

Council President, Michael Schwar called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on September 21, 2015

Council President, Michael Schwar 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.

Council President, Michael Schwar led prayer and the salute to the flag.

Roll Call: Present; Councilman Cartabona, Councilwoman Grossman, Councilman Pettinelli, Councilman Rooks, Councilman Schwar and Councilman Seiss. Absent: Mayor Hanics.

Public Comment:

John Schmidt inquired about roads getting paved. Mr. Schmidt discussed the pool and West Nile being detected in the Borough.

Gina Tarsi, West Blvd., inquired about getting a refund of the pavilion fee due to the conditions it was left in by those who rented it before her.

Resolutions:

Motion made by Councilman Rooks to approve Resolution 2015-104, motion seconded by Councilman Seiss. Roll call: Ayes: Grossman, Pettinelli, Rooks, Schwar and Seiss. Nays: Cartabona.

**RESOLUTION 2015-104
RESOLUTION AUTHORIZING BOROUGH ENGINEER
TO PROVIDE ENGINEERING AND INSPECTION SERVICES
FOR THE GRANDSTAND ROOF AND BLEACHER REPAIRS LOCATED AT THE JOHN
DOLAK BALL FIELD**

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 engineering and inspections services to repair the timber bleachers of the John Dolak Field in the Borough for the contemplated scope of work in accordance with the firm's proposal, dated September 14, 2015 (attached hereto) and in an amount not to exceed \$8,835.00, 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 Cartabona to approve Resolution 2015-105, motion seconded by Councilman Seiss. Roll call: Ayes: Grossman, Pettinelli, Rooks, Schwar and Seiss. Nays: None. Abstain: Cartabona.

**RESOLUTION 2015-105
RESOLUTION AUTHORIZING BOROUGH ENGINEER
TO PROVIDE ENGINEERING SERVICES
FOR NJDOT FY 2016 MUNICIPAL AID 5th AVENUE PROJECT GRANT APPLICATION**

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 engineering services related to the preparation of the NJDOT FY2016 Municipal Aid Grant for 5th Avenue-East Central Avenue to East Vulcanite Avenue in the Borough for the contemplated scope of work in accordance with the firm's proposal, dated September 14, 2015 (attached hereto) and in an amount not to exceed \$1,800.00, 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 Grossman to approve Resolution 2015-106, motion seconded by Councilman Pettinelli. Roll call: Ayes: Cartabona, Grossman, Pettinelli, Rooks, Schwar and Seiss. Nays: None.

**RESOLUTION 2015-106
CONFLICT ATTORNEY**

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

1. John Caleca, Esq. is hereby retained as an Attorney exclusively to act on the Borough of Alpha's behalf in the event the Municipal Attorney should have an appearance of conflict or actual conflict, including with the negotiation of contracts with Phillipsburg and Lopatcong.
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.
3. The fee shall be at a rate not to exceed or at \$110.00 per hour.
4. A copy of this resolution shall be published in the Star Gazette, Hackettstown, New Jersey as required by law within 10 days of passage.

Approval of Executive Session Minutes:

Motion made by Councilwoman Grossman to approve and hold the following executive session minutes: 11/25/2014, 12/02/2014 & 12/16/14. Motion seconded by Councilman Cartabona, all were in favor.

Department Reports:

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

Finance, Councilman Michael Schwar: Councilman Schwar requested 10 minutes in executive session for personnel regarding the Tax Assessor. Councilman Schwar gave the following report:

Had a meeting scheduled with PAIC. An inspection was conducted last week with a representative from the insurance carrier. There were some issues at the pumping station regarding confined space. PAIC offers free training on confined spaces.

Councilman Schwar reported on his meeting with the CFO and the Sewer Engineer concerning budget issues. Councilman Schwar also reminded Council to start looking at their budget needs for 2016 and plan on having some dates to hold the first budget meeting. Councilman Schwar reported on his discussion with the CFO who also is the Mayor of Califon and stated that Califon has a shared service agreement with Tewksbury for DPW services.

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

Health & Welfare, Councilman Louis Cartabona: No report. Councilman Cartabona approved his bills salaries and wages for his department. Councilman Cartabona requested 10 minutes in executive session for contractual-litigation for the 2015 5th Ave project.

Public Property, Councilwoman Tracy Grossman: Councilwoman Grossman discussed the request from an organization requesting to use the basketball court for a pig roast. In closing, Councilwoman Grossman approved bills, salaries and wages for her department. Councilwoman Grossman requested 10 minutes in executive session for potential litigation regarding dumping and for personnel.

Public Safety, Councilman Millard Rooks: Councilman Rooks reported on a complaint he received from a resident living near Alpha Street concerning the high traffic issues. Councilman Rooks made a motion to install a road sign stating *Children at Play*; motion seconded by Councilwoman Grossman, after some discussions, Councilman Rooks withdrew his motion which was seconded by Councilwoman Grossman.

Councilman Rooks requested 10 minutes in executive session for Contractual regarding Shared Services. In closing, Councilman Rooks approved bills, salaries and wages for his department.

Public Works, Councilman Thomas Seiss: Councilman Seiss reported on the Frace Street project being postponed due to purchase order issues, which have since been resolved. Councilman Seiss requested 25 minutes in executive session for litigation and personnel regarding professional services and DPW.

Councilman Seiss reported on the road project that will move forward in getting roads repaired and stated total cost would be \$120,000.00. In closing, Councilman Seiss approved bills, salaries and wages for his department.

Committee Reports:

Water/Sewer: Councilman Schwar reported on meeting with Councilman Seiss to go over the water billing concerns. They will meet again after reviewing data from the 3rd quarter billing.

Professionals & Official Reports:

Police Department, Chief James Faulborn: Chief Faulborn gave the Police activity report for the month of August.

