

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on Tuesday, November 25, 2014.

Mayor Hanics announced that adequate notice of the meeting was given 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 Star Gazette and/or 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: Present: Councilman Cartabona, Councilwoman Grossman, Councilman Rooks, Councilwoman Schwar, Councilman Schwar and Councilman Seiss. Also present: Attorney Christopher Troxell, Borough Clerk, Laurie Barton and Engineer Frank Seney.

Public Comment

Mario Manzo, 5th Avenue, discussed an ongoing problem with his water meter malfunctioning. Mr. Manzo reported that he believes it malfunctioned sometime in 2008. He stated he received a water shut off notice with a balance showing \$1,200.00. Mr. Manzo stated he would like to sit with Council and discuss this issue. He added that he has been receiving estimated bills since 2008.

Dave Cavanaugh, 6th Ave., discussed at length the proposed water ordinance and added he would like to see the 8000 gallons stipulation back.

Lester Kober, South Blvd., reported that his rake was stolen when he was raking his lawn recently, and noted that he only stepped away briefly from the rake and it was gone.

Mike DeMonti, Owner, Sigsbee Ave, asked Council to treat renters as same as people who own their own homes regarding the proposed increase in rates for the water and sewer and added they shouldn't be charged an additional fee. Lengthy discussions ensued regarding Mr. DeMonti's plea.

Tom Fey, East Blvd., commented on the apartments on High Street stating that each building has one meter.

Ordinance

Motion made by Councilman Schwar to introduce Ordinance 2014-16 with the public hearing set for December 16th, motion seconded by Councilman Seiss. Roll call: Ayes: Rooks, C. Schwar, M. Schwar and Seiss. Nays: Cartabona and Grossman.

**ORDINANCE 2014-16
BOROUGH OF ALPHA
ORDINANCE OF THE BOROUGH OF ALPHA AMENDING
AND SUPPLEMENTING CODE SECTION CHAPTER 403
WATER AND SEWER, WATER RATES**

WHEREAS, the Council of the Borough of Alpha desires to amend a portion of Chapter 403, Water and Sewer and amend its Code accordingly;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Alpha in the County of Warren and State of New Jersey that “Section 243, Water and Sewer, Section 403-2, Water Rates; turn-on and turn-off procedures” be amended, in part, and supplemented as follows:

§ 403-21 Water rates; turn-on and turn-off procedures.

A.

The rates for water services per quarter shall be as follows:

(1)

For residential, commercial, industrial, and multi-use building usage:

[Amended 3-22-2005 by Ord. No. 05-05]

(a)

A minimum service fee of \$80.00 per quarter per unit for residential and multi-use building(s); and minimum service fee of \$80.00 per quarter per unit for commercial and industrial.

(b)

A charge additionally of \$0.0038 per gallon of water used and metered per unit.

(c)

In a residential unit where there is no water meter, charges shall be equal to the average residential usage within the Borough during the previous quarter as determined by the Alpha Department of Public Works.

(2)

Multiple-use building. Each physical unit within a multiple-use building shall be \$80, plus \$0.0038 per gallon of water used and metered.

[Amended 3-22-2005 by Ord. No. 05-05]

(3)

Specific rates:

(a)

Water for fire protection system: \$500 per annum, plus the commercial rate for any water used.

[Amended 5-13-1997 by Ord. No. 97-8]

(b)

Cemeteries: \$45 per annum. If metered, the same rate as residential.

[Amended 5-13-1997 by Ord. No. 97-8]

(c)

Churches: same as residential rate.

[Amended 5-13-1997 by Ord. No. 97-8]

(d)

Schools: same as residential rate.

[Amended 5-13-1997 by Ord. No. 97-8]

(e)

Fire hydrant service to other communities: \$125 per hydrant per annum.

B.

Miscellaneous fees. Fees for miscellaneous services shall be as follows:

[Amended 8-14-2001 by Ord. No. 01-10]

(1)

Turn-off charge: \$50.

