

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, August 12, 2014.

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. The Municipal Clerk delivered to The Express-Times and posted on the bulletin board in the Municipal Building, a notice containing the date, time and place of this meeting of the Alpha Borough Council. Also, said notice has been mailed to persons requesting the same.

Mayor Hanics led prayer and the salute to the flag.

Roll Call: Present: Councilman Cartabona, Councilman Rooks, Councilwoman Schwar, Councilman Schwar, Councilman Seiss and Councilman Zikas (via speaker phone). Also present, Attorney Christopher Troxell and Engineer, Stephanie Cuthbert, Borough Clerk, Laurie Barton and CFO, Lorraine Rossetti.

Public Comment

Robert Gash, Phillipsburg Colts, requested the use of Benke Field. Discussions ensued regarding the use and activities on the fields.

Motion made by Councilman Rooks to approve the Colts to use Benke Field and Marino Field for the 2014 season and authorize the Mayor to sign agreement, motion seconded by Councilman Cartabona, all were in favor.

Bill Morris, Alpha St., inquired about getting a variance to open the street for a gas line installation.

Tom Fey, East Blvd., stated he noticed a pickup truck at Benke field parked on the grass and stated that it shouldn't be allowed. Mr. Gash responded that the truck is for transport of life support equipment.

Mike Savary, Park Ave., asked who pays for the porta-johns at the field.

Presentation on Sewer Upgrades

Jim Hill, Frey Engineering, reported on the sewer upgrades done so far this year. Mr. Hill requested various certifications to proceed with the underground repairs and pump station upgrades.

Jackie Szekers, North Blvd., inquired about the repairs done on Pursel and Park Avenues and stated that there is a big dip in the road.

Robert Gash, Phillipsburg Colts, brought the attention to Council of equipment that needs to be replaced and repaired at the field house; ice machine and freezers.

Charles Bodoogh, East Central Ave., stated the monument is cracked.

Jim Pfeiffer, Central Ave., discussed the water issue on 4th Avenue and the catch basin being sunk down about 2 inches.

Mike Savary, Park Ave., inquired about the bill for debris removal and the PennBower bill for sinkhole repairs.

Fireman Application Transfer

Councilman Cartabona made a motion to approve the application transfer of Jason Lawrence, motion seconded by Councilman Schwar, all were in favor.

Ordinance

Motion made by Councilman Cartabona to open the public hearing for Ordinance 2014-12, motion seconded by Councilman Seiss, all were in favor.

**ORDINANCE 2014-12
BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$530,000
FOR ACQUISITION OF A FIRE TRUCK PUMPER IN AND BY THE
BOROUGH OF ALPHA, IN THE COUNTY OF WARREN, NEW
JERSEY AND AUTHORIZING THE ISSUANCE OF \$470,000 BONDS
OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE
APPROPRIATION.**

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ALPHA, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Borough of Alpha, in the County of Warren, New Jersey (the "Borough") as a general improvement. For the said Improvement there is hereby appropriated the amount of \$530,000, such sum includes the sum of \$60,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$470,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$470,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements hereby authorized and the purposes for the financing of which the bonds are to be issued is for the acquisition of a Fire Truck Pumper.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$470,000.

(c) The estimated cost of the Improvement is \$530,000 which amount represents the initial appropriation made by the Borough.

SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$470,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvement prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$470,000.

SECTION 10.

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mike Savary, Park Ave., asked if this was going out to bid. Councilman Seiss responded that it will be purchased through state contract.

Motion to closed public hearing made by Councilman Cartabona, motion seconded by Councilman Rooks, all were in favor.

Motion to approve Ordinance 2014-12, motion seconded by Councilman Schwar. Roll call : Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

Resolutions

Motion made by Councilman Seiss to approve Resolution 2014-99, motion seconded by Councilwoman Schwar. Roll call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

**RESOLUTION 2014-99
EXTEND GRACE PERIOD
FOR PAYMENT OF TAXES**

WHEREAS, the 2014 final and 2015 preliminary tax bills will be mailed out beyond the June 14, 2014 statutory date, N.J.S.A. 54:4-64 as a result in a delay in obtaining the Municipal Tax Rate, and

WHEREAS, the law of 1994 known as A179 requires a minimum of a twenty-five day payment period for either estimated or final tax bills.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Alpha this 12th day of August 2014 that the grace period allowed for payment of the August 1, 2014 tax quarter be extended to August 19, 2014 and any payment received after said date will be charged interest from the original August 1, 2014 due date.

