

Mayor Hanics called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on April 14, 2015

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 1, 2015, the Municipal Clerk delivered to the Star Gazette/Express-Times and posted on the bulletin board in the Municipal Clerk's office a notice containing the date, time, and place of this meeting of the 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, Councilwoman Grossman, Councilman Pettinelli, Councilman Rooks, Absent; Councilman Schwar, and Councilman Seiss. Also present, Borough Attorney Chris Troxell and Borough Clerk, Laurie A. Barton.

Councilman Cartabona made a motion to have all future bid openings be opened up during council meetings. Motion was seconded by Councilwoman Grossman. Roll call: Ayes: Cartabona and Grossman. Nays: Pettinelli and Rooks. Mayor Hanics broke the tie and voted no.

Councilman Cartabona made a motion to amend the agenda for tonight to allow second public comment, Councilwoman Grossman seconded motion. Roll call: Ayes: Cartabona and Grossman. Nays: Pettinelli and Rooks. Mayor Hanics broke the tie and voted no.

#### *Public Comment:*

John Schmidt, Chris McGee and Jodie Smith residents, made a request to keep the possibility of a second public comment on the agenda.

Tim Mellert, North Blvd, expressed his concerns on the Safe Routes to School funding for Schley Ave.

George Trigas, North Blvd., made a request to not demolish the swimming pool along with resident, Beth Toth of South Blvd.

Sharon Decker, Sigsbee Ave., asked when the water bills will be going out.

Charles Bodogh, East Central Ave, shared his concerns on the heavy equipment going on 5<sup>th</sup> Ave. and the condition of the road.

Mike Savary, Park Ave., shared his concerns of the chunks of black top on his road.

Bob Kipp, Schley Ave., requested that something be done with the condition of Pursel and Park Ave. streets.

John Schmidt questioned the referendum for the pool and why there was a demolition bid.

Cecilia Plant, Park Ave. gave her support to keep the pool opened.

Jack Price, W. Vulcanite Ave., questioned where the money was coming from to demolish the pool.

Leo Pursel, High Street., discussed the recent history of the pool of when he was on Council in 1999.

Bob Kipp, Schley Ave., recommended to Council to take a business approach to the running of the pool.

Steve Heller, South Blvd., stated his support in trying to open the pool.

Patrick Smith, 5<sup>th</sup> Ave. explained that he found large pieces of rebar sticking out of the ground on the ball field.

Betty Hammerstone, Sampson Ave., stated her support of the pool.

#### *Resolution*

Motion made by Councilman Cartabona to put Resolution 2015-60 on the May 26<sup>th</sup> agenda, motion seconded by Councilwoman Grossman, all were in favor with the exception of Councilman Rooks voting no.

#### *Ordinance*

Motion made by Councilman Cartabona to approve Ordinance 2015-02, with Public hearing scheduled for May 26, 2105, motion seconded by Councilman Pettinelli.

Roll call: Ayes: Cartabona, Grossman, Pettinelli and Rooks. Nays: none.

**ORDINANCE 2015-02  
BOROUGH OF ALPHA  
ORDINANCE OF THE BOROUGH OF ALPHA AMENDING  
AND SUPPLEMENTING CODE SECTION 410**

**WHEREAS**, the Council of the Borough of Alpha desires to amend a portion of Chapter 410, Zoning, specifically as attached hereto and made a part hereof;

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 410, Zoning" be amended and supplemented as attached hereto.

This Ordinance shall take effect after adoption and publication thereof as provided by law.

**ALPHA BOROUGH**  
**Chapter 410**  
**ZONING CODE REVISIONS**

New language is underlined thus.

Deletions are indicated with brackets and strikethroughs [~~thus~~].

**ARTICLE II**  
**Zoning Districts; Zoning map**

**§410-7 Establishment of zones.**

For the purposes of this chapter, the Borough of Alpha is hereby divided into the following zones:

<b>Zone</b>	<b>District Type</b>
<del>[R-1]</del>	<del>Residence Zone</del>
R-1A	<del>[Residence]</del> <u>Agriculture</u> Zone
<del>[R-2]</del>	<del>Residence Zone</del>
R-3	Residence Zone
R-4	Residence Zone
R-5	Residence Zone
AH	Affordable Housing <del>[Overlay]</del> <u>Zone</u>
MF	Multifamily <u>Residence Zone</u>
B-1	Business Zone
B-2	Business Zone
B-3	Business Zone
I <del>[+]</del>	Industrial Zone
<del>[I-2]</del>	<del>Industrial Zone</del>
<u>C</u>	<u>Cemetery Zone</u>

**§410-8 Zoning Map.**

The boundaries of all zone districts shall be as shown on a map attached to and made a part of this chapter and titled "Zoning Map, Borough of Alpha," dated ~~[September 2009]~~ January 2014. Said map and all notations and references thereon are hereby incorporated into and declared to be a part of this chapter.

