

Council-President Seiss called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, June 24, 2014.

Council-President Seiss 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 8, 2014, 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.

Council-President Seiss led prayer and the salute to the flag.

*Roll Call:* Present: Councilman Rooks, Councilman Cartabona, Councilwoman Schwar, Councilman Schwar, Councilman Seiss and Councilman Zikas. Also present, Attorney Christopher Troxell, Clerk, Laurie Barton and Engineers, Frank Seney. Absent: Mayor Hanics.

#### *Public Comment*

John Schmidt, Schley Ave., asked for permission to use the pavilion with the waiver of fee for the meeting for the AYAA for July 6<sup>th</sup>.

Motion made by Councilman Schwar to approve the request for the pavilion with waiver of fee subject to the availability of July 6<sup>th</sup>. Motion seconded by Councilman Rooks, all were in favor.

#### *Ordinance*

Councilman Seiss discussed an issue with Ordinance 2014-11. Motion made by Councilman Rooks to approve Ordinance 2014-11, motion seconded by Councilman Schwar. Questions: Discussions ensued regarding Councilman Seiss's concerns of an exit to be used by the fire department for this parcel of land. Motion to rescind the approval of Ordinance 2014-011, until Attorney Troxell is present, motion seconded by Councilman Schwar, all were in favor.

#### *Resolutions*

Motion made by Councilman Schwar to approve Resolution 2014-83. Motion seconded by Councilwoman Schwar, roll call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

**RESOLUTION 2014-83  
RESOLUTION OF THE ALPHA BOROUGH COUNCIL  
APPROVING THE RENEWALS OF LIQUOR LICENSES FOR THE PERIOD  
JULY 1, 2014-JUNE 30, 2015 FOR THE FOLLOWING LICENSES.**

**WHEREAS**, the liquor licenses noted below require approval for the period July 1, 2014-June 30, 2015;

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

<u>License No.</u>	<u>Licensee</u>	<u>Type of License</u>
2102-44-002-004	Ruturaj Enterprise Inc.(Alpha Liq. Store)	Plenary Retail Distribution
2102-33-005-003	Almond Tree Manor, LLC	Plenary Retail Consumption
2102-33-004-004	Pinstripes	Plenary Retail Consumption
2102-33-003-004	Alpha Sub Shop Inc	Plenary Retail Consumption
2102-33-001-011	Hops & Barley	Plenary Retail Consumption
2102-33-006-007	Karen Bezner/Trustee for Mid-Town Tavern	Plenary Retail Consumption

Motion made by Councilman Rooks to approve Resolution 2014-84. Motion seconded by Councilwoman Schwar, roll call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

**RESOLUTION 2014-84  
RESOLUTION OF THE ALPHA BOROUGH COUNCIL  
APPROVING THE RENEWAL OF LIQUOR LICENSE FOR THE PERIOD  
JULY 1, 2014-JUNE 30, 2015 FOR ALPHA VOLUNTEER FIRE COMPANY.**

**WHEREAS**, the liquor license noted below require approval for the period July 1, 2014-June 30, 2015;

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

<u>License No.</u>	<u>License</u>	<u>License Type</u>
2102-31-008-001	Alpha Volunteer Fire Co.	Club License

*Ordinance-2014-11*

Attorney Troxell discussed the concerns regarding Ordinance 2014-11, in which Mr. Troxell stated that the issue of an exit on the property is a separate issue.

Motion made by Councilman Schwar to approve Ordinance 2014-11 with the public hearing scheduled for July 8<sup>th</sup>, motion seconded by Councilman Cartabona. Roll Call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

**ORDINANCE 2014-11  
AN ORDINANCE TO VACATE A PORTION OF AVENUE A  
IN THE BOROUGH OF ALPHA, COUNTY OF WARREN,  
STATE OF NEW JERSEY**

**WHEREAS**, Avenue A located within the Borough of Alpha, County of Warren, State of New Jersey, was previously dedicated for public use; and

**WHEREAS**, the Borough Council determined that the public interest will be better served by releasing a small portion of the above-referenced Avenue A, pursuant to *N.J.S.A. 40:67-19*, as this vacation will facilitate the

current and future use of the property on which the roadway is located, and as such property will not be used for residential development.

