for November 12th due to a meeting with JCP&L that will be held at the Fire House.

Fire Department, Chief Chuck Bodogh: Chief Bodogh inquired about the Mack Truck stated he hasn't heard anything further. Chief Bodogh reported that the truck committee will be making a decisions on what type of truck they prefer and will bring this back to council. The Cub Scouts will be at the fire house on the 24th to do fire prevention with them.

Chief Bodogh stated that the upcoming weekend is the last for the hayrides which will include a tethered balloon ride.

Attorney, Christopher Troxell: Mr. Troxell requested 15 minutes in executive session for personnel. Attorney Troxell reported on the bid opening regarding the jetting and video of the sewer lines and stated that council can accept the bid but then reject it by resolution and go out to rebid it.

Motion made by Councilman Dunwell to accept the bid for sewer jetting and video by Russell Reid, motion seconded by Councilman Cartabona, all were in favor.

Motion made by Councilman Dunwell to approve Resolution 2013-150 to reject the bid for sewer jetting and video jetting and authorize the Engineer to re-advertise with receipt of bids for November 11th at 11:00 a.m. Motion seconded by Councilman M. Schwar, all were in favor.

Engineer Report: Engineer Frank Seney distributed to Mayor and Council his report on the various projects throughout the borough and gave a status report.

Clerk: Laurie A. Barton: Mrs. Barton announced the rabies clinic for 2014 will be held on January 11th from 1-2 P.M.

Recycling Coordinator: Tom Fey reported on a company that can do the tub grinding, called Rivers Edge. Mr. Fey stated that the Christmas Tree Lighting is all set. It will be held on December 6th at 6pm.

Public Comment

Millard Rooks, West Vulcanite Ave., thanked Councilwoman Schwar for going against the normal and questioning practices going on amongst Council and for looking after the best interest of the Borough.

Chris Dragota, Lyons Court, reported on the house next to the pump house on Frace Street being empty.

Mr. Dragota reported that he called the police to inquire about lights being left on throughout the empty house. Police reported back to him there was the worst case of black mold throughout the house. Mr. Dragota inquired if the Borough could do anything about this.

Jim Pfeiffer, Central Ave., inquired about water lines and if they were finished being installed. Mr. Pfeiffer expressed his concern over the contractor not compacting the area properly.

Payment of Bills and Claims

Motion made Councilwoman Schwar the directors reports be a part of the official minute's motion seconded by Councilman Cartabona, all were in favor.

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

October 22, 2013
02:55 PM

BOROUGH OF ALPHA
Bill List By P.O. Number

Page No: 1

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
FINAL BILL LIST							
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
13-00515	06/01/13	GENER	GENERAL CODE LLC	Inv #BILL011249 Code Supplemnt	Open	508.96	0.00
13-00539	09/05/13	HOME	HOME DEPOT/GEFC	Rollers, Keys, Cleaning Prod	Open	88.94	0.00
13-00550	09/19/13	HOME	HOME DEPOT/GEFC	Paint & Miscellaneous Supplies	Open	152.61	0.00
13-00561	09/08/13	EXPRE	EXPRESS-TIMES	9/8 Meeting Relocation Ad	Open	76.48	0.00
13-00571	09/30/13	ONECA	ONE CALL CONCEPTS	Sept 2013 Regular Locates	Open	14.82	0.00
13-00590	10/17/13	PAYRO	PAYROLL AGENCY ACCT 751561	10/18/13 Current Fund PR	Open	18,112.51	0.00
13-00591	10/17/13	PAYRO	PAYROLL AGENCY ACCT 751561	10/18/13 Utility Fund PR	Open	3,671.50	0.00
13-00592	10/17/13	PAYRO	PAYROLL AGENCY ACCT 751561	10/18/13 Animal Fund PR	Open	548.23	0.00
13-00593	10/17/13	PAYRO	PAYROLL AGENCY ACCT 751561	10/18/13 Grant Fund PR	Open	699.85	0.00
13-00595	10/01/13	TOWNP	TOWN OF PHILLIPSBURG	3rd Qtr 2013 Sewage	Open	57,413.31	0.00
13-00596	10/01/13	COUN	COUNTY OF WARREN TREASURER	4th Qtr 2013 County Taxes	Open	376,261.32	0.00
13-00597	09/27/13	FREY ENG	FREY ENGINEERING, LLC	Aug 2013 Engineering Services	Open	10,374.30	0.00
13-00598	10/01/13	JCP&L	JCP&L	Sept-Oct 2013 Electric Bills	Open	3,685.67	0.00
13-00599	10/01/13	ACTION	ACTION DATA SERVICES	Sept 2013 Payroll Services	Open	106.69	0.00
13-00600	10/01/13	EAS	EAS BY ACTION DATA	Sept 2013 Payroll Services	Open	44.28	0.00
13-00601	09/01/13	QC	QC, INC.	Aug-Sept 2013 Water Testing	Open	794.00	0.00
13-00602	10/01/13	VERIZ	VERIZON WIRELESS	9/5-10/3 Cell Phone Bill	Open	50.41	0.00
13-00603	10/01/13	FIRE	TREASURER STATE OF NEW JERSEY	2013 BFCE Reg/Renewal Fees	Open	472.00	0.00
13-00607	10/07/13	NJPLAN	NEW JERSEY PLANNING OFFICIALS	NJPO 2014 Memb Dues - LUB	Open	315.00	0.00
13-00609	10/10/13	NJSTA	NJ STATE LEAGUE MUNICIPALITIES	12/3/13 Clerk - NJLM Seminar	Open	55.00	0.00
13-00615	09/01/13	REMINGTO	REMINGTON & VERNICK ENGINEERS	Aug 2013 Engineering Services	Open	45,940.44	0.00
13-00616	09/01/13	NJSTA	NJ STATE LEAGUE MUNICIPALITIES	2013-2014 Leg Bulletin Renewal	Open	49.00	0.00
13-00618	10/10/13	NJSTA	NJ STATE LEAGUE MUNICIPALITIES	2013 League Conference Badges	Open	330.00	0.00
13-00619	10/01/13	VANCLE	VANCLEEF ENGINEERING ASSOCIATE	9/1-9/30 Lee Ave Engineer Svs	Open	196.00	0.00
13-00620	10/01/13	JCP&L	JCP&L	9/6-10/21 Electric Bills	Open	2,977.04	0.00
13-00621	10/15/13	ELIZGA	ELIZABETHTOWN GAS	9/11-10/11 Propane Bills	Open	191.49	0.00
13-00622	10/15/13	LSI	LINE SYSTEMS, INC	10/1-10/31 Telephone Bill	Open	629.89	0.00
13-00623	10/01/13	QC	QC, INC.	9/24-10/7 Water Testing	Open	1,075.00	0.00
13-00627	10/16/13	VITAL	VITAL COMMUNICATIONS, INC	2014 Assess Notices Postage	Open	343.20	0.00
Total Purchase Orders: 31				Total P.O. Line Items: 102	Total List Amount: 823,597.34	Total Void Amount: 0.00	

