

Mayor, Craig S. Dunwell called the Regular Meeting of the Common Council of the Borough of Alpha to order at 7:00 P.M. on Monday, January 11, 2016.

Mayor Dunwell announced that adequate notice of the meeting was given to the Star Gazette 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, 2016, the Municipal Clerk delivered to the Star Gazette 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 Dunwell led prayer and the salute to the flag.

Roll Call: Councilwoman Grossman, Councilman Pettinelli, Councilman Preiss, Councilwoman Ronan and Councilman Seiss. Absent: Councilman Schwar. Also present, Attorney Christopher Troxell and Clerk, Laurie Barton.

Public Comment

Jody Smith, 5th Ave., spoke in length regarding a rumor involving the school being taken over by Phillipsburg School District and expressed her concerns.

Dave Cavanaugh, 6th Ave., inquired about the previous 7th Avenue project and with the manholes that were installed too high. Mr. Cavanaugh inquired about why it wasn't caught and the Borough didn't go after the contractor's warranty to fix them.

Jim Pfeiffer, East Central Ave., stated that south of 4th Avenue the catch basins are full of debris and needs to be cleaned out.

Mr. Pfeiffer also inquired about the three pallets on Industrial Park Avenue.

Steve Knoll, Dewey Ave., informed Council of the heating issues on the library side of the building.

Public Hearing -7th Avenue Reconstruction Phase II

Engineer, Frank Seney summarized the project stating that the Borough received another grant for \$250,000, which includes reconstruction on where the Borough left off in Phase I.

The construction should last 60 days.

Jim Pfeiffer, East Central Ave., asked if storm drainage pipe was going to be installed.

Resolutions

Motion made by Councilwoman Grossman to approve Resolution 2016-29, motion seconded by Councilman Pettinelli. Roll Call: Grossman, Pettinelli, Preiss, Ronan and Seiss. Nays: none.

**RESOLUTION 2016-29
GOVERNORS COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2014-
JUNE 2019
FORM 1B**

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Alpha, County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Warren;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the South Warren Municipal Alliance grant for fiscal year 2016-2017 in the amount of

DEDR	\$ 3,633
Cash Match	\$ 1,090
In-Kind	<u>\$ 2,725</u>
	\$13,592

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Motion made by Councilwoman Grossman to approve Resolution 2016-30, motion seconded by Councilman Pettinelli. Roll Call: Grossman, Pettinelli, Preiss, Ronan and Seiss. Nays: none.

**RESOLUTION 2016-30
DESIGNATION OF AGENTS TO ACT ON THE BEHALF
OF THE BOROUGH OF ALPHA FOR THE
FRACE WATER TREATMENT PLANT CHLORINATION SYSTEM MODIFICATIONS**

WHEREAS, the Borough of Alpha designates the following professionals, Mr. Dennis K. Yoder, P.E., and Mr. Jeffrey Whalen, Borough of Alpha Licensed Water Operator, as agents to represent the Borough of Alpha in all matters relating to the **FRACE WATER TREATMENT PLANT CHLORINATION SYSTEM MODIFICATIONS** and any other associated component.

NOW, THEREFORE, be it resolved that:

1. Mr. Dennis K. Yoder, P.E. is hereby authorized to act as agent and present the Borough of Alpha in all matters relating to the **FRACE WATER TREATMENT PLANT CHLORINATION SYSTEM MODIFICATIONS** and any other associated component.
2. Mr. Dennis K. Yoder, P.E., is hereby authorized to sign any and /or all the forms and applications required for submittal to the New Jersey Department of Environmental Protection and any and all Federal, State or Municipal Agency relating to the **FRACE WATER TREATMENT PLANT CHLORINATION SYSTEM MODIFICATIONS**.
3. Mr. Jeffrey Whalen, Licensed Water Operator, is hereby authorized to act as agent and present the Borough of Alpha in all matters relating to the **FRACE WATER TREATMENT PLANT CHLORINATION SYSTEM MODIFICATIONS** and any other associated component.
4. Mr. Jeffrey Whalen, Licensed Water Operator, is hereby authorized to sign any and /or all the forms and applications required for submittal to the New Jersey Department of Environmental Protection and any and all Federal, State or Municipal Agency relating to the **FRACE WATER TREATMENT PLANT CHLORINATION SYSTEM MODIFICATIONS**.
5. The above authorized agent may be contacted at Remington & Vernick Engineers, 232 Kings Highway, Haddonfield, NJ 08033 856-795-9595.