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Alpha that a portion of Avenue A be vacated as follows: the fifty foot (50') wide right-of-way running from the end of Avenue A, furthest from Industrial Drive, for approximately two hundred fifty feet (250') in length.

**BE IT FURTHER ORDAINED** that the Borough of Alpha hereby reserves all of its rights and any rights concerning utility and public easements within such vacated portion of Avenue A, including the right to create public easements therein.

**BE IT FURTHER ORDAINED** that said Ordinance may be read and inspected at any time at the Office of the Municipal Clerk, Municipal Building, 1001 East Boulevard, Alpha, New Jersey. The Borough Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under seal of the Borough to be a true copy thereof, together with a copy of the proof of publication thereof, with the office of the Clerk of the County of Warren in accordance with the provisions of N.J.S.A. 40:67-21. At least one (1) week prior to the time fixed for further consideration of this Ordinance for final passage, a copy thereof together with the notice of the introduction hereof and the time and place when and where the Ordinance will be further considered for final passage shall be mailed to every person whose lands may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Borough Clerk in accordance with the provisions of N.J.S.A. 40:49-6. The Mayor and Borough Clerk, on behalf of the Borough of Alpha, are hereby authorized to execute any and all instruments and to take any and all steps necessary to effectuate the purposes hereof.

**BE IT FURTHER ORDAINED** that all ordinances or portions of ordinances which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only. The various parts, sections and clauses of this Ordinance are hereby declared to be severable so that if any part, sentence, paragraph, section or clause of this Ordinance is adjudged unconstitutional or invalidated by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. This Ordinance shall take effect immediately upon final passage and publication as required by law.

#### *Department Reports*

*Administration, Councilman Harry Zikas Jr.:* No report. In closing, Councilman Zikas approved his bills, salaries and wages for his department. Councilwoman Schwar inquired about any movement on an Auditor. Councilman Cartabona inquired about high grass on First Ave. and East Blvd.

*Finance, Councilman Michael Schwar:* Councilman Schwar discussed the use of a time management system. Councilman Schwar requested 15 minutes in executive session for potential litigation.

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

*Health and Welfare, Councilman Millard Rooks:* Councilman Rooks reported that the town wide clean up was successful, with no issues. There were some complaints about stray cats on East Central. A complaint of pigs loose on Hobson Street was received, the owner stated that they will be brought to another farm out of town.

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

*Public Property, Councilwoman Carol Schwar:* Councilwoman Schwar reported that Linde Group would like to do additional community projects in the Borough, and would like to install more play ground equipment. Discussions of repairing the bricks and moving the base at the Veterans Memorial ensued.

Councilwoman Schwar spoke on the issue of flooding caused by debris at the culvert in relation to Homa Farm.

Benke Field bleachers and the roof were discussed on how to proceed with repairing or removing them from the ball field.

Engineer, Frank Seney offered to look at the bleachers to see how much damage there is.

Councilwoman Schwar requested 10 minutes in executive session for contractual. In closing, Councilwoman Schwar approved bills, salaries and wages for his department.

*Public Safety, Councilman Louis Cartabona:* Councilman Cartabona reported on gas lines being replaced by the gas company within the Borough. In closing, Councilman Cartabona approved bills, salaries and wages for his department.

*Public Works, Councilman Thomas Seiss:* Councilman Seiss requested five minutes in executive session for contractual. Councilman Seiss discussed what will be the duties of the person who will be involved in the sidewalk project. Engineer, Seney described the duties and added that his office will assist the person who is appointed.

Councilman Seiss requested an additional five minutes in executive session to discuss this matter further for personnel.

Councilman Seiss and Engineer, Frank Seney discussed the testing on the Alpha Street well.

Councilman Seiss discussed adopting the policy of certification of funds for all bids and quotes.