**§410-9 Zone boundaries. *No Change***

**ARTICLE III**  
**Use Regulations**

**§410-10 ~~[R-1 Residence Zone]~~ Reserved.**

*This section is deleted in its entirety.*

**§410-10.1 R-1-A ~~[Residence]~~ Agriculture Zone.**

A. The purpose of this zone is to promote farmland preservation and limit non-agricultural uses within the district to the extent feasible, to those designed to support the preservation of farmland, avoid conflicts with agriculture, and maintain and enhance the sustainability and continued viability of the agricultural industry. ~~[The following principal uses are permitted in the R-1A Residence Zone:]~~ Permitted principal uses shall be as follows:

- (1) One-family dwellings where cluster development is not feasible.
- (2) Municipal parks, playgrounds and buildings deemed appropriate by the Borough Council of the Borough of Alpha.
- (3) Farms, farm dwellings and farmsteads, including horticultural uses and greenhouses, but not including the raising of poultry or livestock.
- (4) Churches and similar places of worship.

~~[B. Permitted principal uses subject to the requirement of site plan review shall be as follows:~~

- (1) ~~Churches and similar places of worship, parish houses, convents, cemeteries and other such facilities of recognized religious groups.]~~

~~[C] B.~~ Permitted accessory uses shall be as follows: ~~[The following accessory uses are permitted in the R-1A Residence Zone:]~~

- (1) ~~[Private garages for use by passenger vehicles normally associated with a residential use and not more than one two axle commercial vehicle with a manufacturer's gross vehicle weight of not more than 8,000 pounds pursuant to the requirements of §410-26.]~~ Customary residential structures such as but not limited to garages pursuant to §410-26, small storage sheds, private swimming pools, pet shelters, and fireplaces.
- (2) ~~[Normal residential storage structures]~~ Customary agriculture support structures such as but not limited to barns, silos, and farm stands.
- ~~[(3) Animal shelters for domestic pets.]~~
- ~~[(4) Other normal residential structures such as private swimming pools, fireplaces, trellises, lampposts and the like.]~~
- ~~[(5)]~~(3) Off-street parking areas, in accordance with Article VI.
- ~~[(6)]~~(4) Signs, in accordance with Article VII, §410-48 for residential uses and §410-49 for non-residential uses.

D. Conditional uses shall be as follows:

- (1) Cluster residential development where the preservation of agricultural lands is not feasible and in accordance with §410-61.
- (2) Home occupation uses.

#### **§410-11 [R-2 Residence Zone] Reserved.**

*This section is deleted in its entirety.*

#### **§410-12. R-3 Residence Zone**

A. Permitted principal uses shall be as follows: ~~[Any use permitted in the R-2 Residence Zone is permitted in the R-3 Residence Zone.]~~

- (1) One-family dwellings.
- (2) Municipal parks, playgrounds and buildings deemed appropriate by the Borough Council of the Borough of Alpha.
- (3) Churches and similar places of worship, parish houses, convents, and other such facilities of recognized religious groups.

~~[B. Permitted principal uses subject to the requirement of site plan review shall be as follows:]~~

- (1) ~~Churches and similar places of worship, parish houses, convents, cemeteries and other such facilities of recognized religious groups.]~~

~~[C] B.~~ Permitted accessory uses shall be as follows: ~~[Any accessory use permitted in the R-2 Residence Zone is permitted in the R-3 Residence Zone.]~~

- (1) Customary residential structures such as but not limited to garages pursuant to §410-26, small storage sheds, private swimming pools, pet shelters, and fireplaces.
- (2) Off-street parking areas, in accordance with Article VI.
- (3) Signs, in accordance with Article VII.

D. Conditional uses shall be as follows:

- (1) Home occupation uses.

#### **§410-13. R-4 Residence Zone**

A. ~~[Permitted principal uses. The following primary uses are permitted in the R-4 Residence Zone:]~~  
Permitted principal uses shall be as follows:

- (1) Any use permitted in the R-3 Residence Zone.