THIS RESOLUTION shall take effect immediately.

DULY ADOPTED at the regular meeting of the Borough of Alpha held on Monday January 11, 2016.

Motion made by Councilwoman Grossman to approve Resolution 2016-31, motion seconded by Councilman Seiss. Roll Call: Grossman, Pettinelli, Preiss, Ronan and Seiss. Nays: none.

**RESOLUTION 2016-31
RESOLUTION AUTHORIZING BOROUGH ENGINEER TO
PUBLICALLY ADVERTISE THE
RECONSTRUCTION OF 7th AVENUE – PHASE II
FY2015 NJDOT MUNICIPAL AID FOR A CONSTRUCTION CONTRACT**

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 public advertisement for a construction contract for the Reconstruction of 7th Avenue,- Phase II (FY2015 NJDOT Municipal Aid Grant) in regards to the construction documents prepared by Remington & Vernick Engineers.

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 2016-32, motion seconded by Councilman Pettinelli. Roll Call: Grossman, Pettinelli, Preiss, Ronan and Seiss. Nays: none.

**RESOLUTION 2016-32
LIEN REDEMPTION
CERTIFICATE #15-00002**

WHEREAS, the Tax Collector of the Borough of Alpha has advised the Mayor and Council that the following property has been redeemed and the money due thereon paid to the Borough of Alpha Tax Collector,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough of Alpha Council this 11th day of January 2016, that refunds are made to the certificate holder as noted:

FWDSL & Associates, LP
17 West Cliff Street
Somerville, NJ 08876

Block 18, Lot 2 – 876 Sampson Avenue
Certificate #15-00002
\$748.38

Motion made by Councilwoman Grossman to approve Resolution 2016-33, motion seconded by Councilman Pettinelli. Roll Call: Grossman, Pettinelli, Preiss, Ronan and Seiss.
Nays: none.

**RESOLUTION 2016-33
PREMIUM REFUND**

WHEREAS, the Tax Collector of the Borough of Alpha has advised the Mayor and Borough Council of the Borough of Alpha, that the following property has been redeemed within five (5) years of the tax sale and a premium of \$1,200 was paid at the time of sale,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough of Alpha Council this 11th day of January 2016 that a refund is made to the certificate holder as noted:

FWDSL & Associates, LP
17 West Cliff Street
Somerville, NJ 08876

Block 18, Lot 2
Certificate #15-00002
\$1,200

Motion made by Councilwoman Grossman to approve Resolution 2016-35, motion seconded by Councilman Seiss. Roll Call: Grossman, Preiss, Ronan and Seiss. Nays: Pettinelli.

**RESOLUTION 2016-35
APPROVAL TO SETTLE NJDEP
EFFLUENT COMPLIANCE ISSUES**

WHEREAS, the NJDEP had issued notice of violation for potable water issues related to the Borough of Alpha for effluent violations; and

WHEREAS, the Council of the Borough of Alpha agrees to enter into a settlement agreement with the NJDEP, as in the best interests of the residents.

NOW THEREFORE BE IT RESOLVED, by the Borough of Alpha Council that the Borough shall pay fines and assessments issued by the NJDEP Water Compliance Bureau in the amount up to and including \$12,000.00 for alleged violations for effluent violations at the Frace Street Well for June, July, and October 2013, upon certification of funds by the Borough CFO.

BE IT FURTHER RESOLVED, that the Mayor, Clerk, Borough Engineer and Borough Attorney are authorized to sign the necessary related documentation to effect this settlement

Department Reports

Administration, Councilman Pete Pettinelli: Councilman Pettinelli reported that the two computers for Kevin Duddy and Tom Fey have been installed. Jewel Computers submitted a bill for the security firewall that will be \$1,495 for a five-year contract.

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

Finance, Councilman Michael Schwar: Deputy Director, Councilman Pettinelli gave the report in Councilman Schwar's absence and reminded Council of the budget meeting on the 19th. Councilman Schwar has been working with the Mayor with the capital bond ordinances.