Motion made by Councilman Schwar to approve Resolution 2014-100, motion seconded by Councilman Rooks. Roll call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

**RESOLUTION 2014-100
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT 2013**

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2013 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Governing Body of the Borough of Alpha hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Motion made by Councilman Schwar to approve Resolution 2014-101, motion seconded by Councilman Cartabona. Roll call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

**RESOLUTION 2014-101
RESOLUTION FOR CORRECTIVE ACTION PLAN FOR 2013 AUDIT REPORT
OF THE BOROUGH OF ALPHA, WARREN COUNTY, NEW JERSEY**

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

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

WHEREAS, the audit report was received on July 25, 2014, and

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

WHEREAS, Lorraine Rossetti, the Chief Financial Officer, has prepared a corrective action plan for findings in the 2013 Audit Report of the Borough of Alpha, Warren County, New Jersey, and

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

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpha, Warren County, New Jersey approve the corrective action plan and that the Chief Financial Officer of the Borough of Alpha, County of Warren, New Jersey is hereby directed to carry out the Corrective Action Plan for the 2013 Audit Report and the Municipal Clerk will forward a copy of this resolution to the Department of Community Affairs.

AUDIT REPORT YEAR 2013
CORRECTIVE ACTION PLAN

Recommendation Number 1

Description: That IRS Form 1099 be sent to all eligible vendors receiving in excess of \$600 in payments.

Analysis: Recent software updates have enabled the selection of a type of 1099 where previously it was automatically assigned. Many vendors do not have the selection made in the additional information now permitted for vendor data.

Corrective Action: Each vendor will be reviewed to ensure they each have the proper classification so the 1099 will be triggered when the \$600 threshold is met.

Person Responsible: Christy Rose and Lorraine Rossetti, CFO

Implementation Date: September 1, 2014

Recommendation Number 2

Description: That all capital ordinances be completely funded and posted properly in the General Capital Fund.

Analysis: An Improvement Authorization line item was not created for Capital Ordinance 2013-15 Purchase of Pick Up Truck and expenditure was made from the Reserve Account.

Corrective Action: The CFO will perform all account coding for capital projects to ensure the proper budget account line item is selected for each purchase.

Person Responsible: Lorraine Rossetti, CFO

Implementation Date: July 1, 2014

Recommendation Number 3

Description: That due care be taken in the posting of transactions to the Borough's financial records.

Analysis: An employee that was shared between departments was paid from multiple departments and a clear accounting was not presented at the time of the audit.

Corrective Action: Along with the Salary Resolution, an additional schedule will be created to clearly present each employees departmental earnings and any variation due to hourly wages. Any adjustments made between departments will be detailed in the payroll register.

Person Responsible: Lorraine Rossetti, CFO

Implementation Date: August 1, 2014

Recommendation Number 4

Description: That budget account titles accurately reflect the desired purpose as approved by the Borough Council.

Analysis: The budget line item entitled "Purchase of a Fire Truck" has historically paid for all capital expenditures for the fire company. All expenditures have been approved.

Corrective Action: Beginning with the 2015 Budget, the line item title will be changed to reflect a more general fire capital category.

Person Responsible: Lorraine Rossetti, CFO

Implementation Date: January 1, 2015

Recommendation Number 5

Description: That fines and costs be remitted to the proper agencies on or before the 15th of each month.

Analysis: Court fines and costs were not always remitted to the proper agencies prior to the 15th of the following month as required.

Corrective Action: Municipal Court is now a shared service with Phillipsburg and the remittance will be on time.

Person Responsible: Court Administrator

Implementation Date: August 1, 2014

Recommendation Number 6

Description: That all departmental receipts be deposited or remitted to the Treasurer within 48 hours per N.J.S.A. 40A:5-15.

Analysis: Outside offices are not always making deposits within 48 hours of receipt. Some were due to part time staffing levels and others from recent changes in responsibilities.

Corrective Action: Construction receipts are now turned in to the Finance Office and scanned in house. Utility deposits are written up daily as received and scanned as received in the Finance Office.