~~[B. Permitted principal uses subject to the requirement of site plan review shall be as follows:]~~

- (1) ~~Churches and similar places of worship, parish houses, convents, cemeteries and other such facilities of recognized religious groups.]~~

~~[C] B.~~ Permitted accessory uses shall be as follows:

- (1) Any accessory use permitted in the R-3 Residence Zone ~~[is permitted in the R-4 Residence Zone].~~

[D] C. Conditional uses shall be as follows:

- (1) Home occupation uses.

#### **§410-14. R-5 Residence Zone**

A. Permitted principal uses shall be as follows[-]; [~~The following primary uses are permitted in the R-5 Residence Zone:~~]

- (1) Any use permitted in the R-3 Residence Zone.
- (2) Two-family dwellings.

B. Permitted accessory uses shall be as follows: [~~Any accessory use permitted in the R-4 Residence Zone is permitted in the R-5 Residence Zone.~~]

- (1) Any accessory use permitted in the R-4 Residence Zone.

C. Conditional uses shall be as follows:

- (1) Home occupation uses.
- (2) Neighborhood-scale retail, service, restaurant, and office uses as permitted and regulated in the B-2 Business Zone where it can be demonstrated that there will be no detrimental impacts on surrounding residential properties in terms of parking, traffic, lighting, or noise. The following conditions shall also apply:
  - (a) Converting a residential use to a non-residential use is prohibited.
  - (b) Outside storage of any kind is prohibited.
  - (c) Signage is restricted to the identification of the name and address of the business; freestanding signs are prohibited.
  - (d) Parking is prohibited within the required front yard setback for the principal structure.
  - (e) Deliveries to the site are limited to occasional delivery vans operating during normal business hours.

#### **§410-15. MF Residence Zone**

A. Permitted principal uses shall be as follows: [~~The following primary uses are permitted in the MF Multifamily Residence Zone:~~]

- (1) [~~Single family dwellings~~] Any residential use permitted in the R-5 Residence Zone in accordance with R-5 area, yard and building requirements.
- (2) Multifamily dwellings.

B. Permitted accessory uses shall be as follows: [~~Any accessory use permitted in the R-4 Residence Zone is permitted in the MF Multifamily Residence Zone.~~]

- (1) Any accessory use permitted in the R-4 Residence Zone.

C. *No Change*

#### **§410-16. AH Affordable Housing Zone. *No Change***

#### **§410-17. B-1 Business Zone. *No Change***

#### **§410-18. B-2 Business Zone.**

A. Permitted principal uses. This zone district is intended for [~~uses which are designed to serve a local population~~] neighborhood-scale retail, service, restaurant, and office uses in addition to residential uses at R-4 standards. The following [~~primary~~] principal uses are permitted in the B-2 Business Zone [~~subject to the requirements of site plan review~~]:

- (1) [~~Personal service businesses~~] Retail shops and personal services.
- (2) Banks.
- (3) Professional offices.
- (4) General business offices.
- (5) [~~Specialty retail shops~~] Restaurants.
- (6) Food stores.
- (7) Cultural & educational facilities.
- (8) Studios.
- (9) Public buildings.
- (10) Clubs, fraternal groups and nonprofits
- (11) Residential uses permitted in the R-4 Residence Zone in accordance with R-4 area, yard and building requirements.
- (12) Churches and similar places of worship, parish houses, convents, and other facilities of recognized religious groups.

B. *No Change*

C. Conditional uses shall be as follows:

- (1) Motor vehicle service stations in accordance with the regulations in Article IX.
- (2) Conversion of a residential property to an office or retail use in accordance with the following standards:
  - (a) All converted residential buildings shall maintain a residential exterior. The footprint of an existing residential building shall not be expanded to accommodate a non-residential use.
  - (b) The non-residential use shall not require any more than five off-street parking spaces and shall not exceed the required number of spaces if less than five. Parking requirements for the non-residential use must be satisfied without encroaching on any required setback area for accessory structures and without increasing the existing impervious surface on the lot by more than 10%. Parking is prohibited within the required front yard setback for the principal structure.
  - (c) Deliveries to the site are limited to occasional delivery vans operating during normal business hours.
  - (d) Outside storage of any kind is prohibited.
  - (e) Non-residential signage is restricted to the identification of the name and address of the business.
  - (f) Any lighting beyond that normally associated with a residential use is prohibited unless it is absolutely necessary for safe pedestrian or vehicular movement of patrons on the site.
  - (g) Live-work opportunities are permitted where the first floor of a single-family detached home is converted to a professional office or retail use while maintaining a residential use on the upper floors only if the office or retail use is owned or operated by the resident of the building.