Councilman Pettinelli stated that the bills, salaries and wages have been approved by Councilman Schwar.

Health and Welfare, Councilwoman Kathleen Ronan: Councilwoman Ronan gave the report received from the County Health Department for the month of December. Councilwoman Ronan stated she will be having a meeting with the Animal Control Officer this week. In closing, Councilwoman Ronan approved bills, salaries and wages for her department.

Public Property, Councilwoman Tracy Grossman: Councilwoman Grossman reported that the heating issues have been resolved in the building, which was caused by two glitches in the software program. Councilwoman Grossman asked that if anyone notices anything with the system to mark it down and she will forward it to Trane.

Councilwoman Grossman reported that everything is in place to have the roof project started at Benke Field and is waiting for the Mayors signature on the contract. Attorney Troxell requested that the contractor add the Borough as an additionally insured on their policy.

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

Public Safety, Councilman Thomas Seiss: No report. In closing, Councilman Seiss approved salaries and wages for his department and stated that there were no bills for his department.

Public Works, Councilman Jack Preiss: Councilman Preiss reported that the sewer break near the Pohatcong School on Route 519 has been repaired. In closing, Councilman Preiss approved bills, salaries and wages for his department.

Professionals and Officials Reports

Mayor, Craig S. Dunwell: Mayor Dunwell announced the members to the subcommittees:

	<u>Chair</u>	<u>Member</u>	<u>Member</u>
Budget	Schwar	Pettinelli	Ronan
Community Day	Grossman	Ronan	Seiss
Computer	Pettinelli	Grossman	Seiss
Employee Contracts	Preiss	Schwar	Seiss
Emergency Services	Seiss	Preiss	Ronan
Historical	Seiss	Pettinelli	Preiss
Newsletter/Public Information	Pettinelli	Grossman	Preiss
Open Space/Green Acres/Recreation	Grossman	Preiss	Schwar
Ordinance/Personnel Manual	Ronan	Pettinelli	Schwar
School Board	Ronan	Grossman	Pettinelli
Shared Service	Schwar	Grossman	Ronan
Water/Sewer	Preiss	Schwar	Seiss

Mayors Appointments

Mayor Dunwell asked for a motion to approve Leon Fortin as the Boroughs Sub Code Plumbing Inspector. Motion made by Councilwoman Grossman to approve Leon Fortin, motion seconded by Councilman Seiss. Roll Call: Ayes: Grossman, Pettinelli, Preiss, Ronan and Seiss. Nays: none.

Mayor Dunwell asked for a motion to appoint Eric Lee to the Land Use Board for a four-year term. Motion made by Councilman Seiss to approve the Mayors appointment of Eric Lee, motion seconded by Councilwoman Grossman. Roll Call: Ayes: Grossman, Pettinelli, Preiss, Ronan and Seiss. Nays: none.

Mayor Dunwell asked for a motion to approve John Mascotta to the Land Use Board for a two-year term. Motion made by Councilman Seiss to approve the Mayors appointment of John Mascotta, motion seconded by Councilwoman Grossman. Roll Call: Ayes: Grossman, Pettinelli, Preiss, Ronan and Seiss. Nays: none.

Mayor Dunwell discussed the appointments of the library board members that were made by the past Mayor in November. Attorney Troxell explained the law of a five-year appointment to the board. Mayor Dunwell asked for a motion to approve Louis Cartabona to the Library Board for a five-year appointment. Councilwoman Grossman made a motion to approve Louis

Cartabona to the Library Board, motion seconded by Councilwoman Ronan. Roll Call: ayes: Grossman, Preiss and Ronan. Nays: Pettinelli and Seiss. Motion carries.

Mayor Dunwell asked for a motion to approve Mike Trent to the Library Board for a five-year term. Motion made by Councilman Seiss to approve Mike Trent to the Library Board, motion seconded by Councilwoman Grossman. Roll call: Ayes: Grossman, Pettinelli, Preiss, Ronan and Seiss. Nays: none.

Mayor Dunwell requested 45 minutes total in executive session for contractual, personnel and potential litigation.