(2)

Turn-on charge: \$50.

(3)

Water for building construction, minimum flat rate charge: \$100.

(4)

Repairs of pipes or appurtenances by Department of Public Works or outside contractors: actual cost plus equipment rental. Payroll costs for municipal employees shall be at 1.50 times actual payroll rate.

[Amended 11-8-2012 by Ord. No. 12-13]

(5)

Testing of meter for accuracy, as requested by the consumer, if it's found to be accurate: \$25.

(6)

Services of Department of Public Works employees: 1.50 times the actual hourly rate per hour for all Department of Public Works employees involved.

[Amended 11-8-2012 by Ord. No. 12-13]

C.

In special cases not contemplated in the above schedule of rates or not clearly defined therein, the Borough Council is hereby authorized to establish special rates by resolution, under such schedule or formula as the Council may deem advisable, and the Council may make contracts with such special users as the special circumstances may require.

D.

No abatement of water rent will be allowed by reason of disuse or diminished use or vacant premises. All consumers who wish to discontinue service must notify the Director in writing. The service line will then be shut off at the curb.

When notified that the service is desired, the water will be turned on again at the curb by the Department of Public Works upon payment of the fees as set forth in § 403-21B to the Borough of Alpha.

Motion made by Councilman Cartabona to introduce Ordinance 2014-17 with public hearing scheduled for December 16th, motion seconded by Councilman Rooks. Roll Call: Ayes: Cartabona, Grossman, Rooks, C. Schwar, M. Schwar and Seiss. Nays: none.

**ORDINANCE 2014-17
BOROUGH OF ALPHA
ORDINANCE OF THE BOROUGH OF ALPHA AMENDING
AND SUPPLEMENTING CODE SECTION CHAPTER 403
WATER AND SEWER, ARTICLE III SEWER RENTS**

WHEREAS, the Council of the Borough of Alpha desires to amend a portion of Chapter 403, Water and Sewer and amend its Code accordingly;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Alpha in the County of Warren and State of New Jersey that “Section 243, Water and Sewer, Article III, Sewer Rents” be amended, in part, and supplemented as follows:

Article III:Sewer Rents

[Adopted 12-23-1969 by Ord. No. 204 (Ch. 97, Art. II of the 1974 Code)]

§ 403-38 Designation of sewers as self-liquidating utility.

The sanitary sewers of the Borough of Alpha shall be operated as a self-liquidating utility, and charges for such service shall be imposed upon users thereof. The revenue derived therefrom shall be dedicated to the purposes of such service as a self-liquidating utility.

§ 403-39 Definitions.

As used in this article, the following terms shall have the meanings indicated:

BASIC AMOUNT

The initial charge imposed for sewer services in a multiple-use building. Said charge shall be computed by multiplying the total number of units contained in a multiple-use building by \$40 per quarter.

[Added 3-27-1979 by Ord. No. 295; amended 12-13-1988 by Ord. No. 416]

COMMERCIAL ESTABLISHMENT

Any room, group of rooms, building or other enclosure used for the sale or distribution of any produce, commodity, article or service and specifically shall include churches, chapels, club rooms, firehouses, professional offices, banks, schools or any other room, group of rooms, building or enclosure not included in the definition of residential unit or industrial establishment.

INDUSTRIAL ESTABLISHMENT

Any room, group of rooms, building or other enclosure used for the manufacturing, processing, cleaning, laundering or assembling of any product, commodity or article.

MULTIPLE-USE BUILDING

Any building containing a room or group of rooms used for more than one purpose as defined in this section (e.g., a building containing a residential area and a commercial area).

[Added 3-27-1979 by Ord. No. 295]

RESIDENTIAL UNIT

Any room, group of rooms, house trailer or other enclosure occupied or intended for occupancy as separate living quarters by a family or other group of persons living together or by persons living alone.

§ 403-40 Sewer service charges.