Person Responsible: Lorraine Rossetti, CFO

Implementation Date: August 1, 2014

Resolutions 2014-102 and 103 Held

Motion made by Councilman Seiss to approve Resolution 2014-104, motion seconded by Councilwoman Schwar. Roll call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

**RESOLUTION 2014-104
RESOLUTION AUTHORIZING BOROUGH ENGINEER TO
PROVIDE CONSULTING ENGINEERING SERVICES
FOR SCHLEY AVENUE SIDEWALK IMPROVEMENTS**

BE IT RESOLVED, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the firm of Remington & Vernick Engineers is hereby authorized to act as the Borough Engineer and proceed with the engineering services in regard to the Schley Avenue Sidewalk Improvements, for the contemplated scope of work in accordance with the firm's proposal March 10, 2014 (attached hereto) and in an amount not to exceed \$23,950.00, upon written certification of funds by the Borough CFO.

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

Motion made by Councilwoman Schwar to approve Resolution 2014-105, motion seconded by Councilman Schwar. Roll call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

**RESOLUTION 2014-105
RESOLUTION ALLOWING FOR A CONTRACT
FOR EMERGENCY WATER LOSS INVESTIGATION**

WHEREAS, the Council of the Borough of Alpha – through Remington & Vernick Engineers, Inc., the Borough’s Engineer – has determined that there exists or existed sudden unaccounted for water usage from the Borough’s potable water system in the Borough of Alpha and there exists or existed an immediate need to investigate any leak; and

WHEREAS, the Council of the Borough of Alpha is aware that the Borough is predisposed to sinkholes;

WHEREAS, the Borough of Alpha will limit a contract to a maximum \$3,500.00, well below the state bid threshold; and

WHEREAS, Remington & Vernick Engineers, Inc. has explained that the situation is an emergency affecting or likely to imminently affect public health, welfare and/or safety requiring immediate attention; and

WHEREAS, said need for emergency work was unforeseen and will not extend into next calendar year; and

WHEREAS, said contract only addresses the needs of the emergency – the investigation of the sudden unaccounted for water usage in the Borough’s potable water system as delineated in Remington & Vernick Engineers, Inc.’s August 1, 2014 letter.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the Borough hereby authorizes the payment of \$3,500.00 to New York Leak Detection, Inc., as previously directed at the July 22, 2014 Council meeting for a contract for the above-described emergency work, upon written certification of funds by the Borough CFO.

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

Motion made by Councilman Cartabona to approve Resolution 2014-106, motion seconded by Councilwoman Schwar. Roll call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

**RESOLUTION 2014-106
RESOLUTION AUTHORIZING BOROUGH ENGINEER TO
PROVIDE CONSULTING ENGINEERING SERVICES
FOR NJDEP WATER CONSERVATION PLAN**

BE IT RESOLVED, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the firm of Remington & Vernick Engineers is hereby authorized to act as the Borough Engineer and proceed with the engineering services in regard to the preparation and submission of a Water Conservation and Drought Management Plan as required by the New Jersey Department of Environmental Protection for the contemplated scope of work in accordance with the firm's proposal of August 5, 2014 (attached hereto) and in an amount not to exceed \$2,350.00, upon written certification of funds by the Borough CFO.

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

Motion made by Councilman Schwar to approve Resolution 2014-107, motion seconded by Councilwoman Schwar. Roll call: Ayes: Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Abstain: Cartabona. Nays: none.

**RESOLUTION 2014-107
SECOND REAL ESTATE APPRAISER**

BE IT RESOLVED by the Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey as follows:

1. Norman J. Goldberg of Norman J. Goldberg, Inc. is hereby retained as a licensed or certified general real estate appraiser in the State of New Jersey to act on the Borough of Alpha's behalf in regard to appraising a specific piece of real property in the Borough, chiefly that property known as Block 103, Lot 1, as two appraisals are required for grant application.
2. This retainer is awarded without competitive bidding as a "Professional Service" under provisions of the Local Public Contracts Law as provided by *NJSA 40A:11-5* because it requires service performed by a person authorized by law to practice a recognized profession and it is not possible to obtain competitive bids. It is also below the bid threshold and quote threshold, although three quotes were obtained.
3. The fee shall be \$2,750.00 for this specific appraisal and/or valuation services.

Motion made by Councilman Rooks to approve Resolution 2014-108, motion seconded by Councilman Schwar. Roll call: Ayes: Rooks, C. Schwar, M. Schwar, and Zikas. Abstain: Seiss. Nays: Cartabona.