Mayor Dunwell reported on the meeting he and Councilman Preiss had concerning a resident's water bill that was questioned at a previous meeting. The Utility Collector agreed to re-calculate the property owner's bill.

Police Chief, James Faulborn: Chief Faulborn gave the police report for the month of December, with a total of 36 cases.

Fire Chief, Sean McDyer: Chief McDyer gave the Fire Department report, which resulted in 3 calls and a total of 113 calls for the year (2015). Chief McDyer inquired about having the DPW continue to plow and clear snow in the parking lot and pads in front of the firehouse and getting ice melt from the salt shed. Councilman Preiss stated that there wouldn't be any change to that agreement.

Chief McDyer announced January 24th is the annual roast beef dinner at the firehouse from 4pm-7pm.

Attorney, Christopher Troxell: Mr. Troxell requested 10 minutes in executive session for personnel and 10 minutes for contractual.

Engineer, Frank Seney: Mr. Seney gave a summary breakdown of the report that was distributed to Mayor and Council.

Mr. Seney inquired about having the 7th Avenue Project bids opened at a regular council meeting. Mayor Dunwell stated that it is not his preference to have them opened at a meeting.

After lengthy discussions on where the bid should be opened, a motion was made by Councilman Seiss to open bids at a regular meeting. Motion seconded by Councilwoman Grossman. Roll call: Ayes: Grossman, Ronan and Seiss. Nays: Pettinelli and Preiss. Motion carries.

Discussions ensued regarding certification of funds for contracts. Mayor Dunwell reiterated that he will not sign a contract if there isn't any certification of funds.

Sewer, Jim Hill: Mr. Hill reported on the sewer break that occurred on Route 519. Mr. Hill stated that this lasted for four days in getting the leak found and repaired. Mr. Hill stated that the bills from the contractors will need to be considered emergency contracts.

Library Board, Steve Knoll: Mr. Knoll informed the Council that Sue Smeall is now the Board President, as June Heyer resigned last month as Board President.

Public Comment

Jim Pfeiffer, Central Ave., asked when the water plant is going to be working, and added that his water stinks and smells terrible.

Steve Knoll, Dewey Ave., inquired about his appointment to the library aboard and asked if he is still on the board.

Approval of Bills Salaries and Wages

Motion made by Councilwoman Grossman to have the Directors reports part of the minutes, motion seconded by Councilman Pettinelli, all were in favor.

Motion made by Councilman Pettinelli to authorize the CFO to pays bills approved by the Directors, motion seconded by Councilwoman Grossman. Roll call: ayes: Grossman, Pettinelli, Preiss, Ronan and Seiss. Nays: none.

Motion made by Councilwoman Grossman to authorize the CFO to pay all salary and wages approved by the Directors, motion seconded by Councilman Pettinelli, Roll call: ayes: Grossman, Pettinelli, Preiss, Ronan and Seiss. Nays: none.