**§410-19. B-3 Business Zone.**

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

- ~~[(1) Professional offices (except medical).]~~  
~~[(2)](1) Offices for business, executive and professional purposes.~~  
~~[(3)](2) [Professional offices (except medical) on the first floor of a one-family residence.] Residential uses permitted in the R-4 Residence Zone in accordance with R-4 area, yard and building requirements.~~

B. *No Change*

C. Conditional uses shall be as follows:

- (1) Motor vehicle service stations in accordance with the regulations in Article IX.
- (2) Conversion of a residential property to an office use in accordance with the following standards:
  - (a) All converted residential buildings shall maintain a residential exterior. The footprint of an existing residential building shall not be expanded to accommodate a non-residential use.
  - (b) The non-residential use shall not require any more than five off-street parking spaces and shall not exceed the required number of spaces if less than five. Parking requirements for the non-residential use must be satisfied without encroaching on any required setback area for accessory structures and without increasing the existing impervious surface on the lot by more than 10%. Parking is prohibited within the required front yard setback for the principal structure.
  - (c) Deliveries to the site are limited to occasional delivery vans operating during normal business hours.
  - (d) Outside storage of any kind is prohibited.
  - (e) Non-residential signage is restricted to the identification of the name and address of the business.
  - (f) Any lighting beyond that normally associated with a residential use is prohibited unless it is absolutely necessary for safe pedestrian or vehicular movement of patrons on the site.
  - (g) Live-work opportunities are permitted where the first floor of a single-family detached home is converted to a professional office use while maintaining a residential use on the upper floors only if the office use is owned or operated by the resident of the building.

**§410-20. I Industrial Zone.**

A. Permitted principal uses. This zone is intended for the following uses conducted entirely within the confines of buildings, provided that they do not exceed the limitations imposed by the performance standards hereinafter set forth in this article:

- (1) Processes of manufacturing, fabrication, packaging, treatment or conversion of product, including the following:
  - (a) Printing, publishing and binding.

- (b) Monument works for the creation and sale of inscribed stone or the combination of raw materials for memorial or aesthetic features.
  - (c) Bottling, packing and packaging facilities.
  - (d) ~~[Manufacture and distribution of concrete, clay and brick products.]~~
- (2) – (9) *No Change*
- (10) Light manufacturing uses such as printing, cabinetry, assembly of electronic parts and similar type uses.

B. *No Change*

C. *No Change*

D. *No Change*

**§410-20.1 Cemetery Zone.**

A. Permitted principal uses shall be as follows:

- (1) Cemeteries, including the establishment of individual gravesites, mausoleums, crematoria, and other accessory uses and activities customarily associated with a cemetery. Cemeteries shall conform to all county, state, and federal requirements and the following:
  - (a) The minimum lot size shall be 5 acres.
  - (b) All buildings or structures shall be set back a minimum of 25 feet from any property line.
  - (c) No structure shall exceed a height of 35 feet.
  - (d) All portions of the cemetery including structures shall be effectively screened from adjoining residential uses. Additional landscaping shall be used to help screen parking areas visible from the street and adjoining properties, and improve the effectiveness of buffer areas near property lines of neighboring residential areas.
  - (e) On-site parking may be located either in dedicated parking stalls or through parallel parking along interior roads. Parking areas shall be set back a minimum of 10 feet from any property line, except that this requirement shall not be deemed to prohibit the use of existing parking facilities. On-site parking may be supplemented with off-site parking facilities provided the cemetery operator provides evidence of a legal right to the use of such off-site facilities.
  - (f) Signage shall conform to the B-3 Zone standards at §410-50.
- (2) Churches and similar places of worship, parish houses, convents, and other such facilities of recognized religious groups in accordance with R-3 Residence Zone standards.

**ARTICLE IV  
Area, Yard and Building Requirements**

**§410-21. Schedule of Area, Yard and Building Requirements.**

The Schedule of Area, Yard and Building Requirements has been revised to reflect the foregoing revisions. The revised Schedule dated January 31, 2014 is attached hereto.