[Amended 9-22-1970 by Ord. No. 207; 3-27-1979 by Ord. No. 295; 2-8-1983 by Ord. No. 356; 1-27-1987 by Ord. No. 392; 12-13-1988 by Ord. No. 416; 4-23-1991 by Ord. No. 451; 5-11-1993 by Ord. No. 482]

The following charges shall be imposed upon users of such service as follows:

A.

Residential, Commercial, Industrial, Multiple-use Buildings.

The quarterly charge for sewer service shall be a minimum of \$40.00 for each unit for residential and multi-use building(s) and a charge additionally of \$0.0090 per gallon of water used and metered.

The quarterly charge for sewer service shall be a minimum of \$40.00 for each unit for commercial and industrial and a charge additionally of \$0.0090 per gallon of water used and metered.

For each and every building having a multiple use, there shall be a basic quarterly charge for sewer service of \$40.00 for each unit contained in such building receiving sewer service. For example, if a multiple-use building contains two residential units and one commercial unit, the basic quarterly charge shall be \$120.00 or \$40.00 multiplied by three.

B.

Any person owning a building which has been classified as a multiple-use may appeal such classification to the Zoning Officer at any time by proving to said Officer, in his sole discretion, that one or more units contained in said building and comprising a portion of the multiple-use classification receive no sewer service whatever and therefore should not be counted as a unit or included within the classification.

C.

Charges to newly connected units. Any charges to units newly connected to the sewer system shall commence at the beginning of any year in which any such unit connects to the Alpha Borough sanitary sewer system. The quarterly charge for sewer service shall be as stated above for each unit.

§ 403-41 Future changes in service charges authorized.

The Borough Council shall have the authority to adopt a resolution, if necessary, to increase or decrease the aforesaid quarterly sewer service charges for residential, commercial and industrial users, along with multiple-use buildings, and may compute the sewer service charges on the basis of water usage as determined by actual water meter reading or by minimum and maximum quarterly sewerage service charges.

§ 403-42 Billings; collection of unpaid charges.

A.

All sewer rental billings are on a quarterly charge basis.

B.

In the event of nonpayment of all or any part of the service or rental charge herein prescribed and provided for as due, such service charge or rentals shall bear interest at the rate equal to that which is set by the Borough of Alpha for delinquent municipal taxes. Unpaid service or rental charges shall be a lien on real property and subject to collection and enforcement of such liens as are provided by law.

Resolutions

Motion made by Councilman Schwar to approve Resolution 2014-130, motion seconded by Councilman Rooks. Roll Call: Ayes: Rooks. C. Schwar and M. Schwar. Nays: Cartabona, Grossman and Seiss. Mayor Hanics broke tie with an Aye vote in favor of approving.

**RESOLUTION 2014-130
RESOLUTION AUTHORIZING BOROUGH ENGINEER TO
PROVIDE CONSULTING ENGINEERING SERVICES
AND INSPECTION SERVICES FOR POOL DEMOLITION**

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, including inspection services, in regard to demolition of the municipal pool for the contemplated scope of work in accordance with the firm's proposal of November 5, 2014 (attached hereto) and in an amount not to exceed \$10,900.00, upon written certification of funds by the Borough CFO.

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

Minutes

Motion made by Councilman Seiss to approve the Regular Minutes of July 8th and July 22nd, 2014. Motion seconded by Councilman Schwar, all were in favor.

Department Reports

Administration, Councilwoman Tracy Grossman: Councilwoman Grossman discussed time clocks for full time employees and the different models that are available.

Discussions ensued regarding whether having only the full time employees using the time clock system than part time employees.

Councilwoman Grossman discussed filling the ice skating rink and liabilities issues.

Councilwoman Grossman discussed and proposed a holiday decorating contest for Borough residents. Motion made by Councilman Cartabona to allow the contest with no Borough money involved, motion seconded by Councilwoman Grossman, all were in favor.

