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, February 22, 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: Present; Councilwoman Grossman, Councilman Pettinelli (arrived at 7:11 p.m.), Councilman Preiss, Councilwoman Ronan, Councilman Schwar and Councilman Seiss. Also present, Attorney Christopher Troxell and Clerk, Laurie Barton.

Public Comment:

Mayor Dunwell stated his intentions of the limit on public comment during the meetings, stating he supports having a dialog with anyone who has comments or concerns.

Sue Smeal, Sigsbee Ave., thanked the Police and Fire departments for responding to her house for a smoke alarm.

Dave Cavanaugh, 6th Ave., stated his support for the Phillipsburg Police Department citing the great response time they have for incidents in town and doesn't support any shared services with Pohatcong.

Joey Foore, Morris St., brought Councils attention to the clock in council's chambers not working.

Ordinances

Motion made by Councilman Schwar to introduce Ordinance 2016-02, motion seconded by Councilwoman Grossman. Roll Call: Ayes: Grossman, Preiss, Ronan, Schwar and Seiss.

Nays: none.

BOND ORDINANCE 2016-2 AMENDING BOND ORDINANCE NUMBER 2013-10 FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ALPHA, NEW JERSEY ON JUNE 25, 2013

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

- Section 1. The Bond Ordinance of the Borough Council of the Borough of Alpha, in the County of Warren, New Jersey (the "Borough") entitled "Bond Ordinance Providing an Appropriation of \$2,670,000 for Road Improvements for and by the Borough of Alpha in the County of Warren, New Jersey and Authorizing the Issuance of \$2,000,000 Bonds or Notes of the Borough for Financing Part of the Appropriation" finally adopted on June 25, 2013 (the "Ordinance") is hereby incorporated by reference in its entirety.
- Section 2. The Ordinance is hereby amended by deleting the reference of "\$2,670,000" for the appropriation and estimated cost and substituting in lieu therefore "\$2,880,000".

The Ordinance is further amended by (a) adding a sentence at the end of Section 1 as follows: "Also included in the appropriated sum is a New Jersey Department of Transportation Grant for Fifth Avenue in the amount of \$210,000." and (b) adding in Section 3(a) after the phrase "Various Street improvements, including but not limited to drainage, concrete work, rigid pavement and flexible pavement of West Vulcanite Avenue, Seventh Avenue, Hobson Street and Industrial Drive" the phrase "and Fifth Avenue".

- Section 3. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.
- Section 4. This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$2,000,000.
 - Section 5. All other provisions of the Ordinance shall remain unchanged.
- Section 6. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.

Motion made by Councilman Seiss to introduce Ordinance 2016-3, motion seconded by Councilwoman Ronan. Roll Call: Ayes: Grossman, Preiss, Ronan, Schwar and Seiss. Nays: none.

ORDINANCE 2016-3
BOROUGH OF ALPHA
ORDINANCE OF THE BOROUGH OF ALPHA AMENDING
AND SUPPLEMENTING CODE SECTION 7
CHAPTER 7: ADMINISTRATION OF GOVERNMENT
ARTICLE XXV: LIBRARY BOARD TRUSTEES

WHEREAS, the Council of the Borough of Alpha desires to amend a portion of Chapter 7, Administration of Government - Article XXV: Library Board of Trustees, and amend its Code accordingly, expanding the number of trustees on its municipal library board from seven to nine; and

WHEREAS, New Jersey law permits for a free public library to have a board of trustees in number from seven to nine members, specifically in *N.J.S.A.* 40:54-9.

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, Section 97, Membership; terms, alternates" be amended, in part, and supplemented as follows:

§ 7-97 Membership; terms; alternates.

A. The Board of Trustees of the Alpha Free Public Library shall consist of nine members; one of whom shall be the Mayor or other chief executive officer of the Borough of Alpha; one of whom shall be the local superintendent of schools or, in the event that there be no such official, the principal with power of supervision over the local school system or, in case such municipality shall have none of the school officials hereinbefore mentioned, then the president of the board of education; and seven citizens to be appointed by the Mayor or chief executive with the advice and consent of the Council, at least four of whom shall be residents of the Borough of Alpha. The appointments shall be staggered, to the extent possible, as they may be selected by the Mayor or other chief executive officer.