**RESOLUTION 2014-108
APPROVING THE FORM OF CERTAIN AGREEMENTS, AUTHORIZING THE CHIEF FINANCIAL
OFFICER AND THE CLERK TO EXECUTE CERTAIN DOCUMENTS TO PURCHASE A FIRE TRUCK
IN AN AMOUNT NOT TO EXCEED \$522,686.74 OFF THE STATE CONTRACT**

WHEREAS, The Borough of Alpha in the County of Warren, is a municipality of the State of New Jersey (the "State") seeks to acquire a fire truck (through the NEW JERSEY STATE CONTRACT); and

WHEREAS, this purchase will be a Pierce Fire Truck that was recommended by the Alpha Borough Volunteer Fire Company Truck Sub-Committee.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Alpha, authorizes the Clerk, CFO and the Mayor to execute any documents in regards to purchase a Pierce Fire Truck in the amount of \$522,686.74 pursuant to and off of the New Jersey State Contract, as reflected in the attached documents, upon certification of funds by the CFO, which shall not be prior to September 11, 2014.

Motion made by Councilman Rooks to approve Resolution 2014-109, motion seconded by Councilwoman Schwar. Roll call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

**RESOLUTION 2014-109
RESOLUTION AWARDING A CONTRACT FOR SERVICE
AGREEMENT FOR HVAC SYSTEM TO TRANE**

WHEREAS, the Mayor and Council of the Borough of Alpha have determined that the HVAC system in the Borough's municipal building needs annual service and maintenance; and

WHEREAS, the Mayor and Council of the Borough of Alpha have sought quotations for such work, pursuant to New Jersey law; and

WHEREAS, the Borough of Alpha has contracted with TCPN, a national governmental purchasing cooperative, located in Texas; and

WHEREAS, the Borough of Alpha has been established and is operating pursuant to New Jersey law, including *N.J.S.A. 40A:14-70 to -105.1*; and,

WHEREAS, the Borough of Alpha is authorized pursuant to *N.J.S.A. 52:34-6.2(b)(3)* to use alternative procurement methods by entering into a nationally recognized cooperative agreement; and,

WHEREAS, TCPN is authorized to contract with eligible entities for the purchase of goods and services; and,

WHEREAS, TCPN has instituted a cooperative purchasing program under which it contracts with eligible entities.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, that the said contract for service to the Borough's HVAC system at the Borough's municipal building is hereby awarded, pursuant to the TCPN cooperative purchasing program, to Trane U.S. Inc. with a local office in Pittston, Pennsylvania in an amount of Fourteen Thousand One Hundred Seventy-Three and no 00/100 (\$14,173.00) plus any applicable tax for a three-year term (\$4,540.00 in year one, \$4,722.00 in year two, and \$4,911.00 in year three), with pre-payment discounts offered in addition.

BE IT FURTHER RESOLVED, that the Mayor, Clerk, CFO and/or Borough Attorney are authorized to execute all necessary documents to effectuate a lease of the said property.

Motion made by Councilwoman Schwar to approve Resolution 2014-110, motion seconded by Councilman Rooks. Roll call: Ayes: Cartabona, Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

**RESOLUTION 2014-110
RESOLUTION AMENDING ALLOWANCE FOR A CONTRACT
FOR EMERGENCY SEWER SYSTEM REPAIRS -
SANITARY SEWER TRUNK LINE**

WHEREAS, the Council of the Borough of Alpha – through James Hill, P.E. of Frey Engineering, LLC, the Borough’s Utility Engineer – has determined that certain areas of the public sanitary sewer system, including the sanitary sewer trunk line, in the Borough of Alpha are in immediate need of repair as an emergent matter; and

WHEREAS, the Council of the Borough of Alpha, through its representative, James Hill, P.E., has sought quotations from at least three vendors for said emergency work, pursuant to New Jersey law and Borough policy, and the lowest quotation is from Durnin’s Drain Service/ The Durnin Corporation of Easton, Pennsylvania for said emergency work at \$79,000.00; and

WHEREAS, the Borough of Alpha will limit a contract to a maximum \$79,000.00; and

WHEREAS, the Utility Engineer, James Hill, P.E., has explained that the situation is an emergency affecting or likely to imminently affect public health, welfare and/or safety requiring immediate attention; and

WHEREAS, said need for emergency work was unforeseen and will not extend into next calendar year; and

WHEREAS, said contract will only address the needs of the emergency – the repair of the sanitary sewer trunk line and the sewer system as delineated in Frey Engineering, LLC’s May 6, 2014 letter.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the borough representative, James Hill, P.E. of Frey Engineering, LLC, is hereby authorized to award the contract to Durnin’s Drain Service/ The Durnin Corporation of Easton, Pennsylvania for said emergency work to the Borough’s sanitary sewer system, pursuant to New Jersey law and Borough policy, in an amount of \$79,000.00, understanding that the total of all work performed by said vendor shall not exceed \$79,000.00 for the work and shall not extend into the next calendar year, upon written certification of funds by the Borough CFO.