Councilwoman Grossman continued on with her report adding that the Facebook page is up and running. Councilwoman Grossman will post any pertinent information such as the snow ordinance in case of inclement weather. In closing Councilwoman Grossman approved all bills, salaries and wages for her department.

Finance, Councilman Michael Schwar: Councilman Schwar stated that there will be an insurance meeting next Tuesday. Councilman Schwar stated he is looking for dates for the next budget meeting.

Councilman Schwar requested 10 minutes in executive session for personnel regarding the CFO and five minutes for personnel for Administrative Clerk.

Health and Welfare, Councilman Millard Rooks: Councilman Rooks reported on an anonymous letter received reporting animal cruelty. Councilman Rooks stated he will be turning this over to the Police for further investigation.

Councilman Rooks gave the Warren County Health Report for the previous month.

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

Councilman Cartabona inquired about the leaf dump area and compost piles still left in the area. Councilman Rooks responded that those are all new piles that have accumulated.

Public Property, Councilwoman Carol Schwar: Councilwoman Schwar reported on the following:

Received call from Librarian regarding a miscommunication of the projects they have been doing and it was stated that they weren't asking for permission they were only informing that the work was to be done.

The HVAC bill # 14-00600 for \$1345.00 is still going to be held.

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

Public Safety, Councilman Louis Cartabona: Councilman Cartabona reported on receiving a letter of approval from the Warren County Freeholders approving the request for a coin toss. Councilman Cartabona requested 10 minutes in executive session for contractual for construction services. In closing, Councilman Cartabona approved bills, salaries and wages for his department.

Public Works, Councilman Thomas Seiss: Councilman Seiss reported that the alleys of Myrtle, Argyle and Dewey have been paved. Councilman Seiss added that there was a sink hole on one of the streets due to a water break.

Councilman Seiss reported on an inspection from the DEP and it is communicated to Councilman Seiss that the Borough will need to hire a fulltime Water Operator.

Engineer, Frank Seney interjected and added that the Borough is only one point over the requirements to have a full time operator and he will reach out to the DEP to make a case for the Borough not needing a full time operator.

Councilman Seiss expressed his concerns with the pending snow storm coming tomorrow and a DPW employee on vacation leave. Councilman Seiss stated he will call that employee to see if he will come in. Discussions ensued on what other towns do to hire outside help for plowing the roads.

In closing, councilman Seiss requested 10 minutes for Personnel and approved bills, salaries and wages for his department.

Committee Reports

Open Space: Councilwoman Schwar spoke with Freeholder, Richard Gardner regarding the meeting she attended for the Boroughs application to the County. Councilwoman Schwar stated Mr. Gardner agreed that the system is broken. Councilwoman Schwar added that Frelinghuysen could potentially get overruled for funding and the Borough could get first consideration for next year.

Professional and Officials Reports

Mayor, Edward Hanics: Mayor Hanics reported on the correspondence received by the State for the Boroughs failure to submit the 2012 and 2013 Clean Communities reports.

Motion made by Councilman Seiss to authorize the Mayors signature on the Open Space letter to the County, motion seconded by Councilman Rooks, all were in favor. Mayor Hanics continued on with his report and announced the annual tree lighting at Veterans Park will be on December 5th at 6PM.

Mayor Hanics asked for a motion to approve Jeff Plimpton to be re-appointed back on the Land Use Board, motion made by Councilman Rooks and seconded by Councilman Cartabona, all were in favor.

Police, Chief James Faulborn: Chief Faulborn gave the Police report for the month of October and encouraged anyone who has anything stolen to call the police.

Attorney, Christopher Troxell: Mr. Troxell requested 10 minutes in executive session for contractual for property purchase and five minutes in executive session for litigation regarding water.

Engineer, Frank Seney: Mr. Seney briefed through his report that was distributed to the Mayor and Council. Mr. Seney added that he is looking for the Borough to move forward with completing the Redundancy project. Discussions ensued regarding the Frace Street well.