Motion made by Councilman Seiss and seconded by Councilman Schwar to have the Attorney draft a resolution for the next meeting for certification of funds from the CFO when a quote is required. Roll call: Ayes: Cartabona, Rooks, M. Schwar, Seiss and Zikas. Nays: none. Abstain: C. Schwar.

Councilman Seiss requested another 10 minutes in executive session for contractual. In closing, Councilman Seiss approved bills, salaries and wages for his department.

#### *Committee Reports*

**Open Space:** Councilwoman Schwar reported on the Borough making the deadline for the Open Space Conservancy Fund application.

Councilman Seiss discussed key fobs and who will have access to the mail room.

*Professional & Officials Reports*

*Mayor, Edward Hanics:* Council-President Seiss reviewed correspondences received through the Mayor's office. Motion made by Councilwoman Schwar to authorize the Mayor to sign a letter supporting the application for farmland preservation for Oberly Farm. Motion seconded by Councilman Zikas, all were in favor.

*Engineer, Frank Seney:* Mr. Seney did an overview of the report distributed to Council.

*Public Comment*

Chris Dragotta, Lyons Ct., wanted to know what will be done with the Lyons Court that is in need of repair.

John Schmidt, Schley Ave., described the conditions of Dewey Avenue as being horrible and added that the sinkhole has reappeared.

Sean McDyer, Dewey Ave., spoke on the sink hole on Dewey Ave and it being an ongoing issue.

Charles Bodogh, East Central Ave., inquired about overgrown grass at 1034 Central Ave.

Dave Cavanaugh, 6<sup>th</sup> Ave., asked about the Borough's open space and if it included recreation.

*Payment of Bills and Claims*

Motion made by Councilman Zikas to make the Directors Reports part of the minutes, motion seconded by Councilman Rooks, all were in favor.

Motion made by Councilwoman Schwar to authorize the CFO to pay bills approved by the Directors, motion seconded by Councilman Zikas. Roll Call: Ayes: Cartabona (Abstains on purchase order #14-00374) Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

Motion made by Councilwoman Schwar to authorize to CFO to pay all salary and wages that are approved, motion seconded by Councilman Rooks. Roll Call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