**ARTICLE IX  
Conditional Uses**

**§410-61. Cluster ~~[Zoning]~~ Residential Development**

~~[In the R-1 and R-2,]~~ [e]Cluster [zoning] residential development, whereby the minimum lot area and yard requirements may be reduced as prescribed in the schedule of requirements (§ 410-21), is permitted in the R1-A Zone ~~[large scale subdivisions]~~ subject to the following conditions:

A. The number of lots shall not exceed the total number of lots that could be obtained through subdivision under standard minimum lot size requirements and shall not yield less than four dwelling units subject to applicable well and septic capacities as prescribed by local, county or state requirements.

B. ~~[That percentage]~~ At least 75% of the total tract of land ~~[equal to the percentage that the average lot areas are reduced from the minimum lot area requirement]~~ shall be ~~[deeded to the Borough of Alpha or reserved as open space at the option of the governing body]~~ subject to a conservation easement enforceable by at least one of following: the Borough of Alpha, the County Agriculture Development Board, the SADC or the Highlands Council upon recommendation of the Land Use Board. The conservation easement shall include Right to Farm provisions if applicable.

C. The area ~~[deeded to the Borough or reserved as open space under the terms of this chapter]~~ covered by the conservation easement shall be used only for one or more of the following purposes:

- (1) Undeveloped open space.
- (2) Public [R]recreational facilities.
- ~~[(3) Public schools and school grounds.]~~
- ~~[(4) Public uses designated for the property in question on the Master Plan.]~~

~~{(5) Privately owned land which is deed restricted against further subdivision, provided that, if the parcel is associated with a dwelling, the dwelling shall be included within the maximum number of dwellings permitted on the entire tract.}~~

(3) Farms and farmsteads, including horticultural uses and greenhouses, but not including the raising of poultry or livestock.

D. The area ~~[to be deeded to the Borough or reserved as open space]~~ subject to the conservation easement under the terms of this section shall be at a location and of a shape as required by the Land Use Board, provided that:

- (1) Said area shall adequately accommodate one or more of the permitted uses listed above and shall complement the existing and contemplated future surrounding development.
- (2) Said area shall be adaptable to the above permitted uses without undue public expenditure that might be required by reason of adverse topography, adverse drainage or soil conditions or inadequate accessibility.

E. ~~[If the area is to be reserved as open space rather than being deeded to the Borough or incorporated into a permanently restricted lot,]~~ ~~[p]~~ Provisions shall be made for the establishment of an organization for the ownership and maintenance of said [open space] conservation area, and such organization shall not be dissolved nor shall it dispose of any of same by sale or otherwise (except to an organization conceived and established to own and maintain the common open space) without the written consent and approval of the governing body of the Borough of Alpha. Provision shall also be made for a feasible method of providing for the cost of ownership and maintenance.

F. *No Change*

G. The following additional standards shall also apply to cluster residential developments:

- (1) Cluster developments shall be designed to avoid or minimize disturbance of natural and agricultural resources.
- (2) All infrastructure and utilities necessary to support the residential cluster development (i.e. streets, common open space areas, wastewater facilities and stormwater management) shall be located within the development portion of the cluster project area.
- (3) Septic system yield shall be calculated on the basis of the development portion of the site only, which shall consist of a contiguous land area including the following:
  - (a) All land area proposed to be occupied by buildings, structures and associated improvements, all land area to be disturbed in connection with the construction or installation of such buildings, structures and improvements, and all of the land area intervening; and
  - (b) All land area dedicated to any street or roadway right-of-way providing public or common access to the development; and
  - (c) All land dedicated to a community on-site stormwater detention facility or other like facility providing public or common services to the development.
- (4) All buffers and setbacks shall consider and harmonize with existing natural, agricultural, historic and scenic resources and with adjacent existing development. Existing natural resources and vegetation (e.g., hedgerows/trees, woodlands or forest, wetlands, streams) shall be retained and may be enhanced as buffer features whenever feasible.
- (5) Cluster development shall be configured to minimize impervious coverage.



Motion made by Councilman Rooks to approve Ordinance 2015-03, with the public hearing scheduled for May 26, 2105, motion seconded by Councilman Pettinelli.

Roll call: Ayes: Cartabona, Grossman, Pettinelli and Rooks. Nays: none.