Sewer Engineer, Jim Hill: Mr. Hill gave the following report: Sewer maps have been upgraded. Second round of testing of the pump maintenance went well and the root control is completed and is now ready for bidding for the grouting aspect of the project. The County 519 project is complete and topsoil will be put down. A request for partial payment, 1/3 cost of the project is being requested. Mr. Hill discussed the connection of Mr. Savary's line on the project for a connection that was approved. Work on the meter pit is still ongoing.

Code Enforcement Officer, Thomas Fey: Mr. Fey reported that he is working on complaints and having them resolved.

Public Comment

Dave Cavanaugh, commented on hiring a full time water operator and if any library money not being used to have it turned back to the tax payers.

Payment of Bills and Claims

Motion made by Councilman Seiss to have the Directors Reports part of the minutes, motion seconded by Councilwoman Schwar, all were in favor.

Motion made by Councilman Seiss to authorize the CFO to pay bills approved by the Directors, adding partial payment to Durnin in the amount of \$18,356.00 and hold bill for Trane, motion seconded by Councilwoman Schwar. Roll call: Ayes: Cartabona, Grossman, Rooks, C. Schwar, M. Schwar and Seiss. Nays: none.

Motion made by Councilwoman Schwar to authorize the CFO to pay the salaries and wages approved by the Directors, motion seconded by Councilman Rooks. Roll call: Ayes: Cartabona, Grossman, Rooks, C. Schwar, M. Schwar and Seiss. Nays: none.