Engineer, Frank J. Seney: Borough Engineer Frank Seney gave the report previously distributed to the Mayor and Council updating on ongoing projects within the Borough.

Lengthy discussions ensued regarding a grant the Borough could pursue regarding the Leigh Fuel property for a preliminary assessment in the amount of \$3,000.00.

Sewer Engineer, Jim Hill: Mr. Hill stated that he is currently focusing on the meter pit and the pump station on having those projects completed.

Payment of Bills & Claims:

Councilman Seiss made a motion to make the director's report a part of the minutes. Councilman Cartabona seconded the motion, all were in favor.

Councilman Rooks made a motion that the CFO be authorized to pay all bills authorized by the director. Councilwoman Grossman seconded the motion. Roll call; Ayes: Cartabona, Grossman, Pettinelli, Pettinelli, Schwar, and Seiss. Nays: none.

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

September 17, 2015 06:10 PM		BOROUGH OF ALPHA Bill List By P.O. Number				Page No: 1		
P.O. #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
15-00313	07/14/15	STAP	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLIES	Open	452.41	0.00	
15-00445	09/03/15	VITAL	VITAL COMMUNICATIONS, INC	MOD IV/CAMA TAX SYSTEM	Open	102.00	0.00	
15-00450	09/03/15	HOME	HOME DEPOT/GEFC	SUPPLIES	Open	75.74	0.00	
15-00453	09/04/15	RRCON005	R & R CONSTRUCTION INC	WATER MAIN SERVICE REPAIR	Open	4,542.93	0.00	
15-00458	09/08/15	WASTE	WASTE MANAGEMENT OF NJ	AUGUST 2015 SERVICE	Open	17,223.00	0.00	
15-00464	09/10/15	NJSTA	NJ STATE LEAGUE MUNICIPALITIES	2015 NJLM RENEWAL FEES	Open	49.00	0.00	
15-00465	09/10/15	CASTLE	CASTLE SEPTIC SERVICE CORP	TOILET RENTAL CHARGES	Open	365.00	0.00	
15-00466	09/10/15	ACTION	ACTION DATA SERVICES	PAYROLL SERVICES	Open	135.82	0.00	
15-00467	09/10/15	EAS	EAS BY ACTION DATA	PAYROLL SERVICES	Open	101.63	0.00	
15-00468	09/10/15	COYNE	COYNE CHEMICAL	SODIUM HYPOCHLORITE	Open	2,875.50	0.00	
15-00469	09/10/15	WILLEVER	WILLEVER EXCAVATING	REPAIR SALT SHED	Open	135.00	0.00	
15-00471	09/15/15	VERIZ	VERIZON WIRELESS	C. OLAH WIRELESS PHONE CHARGES	Open	50.56	0.00	
15-00472	09/15/15	NJN	NJN PUBLISHING	ADVERTISING FEES	Open	117.06	0.00	
15-00473	09/15/15	JCPL	JCP&L	ELECTRICITY CHARGES	Open	4,074.99	0.00	
15-00475	09/17/15	NORFOLK	NORFOLK SOUTHERN CORPORATION	REMOVAL OF PEDESTRIAN BRIDGE	Open	2,328.93	0.00	
15-00476	09/17/15	ALBOA	ALPHA BOARD OF EDUCATION	Oct '15 Local School Taxes Due	Open	310,475.40	0.00	
15-00477	09/17/15	TOWNP	TOWN OF PHILLIPSBURG	3RD QTR 2015 MUNICIPAL COURT	Open	5,200.00	0.00	
15-00478	09/17/15	FREY ENG	FREY ENGINEERING, LLC	ENGINEERING SERVICES	Open	26,192.16	0.00	
Total Purchase Orders:		18	Total P.O. Line Items:	0	Total List Amount:	374,497.13	Total Void Amount:	0.00

Old Business:

Councilman Pettinelli inquired about the vents that need to be reinstalled in council's chambers.

New Business:

Motion made by Councilwoman Grossman to approve the pavilion permit for Rachel Buss for October 3rd, with alcohol. Motion seconded by Councilman Rooks. Roll call: Ayes; Grossman, Pettinelli, Pettinelli, Schwar and Seiss. Nays: none. Abstain: Cartabona.

Councilman Cartabona discussed an issue of a business on Winter Street in the Borough having a business that isn't allowed according to zoning rules. It was reported to

Councilman Cartabona that to a tractor trailer has been seen parking at the address, which appears to be a home.

Executive Session:

Councilman Seiss made a motion to approve the following resolution to go back into executive session for one hour and five minutes:

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 1 hour(s), 5 minutes, allowing for a five (5) minute recess between the regular session and the executive session.

Motion seconded by Councilman Seiss all were in favor.

Return to Regular Session

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

Motion made by Councilman Seiss to pass Resolution 2015-107, to offer a laborer job at the salary of \$41, 804.32 as per the contract to Michael Burham, motion seconded by Councilman Rooks. Discussion ensued regarding the need and purpose of a third DPW employee. Roll call: Ayes: Grossman, Pettinelli, Rooks and Seiss. Nays: Cartabona and Schwar.

**RESOLUTION 2015-107
HIRING MICHAEL BURHAM AS A LABORER III
FOR THE BOROUGH OF ALPHA**

WHEREAS, the position of Laborer exists within the code of the Borough of Alpha and on the Salary Ordinance and Salary Resolution; and

NOW THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Alpha hereby hires Michael D. Burham as Laborer with the Department of Public Works per the DPW contract at the rate of \$41,804.32.

Adjournment:

Seeing no further business to come before Council, motion made by Councilman Rooks to adjourn meeting at 10:08 p.m., motion seconded by Councilman Pettinelli , all were in favor.

Respectfully submitted,

Laurie A. Barton

Borough Clerk