**ORDINANCE 2015-3**

**ORDINANCE OF THE BOROUGH OF ALPHA AMENDING AND SUPPLEMENTING CODE SECTION CHAPTER 7, ADMINISTRATION OF GOVERNMENT**

**WHEREAS**, the Council of the Borough of Alpha desires to amend a portion of Chapter 7,

Administration of Government, specifically adding the following and amending 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 “Chapter 7, Administration of Government, Article XI” be amended and supplemented as follows:

**§ 7-36. Rules applicable to Borough Council Members.**

Members of the Borough Council shall observe order and decorum during Borough Council meetings. A member of the Borough Council shall neither, by conversation or otherwise, delay or interrupt the proceedings of the Council nor disturb any member while speaking nor refuse to obey the orders of the Mayor.

**§ 7-37. Borough staff.**

Members of the Borough staff shall observe the same rules of order and decorum applicable to the Borough Council in § 7-36 above.

**§ 7-38. Defamatory and threatening language prohibited.**

Any person(s) making personal, defamatory or profane remarks or who willfully utters loud, threatening or abusive language or engages in any disorderly conduct which disturbs or disrupts the orderly conduct of any meeting shall be called to order by the Mayor. If such conduct continues, the Mayor of the Borough of Alpha, at his or her discretion, may order such person removed from that meeting.

**§ 7-39. Length of presentation; governmental issues.**

During any public comment portion of the public meeting, persons addressing the Borough Council shall each be allowed a maximum of five (5) minutes for their comments or presentations and may comment on any governmental issue that a member of the public feels may be of concern to the residents of the community.

**§ 7-40. Disorderly conduct.**

No person in the audience shall engage in disorderly conduct such as handclapping, stomping of feet, whistling, using profane language, shouting or other similar demonstrations which may disturb the peace and order of the Borough Council meeting.

**§ 7-41. Repeated disturbance; removal from meeting.**

All persons shall, at the request of the Mayor, be silent. If, after receiving a warning from the Mayor, a person persists in disturbing the meeting, the Mayor may order that person to leave the meeting. If he does not remove himself, the Mayor may order his removal by the Sergeant at Arms.

**§ 7-42. Sergeant at Arms.**

The Chief of Police of the department covering the Borough of Alpha, or such member of said department of police as the Mayor may designate, shall be Sergeant at Arms at the Borough Council meetings. The Sergeant at Arms shall carry out all orders given by the Mayor for the purpose of maintaining order and decorum at the Borough Council meeting. On the instruction of the Mayor, the Sergeant at Arms shall remove from the meeting any person who disturbs the proceedings of the Council.

**§ 7-43. Resisting removal.**

Any person who resists removal by the Sergeant at Arms shall be charged with violating *N.J.S.A. 2C:33-8*, Disrupting meetings and processions, or other relevant statute.

**§ 7-44. Rules of conduct.**

Borough Council meetings shall be conducted pursuant to Robert's Rules of Order.

This Ordinance shall take effect after adoption and publication thereof as provided by law.

*Resolutions:*

Motion made by Councilman Cartabona to approve Resolution 2015-53, motion seconded by councilman Rooks. Roll Call: Ayes: Cartabona, Grossman, Pettinelli and Rooks. Nays: None.

**RESOLUTION 2015-53  
RESOLUTION AUTHORIZING BOROUGH ENGINEER  
TO PROVIDE CONSULTING ENGINEERING SERVICES  
FOR THE CHANGE OF SCOPE FOR REDUNDANCY/FIRM  
CAPACITY AT THE FRACE ST. WATER TREATMENT PLANT**

**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 providing for the change in scope for system redundancy at the Frace Street Water Treatment Plant/Facility in the Borough associated with fulfilling the firm capacity requirements of the New Jersey Department of Environmental Protection for the contemplated scope of work in accordance with the firm's proposals, including that of March 2, 2015 (attached hereto) and in an amount not to exceed \$4,200.00, 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 Rooks to approve Resolution 2015-54, motion seconded by Councilman Pettinelli. Roll Call: Ayes: Cartabona, Grossman, Pettinelli and Rooks. Nays: None.

**RESOLUTION 2015-54  
RESOLUTION AWARDING A CONTRACT FOR SEWER GROUTING**

**WHEREAS**, the Mayor and Council of the Borough of Alpha have determined that the Borough's sanitary sewer system is in need of grouting; and

**WHEREAS**, the Mayor and Council of the Borough of Alpha, through the Borough Engineer, have openly and publicly solicited bids for such contract for said sewer grouting work, pursuant to New Jersey law; and

**WHEREAS**, the Borough of Alpha has received the lowest responsible bid from Oswald Enterprises, Inc. of Belford, New Jersey, based on the recommendation of the Borough's Sewer Engineer.