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

Department Reports

Administration, Councilman Harry Zikas: Councilman Zikas reported he will re-advertise for Code Enforcement position. In closing Councilman approves salaries and wages for his department.

Finance, Councilman Michael Schwar: Councilman Schwar received a request from AYAA to use council chambers for their meetings. Motion made by Councilman Schwar allowing the AYAA to use council chambers for their monthly meetings, motion seconded by Councilman Rooks, all were in favor.

Councilman Schwar stated that he will be meeting with members of the AYAA to go down to field house and clean stuff up. Councilman Schwar reported on a request from the State Liner Youth baseball team to use the field two or three Monday evenings for try outs.

Councilman Schwar reviewed the audit recommendations for the 2013 Audit. In closing, Councilman Schwar approved bills, salaries and wages for his department.

Health and Welfare, Councilman Millard Rooks: Councilman Rooks received a complaint of a tree on Route 519 impeding view from Warren Street. Councilman Rooks requested five minutes in executive session for contractual regarding the recycling area. In closing, Councilman Rooks approved bills, salaries and wages for his department.

Public Property, Councilwoman Carol Schwar: Councilwoman Schwar reported on the debris at the pool house building. Councilwoman Schwar stated a decision needs to be made if the building is to be demolished. The line machine is not in working order due to being left out in cold. Moving the memorial stone at Veterans Park was discussed. Councilwoman Schwar received the report from Trane regarding the HVAC system in which representatives will be at the next meeting to discuss. Councilwoman Schwar requested 10 minutes in executive session for contractual and potential litigation.

A report went out to Council from the Engineer regarding the stands and the roof at the baseball field. A contractor has been contacted to submit a quote and Councilwoman Schwar stated she will get the information from the insurance company.

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

Public Safety, Councilman Louis Cartabona: Councilman Cartabona reported that he was happy to see a company on Vulcanite Avenue upgrading and replacing gas lines.

Councilman Cartabona reported on the equipment that was removed from the court office. In closing, Councilman Cartabona approved bills, salaries and wages for his department.

Public Works, Councilman Thomas Seiss: Seiss Councilman Seiss made the following motion in response to Jim Hill's recommendations:

Motion to approve Jim Hill to go to bid for Root Control, motion seconded by Councilman Schwar, all were in favor.

Motion to approve Top Line for manhole work on Hobson Street in the amount of \$5,100.00, motion seconded by Councilman Schwar, all were in favor with the exception of Councilman Cartabona abstaining.

Councilman Seiss made a motion to approve two underground sewer repairs to Sartini Plumbing in the amount of \$9,979.00, motion seconded by Councilman Schwar, all were in favor with the exception of Councilman Cartabona abstaining.

Motion made by Councilman Seiss to move the copy machine to the old court office, motion seconded by Councilman Cartabona, all were in favor.

Councilman Seiss requested 10 minutes in executive session for contractual regarding the DPW contract.

Discussions of having keys turned in from those that hold key fobs ensued. It was determined that only the Mayor and Clerk retain their keys.

Officials and Professionals Reports

Mayor, Edward Hanics: Mayor Hanics announced Dave Santowasso's resignation from the Land Use Board.

Mayor Hanics called for a motion to approve a letter to Highland Council requesting grant money. Motion made by Councilman Seiss to authorize the Mayor to send a letter to the Highlands Council requesting grant money, motion seconded Councilwoman Schwar, all were in favor with the exception of Councilman Cartabona abstaining.

Fire Chief, Sean McDyer: Chief McDyer gave the July call report and reported on the car show from last weekend.

Chief McDyer, on behalf of the Alpha Borough Volunteer Fire Company, thanked Council for the purchase of the fire truck.

Attorney, Christopher Troxell: Attorney Troxell requested five minutes in executive session for litigation regarding PennBower and five minutes for contractual concerning PEG Bandwidth.

Engineers Report, Stephanie Cuthbert: Ms. Cuthbert reviewed the report with updates that was previously distributed to Mayor and Council.