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

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

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
13-00804	12/10/13	JHMSI	JHM SIGNS	Indust Park-New Sign-Res13-169	Open	13,800.00	0.00
14-00252	04/01/14	CEDAR	CEDAR RIDGE LAWN & LANDSCAPE	2014 Lawn Care Services	Open	3,260.50	0.00
14-00308	05/13/14	STAP	STAPLES BUSINESS ADVANTAGE	Cleaning Supplies	Open	90.06	0.00
14-00317	05/29/14	ONECA	ONE CALL CONCEPTS	Bal Remaining - Feb 2014	Open	7.50	0.00
14-00322	05/20/14	METZE	METZ & SON ELECTRICAL, INC	5/20 Rpr Lgt - Pursel Pumphous	Open	136.50	0.00
14-00323	05/02/14	HUNDE	HUNTERDON COUNTY DEMOCRAT	5/2 Budg Reso to Amend Ad	Open	122.38	0.00
14-00324	05/09/14	EXPRES	EXPRESS-TIMES	5/9 Reso Commerc Ad	Open	764.15	0.00
14-00331	05/22/14	BCS	UNIVAR USA INC.	5/22 Inv #MV040126 Sulf Acid	Open	3,727.31	0.00
14-00333	05/01/14	DEERPARK	DEER PARK DIRECT, DIVISION OF	4/17-5/16 Bottled water	Open	2.49	0.00
14-00349	06/03/14	MGL	MGL PRINTING SOLUTIONS	2014 Blank Util Billing Cards	Open	549.60	0.00
14-00352	05/27/14	EXETER	EXETER SUPPLY COMPANY	5/27 Clamps & wrench	Open	1,335.80	0.00
14-00353	06/05/14	NJDAL	NJ DIVISION OF ALCOHOL & BEV	2014-2015 Liquor Lic Appl's	Open	21.00	0.00
14-00354	06/05/14	JEWELL	JEWELL COMPUTING SOLUTIONS LLC	5/1-5/5 IT svs - Clerk Dell	Open	55.00	0.00
14-00356	06/05/14	STAP	STAPLES BUSINESS ADVANTAGE	6/5 Clerk - Office Supplies	Open	139.61	0.00
14-00359	06/15/14	LSI	LINE SYSTEMS, INC	June 2014 Telephone Bill	Open	665.98	0.00
14-00360	06/10/14	GIBBO	GIBBONS P.C.	Bond Ordinances Legal Services	Open	475.00	0.00
14-00362	06/18/14	PUBLI	PUBLIC ALLIANCE INS. COVERAGE	2014 PAIC 3rd Installment	Open	46,960.00	0.00
14-00363	06/18/14	FREY ENG	FREY ENGINEERING, LLC	May 2014 Engineering Services	Open	23,242.28	0.00
14-00364	06/12/14	WILLEVER	WILLEVER EXCAVATING	Salt Shed Canopy Repair	Open	2,500.00	0.00
14-00365	06/10/14	QC	QC, INC.	5/30 Water Testing	Open	44.00	0.00
14-00367	06/04/14	VERIZ	VERIZON WIRELESS	May 2014 Cell Phone Bill	Open	50.50	0.00
14-00368	06/18/14	NJSTA	NJ STATE LEAGUE MUNICIPALITIES	7/15 COAH Regulations webinar	Open	25.00	0.00
14-00370	06/13/14	PAYRO	PAYROLL AGENCY ACCT 751561	6/13/14 Current Fund PR	Open	15,545.87	0.00
14-00371	06/13/14	PAYRO	PAYROLL AGENCY ACCT 751561	6/13/14 Utility Fund PR	Open	3,617.55	0.00
14-00372	06/06/14	TADDEO	FRANCESCO TADDEO, LLC	2/12&5/21 Labor Attorney Fees	Open	181.50	0.00
14-00374	06/02/14	CALECA	JOHN J. CALECA, III	2/9-5/19 Shrd Court Legal Svs	Open	561.00	0.00
14-00377	06/03/14	ACTION	ACTION DATA SERVICES	May 2014 Payroll Services	Open	113.84	0.00
14-00378	06/03/14	EAS	EAS BY ACTION DATA	May 2014 Payroll Services	Open	43.19	0.00
14-00379	06/01/14	COOPR	COOPER ALARM SYSTEMS	7/2014-7/2015 Alarm Monitoring	Open	436.00	0.00
14-00380	05/30/14	JCPL	JCP&L	4/24-6/18 Electric Bills	Open	6,013.34	0.00
14-00382	06/21/14	RUEFF	SANDY RUEFF	Apr-June 2014 website Updates	Open	297.50	0.00
Total Purchase Orders: 32				Total P.O. Line Items: 97	Total List Amount: 124,784.45	Total Void Amount: 0.00	

**14-00338 PAYRO 5/16/14 UTILITY FUND PAYROLL \$3686.97**

*New Business*

Motion made by Councilman Zikas to approve the following:

*Approval of Pavilion Permit-request waiver of fee for: Ginna Tarsi c/o Kaleidoscope Cloggers (non profit) for September 14<sup>th</sup>*

Motion seconded by Councilman Schwar, roll call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

Motion made by Councilman Zikas to approve the following:

*Approval of Pavilion Permit w/ alcohol: Ginna Tarsi, September 6th*

Motion seconded by Councilman Schwar, roll call: Ayes: Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none. Abstain: Cartabona.

*Executive Session- 45 Minutes*

Motion made by Councilman Zikas to approve the following resolution, motion seconded by Councilman Rooks, 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: 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 45 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 Rooks, all were in favor.

Motion made by Councilwoman Schwar to go ahead and pay the escrow account for the Pohatcong Township Inspector to look at the street opening work for the water project, motion seconded by Councilman Schwar. Roll Call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

*Adjourn*

There being no further business to come before Council at this time, on motion made by Councilman Zikas and seconded by Councilman Rooks, this meeting adjourned at 8:43 P.M.

Respectfully submitted,

*Laurie A. Barton, Borough Clerk*