P.O. Type: All		Open: N		Paid: N		Void: N		
Range: First to Last		Rcvd: Y		Held: 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	
15-00521	10/06/15	HOME HOME DEPOT/GEFCF	WATER DEPT SUPPLIES (5TH AVE)	Open	161.62	0.00		
15-00543	10/15/15	HOME HOME DEPOT/GEFCF	SUPPLIES FOR STREET DEPARTMENT	Open	113.61	0.00		
15-00648	12/02/15	HOME HOME DEPOT/GEFCF	CHRISTMAS LIGHTS AND DECOR	Open	398.35	0.00		
15-00649	12/02/15	HOME HOME DEPOT/GEFCF	WIRE/INSULATION-FRACE ST P.H.	Open	393.06	0.00		
15-00652	12/03/15	ONECA ONE CALL CONCEPTS	REGULAR LOCATES	Open	12.40	0.00		
15-00692	12/20/15	FEDEX FEDERAL EXPRESS	FEDEX SERVICE 12/9/15	Open	26.05	0.00		
15-00693	12/20/15	NJN NJN PUBLISHING	ADVERTISING	Open	41.02	0.00		
15-00705	12/23/15	WARREN WARREN MATERIALS	HIGH PERFORMANCE COLD PATCH	Open	353.28	0.00		
15-00707	12/23/15	VITAL VITAL COMMUNICATIONS, INC	EST POSTAGE-2016 ASSESSMENTS	Open	365.40	0.00		
15-00715	12/28/15	FEY THOMAS J. FEY	RECYCLING COORDINATOR MILEAGE	Open	150.87	0.00		
15-00717	12/29/15	DEERPARK READY REFRESH BY NESTLE, A DIV	WATER DELIVERY	Open	13.96	0.00		
15-00727	12/31/15	HEALTH STATE OF NJ HEALTH BENEFITS	December 2015 Health Benefits	Open	7,117.84	0.00		
16-00002	01/05/16	SARTI SARTINI PLUMBING & HEATING	ADDITIONAL WORK ON LEONA ALLEY	Open	2,625.00	0.00		
16-00004	01/05/16	MAYBE MAYBERRY SALES & SERVICE INC.	HONDA MOTOR REPAIR	Open	157.39	0.00		
16-00005	01/05/16	TOWNP TOWN OF PHILLIPSBURG	4TH QTR 2015 MUNICIPAL COURT	Open	5,200.00	0.00		
16-00006	01/05/16	TOWNP TOWN OF PHILLIPSBURG	POLICE COVERAGE	Open	67,500.00	0.00		
16-00009	01/06/16	REMINGTO REMINGTON & VERNICK ENGINEERS	INSPECT WATER SOFTENER-FRACE	Open	367.50	0.00		
16-00010	01/06/16	REMINGTO REMINGTON & VERNICK ENGINEERS	INSPEC ROAD OPENING - 4TH AVE	Open	375.00	0.00		
16-00011	01/06/16	REMINGTO REMINGTON & VERNICK ENGINEERS	WATER SYSTEM CONTROLS-UPGRADES	Open	1,309.47	0.00		
16-00012	01/07/16	NJPDES TREASURER-STATE OF NJ	NJ DEP Settlement Agreement	Open	12,000.00	0.00		
16-00014	01/07/16	NJSTA NJ STATE LEAGUE MUNICIPALITIES	SEMINAR-NEWLY ELECTED--DUNWELL	Open	120.00	0.00		
16-00015	01/07/16	TRDCF TREASURER, STATE OF NJ	4TH QTR MARRIAGE REPORTS	Open	50.00	0.00		
16-00016	01/07/16	REMINGTO REMINGTON & VERNICK ENGINEERS	INSPECTION FOR JG OLIVER	Open	680.73	0.00		
16-00017	01/07/16	REMINGTO REMINGTON & VERNICK ENGINEERS	LICENSED WATER OPERATOR 2015-7	Open	1,500.00	0.00		
Total Purchase Orders:		24	Total P.O. Line Items:	0	Total List Amount:	101,032.55	Total Void Amount:	0.00

Old Business

Councilman Seiss asked who would be enforcing the sewer grease ordinance that was recently passed. Mayor Dunwell stated he will have some discussions on this issue in executive session.

New Business

Motion made by Councilman Seiss to approve the pavilion permit for Shirley Weirsky for July 4th with alcohol, motion seconded by Councilwoman Grossman, all were in favor.

Motion made by Councilwoman Grossman to approve the pavilion permit for St. Mary Church requesting waiver of fee, motion seconded by Councilman Pettinelli, all were in favor.

Motion made by Councilwoman Grossman to approve Raffle License RA-2016-1 for the Alpha Fire Department. Motion seconded by Councilman Pettinelli, all were in favor, with the exception of Councilman Seiss abstaining.

Executive Session

Motion made by Councilwoman Grossman to pass the following resolution to go into executive session for one hour and 35minutes. Motion seconded by Councilman Preiss, 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(s), 35 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 Pettinelli, all were in favor.

Motion made by Councilman Seiss to amend the opening of bids to a neutral agreeable time with the Mayor and the Engineer to allow proper time due to meetings scheduled on Monday for the months of January and February. Motion seconded by Councilwoman Grossman, all were in favor.

Adjourn

Seeing no further business to come before Council, motion made by Councilman Seiss to adjourn the meeting at 10:32 P.M., motion seconded by Councilman Pettinelli, all were in favor.

Respectfully submitted

Laurie A. Barton

Laurie A. Barton, Borough Clerk