CFO, Lorraine Rossetti: Ms. Rossetti reported on the actions taken by her office regarding the Audit Recommendations. Budget reports will be distributed to departments next week. Mrs. Rossetti stated one item is to be added to the bill list for Huntington Oil for upgrades at Frace Street.

Ms. Rossetti asked for authorization to sign the Nestle contract (water cooler). Motion made by Councilman Schwar authorizing the CFO to sign Nestle Contract subject to Attorney review, motion seconded by Councilman Rooks, all were in favor.

Public Comment

Tom Fey, East Blvd, inquired about installing speed bumps on 7th Avenue due to an increase in speeding.

Chris Dragotta, Lyons Ct., requested the use of the pavilion for the annual hayride for the following dates: October 17th, 18th, 24th and 25th. Motion made by Councilman Cartabona to grant permission for the use of the recreation area for the Fire Department, motion seconded by Councilman Rooks, all were in favor.

Jim Pfeiffer, East Central Ave., expressed his concerns with the backfilling with the projects for 5th and 7th Avenue.

Payment of Bills and Claims

Motion made by Councilwoman Schwar to make the department reports part of the minutes, motion seconded by Councilman Cartabona, all were in favor.

Motion made by Councilman Rooks to have the CFO authorized to pay all bills approved and added by the directors, motion seconded by Councilwoman Schwar. Roll Call; Ayes: Cartabona (*with exception of bill # 00474 PennBower*) Rooks, C. Schwar, M. Schwar, Seiss and Zikas. Nays: none.