13-00587 10/10/13 USPS 4th Period 2013 Utility Bill Postage PAID Check #4064 \$339.57

New Business

Motion made by Councilman Schwar to approve bingo license BA-2013-1, motion seconded by Councilwoman Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas

Motion made by Councilwoman Schwar to approve raffle license RA-2013-6, motion seconded by Councilman Schwar. Roll call: Ayes: Cartabona, Dunwell, Savary, C. Schwar and M. Schwar. Nays: none. Absent: Zikas

Executive Session

Motion made by Councilman Cartabona to approve the following resolution to go into executive session for two hours and 10 minutes, motion seconded by Councilman 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 two hour(s), ten minutes, allowing for a five (5) minute recess between the regular session and the executive session.

Return to Regular Session

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

Motion made by Councilman Cartabona to approve Resolution 2013-151, motion seconded by Councilman Dunwell. Roll call: Ayes: Cartabona, Dunwell, Savary and C. Schwar and. Nays: M. Schwar. Absent: Zikas.

**RESOLUTION 2013-151
PENN COMMERCIAL VEHICLE SOLUTIONS
CONTRACT**

BE IT RESOLVED, by Council and Mayor, for the Borough of Alpha, a contract for the repair of 1982 Mack fire truck be awarded to Penn Commercial Vehicle Solutions of Fleetwood PA, in the amount of \$10,993.68 contingent of availability of funds as certified by the Borough CFO -see attached.

Motion made by Councilman Cartabona to approve Resolution 2013-152, motion seconded by Councilman Dunwell. Roll call: Ayes: Cartabona, Dunwell, Savary and C. Schwar. Nays: M. Schwar. Absent: Zikas.

**RESOLUTION 2013-152
JASON PFEIFFER AWARD OF CONTRACT**

BE IT RESOLVED by the Council and Mayor of the Borough of Alpha authorizing Jason Pfeiffer Trucking of Alpha NJ, to transport said fire truck 1982 Mack truck for price of \$100 per hour not to exceed \$1200 in transporting it to the Fleetwood PA facility contingent on certification of funds by the CFO of the Borough of Alpha-see attached.

Motion made by Councilman Dunwell to authorize the Attorney to draft a letter to send to the court and the prosecutor's office indicating the following: Michael Savary did in fact use fuel at the landfill site in building a road for the Borough which was not for personal use, in which this act benefited the borough in which this was a unanimous decision with the exception of Michael Savary to send this letter. Motion seconded by Councilman Schwar. Roll call: Ayes: Cartabona, Dunwell, C. Schwar and M. Schwar. Nays: none. Abstain: Savary. Absent: Zikas.

Councilman Cartabona reported that he received a membership application to Alpha Fire Department and will bring this back at the next meeting.

Adjourn

There being no further business to come before Council at this time, on motion made by Councilman Cartabona and seconded by Councilman Savary, this meeting adjourned at 10:00 p.m.

Respectfully submitted,

Laurie A. Barton

Borough Clerk