**BE IT RESOLVED** by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that a contract is hereby awarded to Oswald Enterprises, Inc. of Belford, New Jersey, having submitted the lowest responsive responsible quote, for sewer grouting work on the Alpha sanitary sewer system in the amount not to exceed \$104,975.00, exercising Option B as bid, upon written certification of funds by the Borough CFO.

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

Motion made by councilman Rooks to approve Resolution 2015-55, motion was seconded by Councilman Pettinelli. After discussions of the Code Red contract renewal, it was decided to table until the next meeting, a motion was made by Councilman Rooks to rescind his motion to approve, Councilman Pettinelli seconded the motion, all were in favor.

Motion made by Councilman Cartabona to approve Resolution 2015-58, motion seconded by Councilman Pettinelli. Roll Call: Ayes: Cartabona, Grossman, Pettinelli and Rooks. Nays: None.

**RESOLUTION 2015-58  
REFUND OF PAVILION PERMIT FEE**

**WHEREAS**, a refund of Pavilion Permit fee monies should be given to the following persons, and

**WHEREAS**, the resident has already paid the required rental fee and has given a more than thirty (30) days notice, and

**NOW THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Alpha hereby authorize the Finance Officer to release to the following persons or companies, the following amounts to the respective person:

<u>PERSONS/COMPANIES</u>	<u>AMOUNT</u>
Deborah Varga 106 Pohatcong St Alpha, NJ 08865	\$50.00

Motion made by Councilman Cartabona to approve Resolution 2015-59, motion seconded by Councilman Rooks. Roll Call: Ayes: Cartabona, Grossman, Pettinelli and Rooks. Nays: None.

**RESOLUTION 2015-59  
RESOLUTION AUTHORIZING BOROUGH ENGINEER  
TO SEEK GRANT MONEY FOR TRAILS WITHIN THE BOROUGH RECREATIONAL  
COMPLEX**

**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 file an application(s) and seek a grant or grants for the preparation of trails on Borough property, specifically with the Borough's recreational complex.

**BE IT FURTHER RESOLVED**, that the Mayor, Clerk, and/or Borough Engineer are authorized to execute all necessary documents to complete the application process to obtain a grant(s) and any award of a grant(s) .

Motion made by Councilman Cartabona to approve Resolution 2015-61, motion seconded by Councilman Rooks. Roll Call: Ayes: Cartabona, Grossman, Pettinelli and Rooks. Nays: None.

**RESOLUTION 2015-61  
RESOLUTION SUPPORTING  
PHILLIPSBURG EMERGENCY SQUAD**

**WHEREAS**, the Mayor and Council of the Borough of Alpha recognize the long time service to the Borough of Alpha provided by the Phillipsburg Emergency Squad; and

**WHEREAS**, the Phillipsburg Emergency Squad has taken ownership of a building and real property located at First Avenue and Warren Street in the Borough of Alpha, specifically 924 First Avenue; and

**WHEREAS**, the Phillipsburg Emergency Squad plans to open a new squad station in said building to house their ambulances and personnel and will operate full time within the Borough; and

**WHEREAS**, the Mayor and Council of the Borough of Alpha have a long time relationship in giving support to the Phillipsburg Emergency Squad.

**NOW, THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey, that the Council, in supporting the opening of the said, new EMS station of the Phillipsburg Emergency Squad in the Borough, will provide the water and sewer service to the Phillipsburg Emergency Squad's building without fee or at no charge, understanding that the amounts waived will be considered or credited as a monetary donation to the Phillipsburg Emergency Squad.

**BE IT FURTHER RESOLVED THAT THE** Mayor, CFO and Clerk are authorized to execute any or all documents as necessary to fulfill this resolution.

*Approval of Minutes*

Motion made by Councilman Cartabona to table the meeting minutes of January 1, 2015 to the next meeting. Motion seconded by Councilman Rooks, all were in favor.

*Department Reports:*

*Administration, Councilman Pettinelli:* No report. In closing, Councilman Pettinelli approved bills, salaries and wages for his department.

*Health & Welfare, Councilman Cartabona:* Councilman Cartabona reported on his meeting he had with LMR Disposal, citing that the current contract with Waste Management expires at the end of this year. Councilman Cartabona stated that he will be working on the next contract.

Councilman Cartabona stated that the Animal Control Officer had a recent health issue and will be out of work temporarily. In closing, Councilman Cartabona approved bills, salaries and wages for his department.