Motion made by Councilman Rooks that the CFO be authorized to pay all salaries and wages approved by the directors, motion seconded by Councilwoman Schwar. 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
14-00193	01/01/14	REMINGTON & VERNICK ENGINEERS	2014 Licensed Water Oper	Open	1,500.00	0.00	
14-00195	03/25/14	MR JOHN	Port Restrooms - Athl Fields	Open	282.76	0.00	
14-00196	03/25/14	ADVANCED BUSINESS EQUIPMENT	2014 Copier Maintenance Fees	Open	144.00	0.00	
14-00227	04/01/14	VERI DSL	2014 DSL Online Services -	Open	91.99	0.00	
14-00248	04/17/14	GLOBAL INDUSTRIAL	Bathroom Receptacles & Liners	Open	67.00	0.00	
14-00252	04/01/14	CEDAR RIDGE LAWN & LANDSCAPE	2014 Lawn Care Services	Open	1,631.25	0.00	
14-00253	01/01/14	AQUA NEW JERSEY	2014 Hydrant Rentals	Open	62.49	0.00	
14-00297	05/01/14	CHRISTOPHER M. TROXELL, ESQ	2014 Municipal Atty Svs	Open	3,750.00	0.00	
14-00298	04/01/14	WASTE MANAGEMENT OF NJ	2014 Solid Waste/Recycling	Open	16,723.00	0.00	
14-00299	04/01/14	TOWN OF PHILLIPSBURG	2014 Police Coverage -	Open	32,917.00	0.00	
14-00343	05/13/14	WHITESIN WHITE/SINGER SEW-N-VAC	Eureka Vacuum Cleaner Svs	Open	54.95	0.00	
14-00346	06/02/14	DANIEL BARANSKY	2014 N2 Operator	Open	833.33	0.00	
14-00387	07/01/14	FREY ENG	2014 C-2 Operator Fees	Open	3,000.00	0.00	
14-00389	06/18/14	COYNE CHEMICAL	6/18 Inv#932988 Chlorine	Open	441.00	0.00	
14-00390	06/26/14	FINCH FUEL OIL CO., INC.	6/26 Fuel Delivery	Open	235.33	0.00	
14-00408	07/02/14	STATE OF NJ HEALTH BENEFITS	2014 State Health Benefits	Open	9,830.59	0.00	
14-00409	07/01/14	ALPHA BOARD OF EDUCATION	2014 School Tax Due	Open	304,387.70	0.00	
14-00411	06/05/14	STAPLES BUSINESS ADVANTAGE	Office Supplies - Clerk	Open	470.82	0.00	
14-00413	07/01/14	WASTE MANAGEMENT ROLL OFFS	2014 School Dumpsters	Open	100.00	0.00	
14-00414	07/01/14	DE LAGE LANDEN FINANCIAL SERV	2014 Copier Equip Lease	Open	159.49	0.00	
14-00415	07/01/14	MARLIN BUSINESS BANK	2014 Postage Machine Lease	Open	617.88	0.00	
14-00419	07/08/14	HOME DEPOT/GECF	Catch Basin Repair Supplies	Open	46.55	0.00	
14-00423	07/08/14	VITAL COMMUNICATIONS, INC	MODIV tape for 2014/15 tax bils	Open	100.00	0.00	
14-00447	07/19/14	STAPLES BUSINESS ADVANTAGE	Printer Ink - LUB	Open	155.50	0.00	
14-00449	07/23/14	FLEMINGTON DEPARTMENT STORE	7/23 Safety Shoes DPW Contract	Open	150.00	0.00	
14-00450	07/28/14	ZEE MEDICAL, INC.	Medical Supplies-Munic Bldg	Open	129.12	0.00	
14-00451	07/11/14	MGL PRINTING SOLUTIONS	Current Fund Checks	Open	223.00	0.00	
14-00453	07/01/14	UNIVAR USA INC.	Inv #MV047240 Sulfuric Acid	Open	3,772.03	0.00	
14-00454	03/31/14	ONE CALL CONCEPTS	Mar/Apr 2014 Regular Locates	Open	20.92	0.00	
14-00455	07/11/14	GREEN POND NURSERY INC	7/11 Mulch for Playground	Open	490.00	0.00	
14-00457	07/15/14	QC, INC.	Inv #1624695 Water Testing	Open	55.00	0.00	
14-00459	07/16/14	ELIZABETHTOWN GAS	6/12-7/14 Propane Bills	Open	96.72	0.00	
14-00460	07/17/14	ACTION DATA SERVICES	July 2014 Payroll Services	Open	115.72	0.00	
14-00461	07/17/14	EAS BY ACTION DATA	Jun/Jul 2014 Payroll Services	Open	301.19	0.00	
14-00462	07/16/14	ALLIED OIL, LLC	7/16 Gasoline Delivery	Open	971.91	0.00	
14-00463	07/18/14	REMINGTON & VERNICK ENGINEERS	July 2014 Engineering Svs	Open	11,842.96	0.00	
14-00465	07/25/14	PAYROLL AGENCY ACCT 751561	7/25/14 Current Fund PR	Open	20,762.42	0.00	
14-00466	07/25/14	PAYROLL AGENCY ACCT 751561	7/25/14 Utility Fund PR	Open	3,971.82	0.00	
14-00469	07/23/14	TREASURER, STATE OF NJ	2014 2nd Qtrly State Training	Open	371.00	0.00	
14-00471	06/27/14	EXPRESS-TIMES	6/27-7/20 Legal Ads	Open	1,205.26	0.00	
14-00473	07/11/14	JCP&L	5/22-7/22 Electric Bills	Open	3,136.79	0.00	
14-00474	07/25/14	PENNBOWER	5/20-5/21 Emerg Sinkhole Rpr	Open	13,259.50	0.00	
14-00475	07/09/14	GRAND HOTEL OF CAPE MAY	8/25-8/28 Tax Board Assoc Conf	Open	369.00	0.00	
14-00476	07/10/14	TOP LINE	Cert #4 FY2013 NJDOT Mun Aid	Open	1,000.00	0.00	
14-00477	08/07/14	VANCLEEF ENGINEERING ASSOCIATE	Highlands #5 Reimbursements	Open	9,277.99	0.00	

Total Purchase Orders: 46 Total P.O. Line Items: 120 Total List Amount: 449,124.98 Total Void Amount: 0.00

14-00478 08/11/14 HUNTINGTON OIL HEATER UPRGRADE FRACE ST. WTP PAID CHK #1254 \$10,596.00

New Business

Motion to approve Raffle License #2014-3 Alpha Volunteer Fire Company, made by Councilman Rooks and seconded by Councilwoman Schwar, all were in favor.

Executive Session- 40 Minutes

Motion made by Councilman Rooks to approve the following resolution, motion seconded by Councilman Seiss, 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 40 minutes, allowing for a five (5) minute recess between the regular session and the executive session.

Return to Regular Session

Motion made by Councilman Seiss to return to regular session, motion seconded by Councilman Cartabona, all were in favor.

Adjourn

There being no further business to come before Council at this time, on motion made by Councilman Schwar and seconded by Councilwoman Schwar, this meeting adjourned at 11 P.M.

Respectfully submitted,

Laurie A. Barton
Borough Clerk