P.O. Type: All				Open: N	Paid: N	Void: N	
Range: First to Last				Rcvd: Y	HeId: Y	Aprv: N	
Format: Condensed				Bid: Y	State: Y	Other: Y Exempt: Y	
PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
14-00193	01/01/14	REMINGTON & VERNICK ENGINEERS	2014 Licensed Water Oper	Open	1,500.00	0.00	
14-00227	04/01/14	VERI DSL VERIZON ONLINE	2014 DSL Online Services -	Open	91.99	0.00	
14-00297	05/01/14	TROXE CHRISTOPHER M. TROXELL, ESQ	2014 Municipal Atty Svs	Open	3,750.00	0.00	
14-00298	04/01/14	WASTE WASTE MANAGEMENT OF NJ	2014 Solid Waste/Recycling	Open	16,723.00	0.00	
14-00299	04/01/14	TOWNP TOWN OF PHILLIPSBURG	2014 Police Coverage -	Open	32,913.00	0.00	
14-00346	06/02/14	BARANSKY DANIEL BARANSKY	2014 W2 Operator	Open	833.33	0.00	
14-00387	07/01/14	FREY ENG FREY ENGINEERING, LLC	2014 C-2 Operator Fees	Open	1,250.00	0.00	
14-00408	07/02/14	HEALTH STATE OF NJ HEALTH BENEFITS	2014 State Health Benefits	Open	9,830.59	0.00	
14-00413	07/01/14	WASTE RO WASTE MANAGEMENT ROLL OFFS	2014 School Dumpsters	Open	100.00	0.00	
14-00414	07/01/14	TRITE DE LAGE LANDEN FINANCIAL SERV	2014 Copier Equip Lease	Open	159.49	0.00	
14-00600	10/10/14	TRANE U.S., INC.	HVAC Heating Upgrade	Open	1,345.00	0.00	
14-00629	10/23/14	GRAIN GRAINGER	Locks, Signs, and Valves	Open	132.40	0.00	
14-00649	11/12/14	MGL MGL PRINTING SOLUTIONS	Sept 2014 Engineering Services	Open	233.00	0.00	
14-00658	11/12/14	JIORL JIORLE'S OFFICE SUPPLIES	New Councilmember Nameplates	Open	89.97	0.00	
14-00679	11/25/14	NAPA CARVER'S AUTO PARTS OF WC	Hose/Spread/Speedy Dry	Open	86.51	0.00	
14-00680	11/14/14	DURNIN THE DURNIN CORPORATION	11/14 Emerg Swr Rpr - Rt519	Open	18,356.01	0.00	
14-00683	12/02/14	CHASE CHASE MANHATTEN BANK	Divident Exp - Current Fund	Open	29,385.84	0.00	
14-00684	12/02/14	CURAC BOROUGH OF ALPHA	Divident Exp - Utility Fund	Open	33,059.07	0.00	
14-00685	11/25/14	ROSSE LORRAINE ROSSETTI	11/25 Mileage Reimb - CFO	Open	644.22	0.00	
14-00686	11/17/14	BARTO LAURIE BARTON	RMC Renewal - Laurie Barton	Open	50.00	0.00	
14-00687	11/17/14	BARTO LAURIE BARTON	11/17 Mlg/Meal Reimb - Clerk	Open	110.88	0.00	
14-00688	12/02/14	ROSE CHRISTY ROSE	2014 Mlg Reimb - Admin Clerk	Open	77.84	0.00	
14-00689	11/21/14	DUKES DUKE'S ROOT CONTROL, INC.	Root Control - Sewer Impr Pjct	Open	28,486.25	0.00	
14-00690	11/17/14	JCPL JCP&L	10/21-11/21 Electric bills	Open	2,054.37	0.00	
14-00694	11/19/14	FREY ENG FREY ENGINEERING, LLC	Dec 2014 Engineering Services	Open	11,713.39	0.00	
14-00695	11/28/14	PAYRO PAYROLL AGENCY ACCT 751561	11/28/14 Utility Fund PR	Open	393.40	0.00	
14-00696	11/28/14	PAYRO PAYROLL AGENCY ACCT 751561	11/28/14 Current Fund PR	Open	23,120.54	0.00	
14-00697	11/17/14	ACTION ACTION DATA SERVICES	Nov 2014 Payroll Services	Open	120.31	0.00	
14-00698	11/19/14	EAS EAS BY ACTION DATA	Nov 2014 Payroll Services	Open	43.19	0.00	
14-00699	11/28/14	DURNIN THE DURNIN CORPORATION	Emerg Repairs - Sewer Improvme	Open	58,083.94	0.00	
14-00700	11/13/14	ELIZGA ELIZABETHOWN GAS	10/13-11/11 Propane Gas	Open	105.59	0.00	
Total Purchase Orders: 32 Total P.O. Line Items: 60				Total List Amount:	274,843.12	Total Void Amount:	0.00

Old Business

Councilman Cartabona asked for an update on the DPW vehicle that was sold at auction and asked for the amount it sold for. Councilwoman Schwar reported that it sold for \$1,200.00.

New Business

Motion made by Councilman Seiss to lift the street moratorium for Leeper residence on Alpha Street for gas installation purposes, motion seconded by Councilman Schwar. Roll call: Ayes: Cartabona, Grossman, Rooks, M. Schwar and Seiss. Nays: C., Schwar.

Motion to approve raffle license RA-2014-7, St. Mary's Church, made by Councilman Cartabona and seconded by Councilman Schwar, all were in favor.

Executive Session-One Hour

Motion made by Councilman Seiss to pass the following resolution to go into executive session for one hour for Personnel, Contractual and Litigation. 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: Personnel, Litigation and/or Contractual,
3. It is anticipated at this time, that the above stated subject matter(s) will be made public when it is no longer a matter of confidentiality.
4. Action may or may not be taken after executive session.

NOW THEREFORE BE IT RESOLVED, by the governing body of the Borough of Alpha that the public shall be excluded from an executive session for approximately one hour allowing for a five (5) minute recess between the regular session and the executive session.

Return to Regular Session

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

Adjourn

Seeing no further business to come before Council, motion made by Councilman Schwar to adjourn at 10:17 PM., motion seconded by Councilwoman Schwar, all were in favor.

Respectfully submitted,

Laurie A. Barton

Borough Clerk