*Public Property, Councilwoman Grossman:* Councilwoman Grossman stated that the AYAA will be submitting an invoice for field work they have been doing. In closing, Councilwoman Grossman approved all bills, salaries and wages for her department.

*Public Safety, Councilman Rooks:* Councilman Rooks made a motion to approve a Coin Toss for the Fire Department on June 6<sup>th</sup> and 7<sup>th</sup>, 2015 pending approval from the Warren County Freeholders. Councilwoman Grossman seconded the motion, all were in favor. Councilman Rooks reported on the damage that was done to the fire hydrant on 5<sup>th</sup> Avenue.

Councilman Rooks gave the report received from the Court. In closing, Councilman Rooks approved his bills, salaries and wages for his department.

*Finance:* Councilman Cartabona gave the report in absence of Councilman Schwar. The new CFO, Charles Daniel will start Thursday. The Auditor will be assisting in the functions of the Finance office.

*Professionals & Official Reports:*

*Mayor, Edward Hanics, Jr.:* Mayor Hanics reported that the borough was awarded a \$250,000.00 grant for advance road improvement throughout the borough. Mayor stated that there will be a Memorial Day Service on May 17<sup>th</sup>. The John Dolak American Legion requested to remove six to eight rifles that are in the Municipal Building basement.

*Fire Department, Chief Sean McDyer:* Chief Sean McDyer gave the report for the month of March. The Easter Egg Hunt came in under the \$1,000.00 budget. Chief McDyer thanked the Governing Body for the approval of the coin toss.

*Emergency Squad:* A report for the month of March was given. It was reported that the roof at the new building was started today and that the interior work has already begun.

*Attorney, Christopher Troxell:* Mr. Troxell discussed the letter from Assemblyman Roberts of Bergen County who is sponsoring a bill to support a Resolution to change how tax bills that are sent out and reported to public which is being called the Transparent Act of 2015. A resolution will be considered for the next meeting supporting the Bill.

*Engineer, Gregory Sullivan:* Engineer Gregory Sullivan summarized the report that was distributed to Mayor and Council regarding updates on grant applications and various projects within the Borough.

*Sewer Engineer, Jim Hill:* Jim Hill gave his report that was distributed and added that the grouting project will start next month.

*Library Board President, June Heyer:* June Heyer stated there are summer programs planned for the children. The Warren County Health Nurse will be at the Library on May 11, 2015 from 5:30 to 6:30 to speak on the dangers of ticks.

*Payment of Bills & Claims:*

Councilman Rooks made a motion to make the Director's Report part of the minutes. Councilman Pettinelli seconded the motion, all were in favor.

Councilman Rooks made a motion that the CFO be authorized to pay all salaries and wages approved by the Director, Councilman Pettinelli seconded. Roll call: Ayes; Councilman Cartabona, Councilwoman Grossman, Councilman Pettinelli and Councilman Rooks. Nays: none.

Motion made by Councilman Rooks to authorize the CFO to pay all salaries and wages approved by the Directors. Motion seconded by Councilman Cartabona, roll call: Ayes: Councilman Cartabona, Councilwoman Grossman, Councilman Pettinelli and Councilman Rooks. Nays: none.

*New Business*

Motion made by Councilman Pettinelli to approve the following: approval of Raffle License 2015-2: St. Mary's Church for June 7<sup>th</sup> 50/50 Raffle, motion seconded by Councilman Cartabona, all were in favor.

Motion made by Councilman Cartabona to approve the following: Approval of Cub Scouts Pack#57 waiver of Pavilion Permit fee and permission to camp with an open fire overnight on April 24<sup>th</sup>, motion seconded by Councilwoman Grossman, all were in favor.

Motion made by Councilwoman Grossman to approve the following: Approval of Pavilion Permit w/alcohol: Pete Pursel c/o Huntington Fire Co: July 12<sup>th</sup>, motion seconded by Councilman Rooks, all were in favor with the exception of Councilman Cartabona abstaining.

*Executive Session*

Motion made by Councilman Cartabona to approve the following resolution, motion seconded by Councilwoman Grossman, 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 10 minutes, allowing for a five (5) minute recess between the regular session and the executive session.

*Regular Session:*

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

*Adjournment:*

Seeing no further business to come before Council, motion made by Councilman Rooks to adjourn at 10:00 p.m., motion seconded by Councilman Cartabona , all were in favor.

Respectfully submitted,

*Laurie A. Barton*

Borough Clerk