The Mayor or other chief executive officer and the Superintendent of Schools or principal, respectively, shall be allowed to each appoint an alternate to act in his place and stead with authority to attend all meetings of the Board and, in his absence, to vote on all questions before the Board.

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

Resolution

Motion made by Councilman Schwar to approve Resolution 2016-49, motion seconded by Councilwoman Grossman. Roll Call: Ayes: Grossman, Preiss, Ronan, Schwar and Seiss. Nays: none.

RESOLUTION 2016-49 LIEN REDEMPTION CERTIFICATE #15-00003

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 22nd day of February 2016, that refunds are made to the certificate holder as noted:

> Arthur Frustaci 712 Rugby Road Phillipsburg, NJ 08865

Block 22, Lot 5 – 811 Park Avenue Certificate #15-00003 \$1,073.72

Motion made by Councilman Schwar to approve Resolution 2016-50 motion seconded by Councilwoman Grossman. Roll Call: Ayes: Grossman, Preiss, Ronan, Schwar and Seiss. Nays: none.

RESOLUTION2016-50 PREMIUM RETURN TSC #15-00003

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 \$900 was paid at the time of sale,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough of Alpha Council this 22ND day of February 22, 2016 that a refund be made to the certificate holder as noted:

Arthur Frustaci 712 Rugby Road Phillipsburg, NJ 08865

Block 22, Lot 5 Certificate #15-00003 \$900

Motion made by Councilman Seiss to approve Resolution 2016-51 motion seconded by Councilman Schwar. Roll Call: Ayes: Grossman, Preiss, Ronan, Schwar and Seiss. Nays: none.

RESOLUTION 2016-51 PREMIUM RETURN TSC #15-00013

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 \$100 was paid at the time of sale,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough of Alpha Council this 22ND day of February 22, 2016 that a refund be made to the certificate holder as noted:

Arthur Frustaci 712 Rugby Road Phillipsburg, NJ 08865

Block 92, Lot 4 Certificate #15-00013 \$100

Motion made by Councilman Schwar to approve Resolution 2016-52 motion seconded by Councilwoman Grossman. Roll Call: Ayes: Grossman, Preiss, Ronan, Schwar and Seiss. Abstain: Pettinelli. Nays: none.

RESOLUTION 2016-52 LIEN REDEMPTION CERTIFICATE #15-00013

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 22nd day of February 2016, that refunds are made to the certificate holder as noted:

Arthur Frustaci 712 Rugby Road Phillipsburg, NJ 08865

Block 92, Lot 4 – 736 East Central Avenue Certificate #15-00013 \$431.72

Motion made by Councilman Schwar to approve Resolution 2016-53 motion seconded by Councilwoman Ronan. Roll Call: Ayes: Grossman, Pettinelli, Preiss, Ronan, and Seiss. Abstain: Schwar. Nays: none.

RESOLUTION 2016-53 A RESOLUTION AUTHORIZING THE HIRING OF LIBRARY PAGE

WHEREAS, the Council of the Borough of Alpha deems the hiring of a library page to be consistent with its salary ordinance and in the best interests of the Borough of Alpha.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Alpha that Angela Chiu be hired as a library page for the Borough of Alpha for the remainder of the calendar year 2016 at a rate of \$10.00 per hour for 10 hours per week, contingent upon the completion of a successful background check with the W.H. Walters Free Public Library reimbursing up to a maximum of \$75.00 for said background check.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute any related, necessary documents.

Motion made by Councilman Seiss to approve Resolution 2016-54 motion seconded by Councilman Schwar. Roll Call: Ayes: Grossman, Pettinelli, Preiss, Ronan, and Seiss. Abstain: Schwar. Nays: none.

RESOLUTION 2016-54 RESOLUTION AWARDING A CONTRACT FOR THE RECONSTRUCTION OF A PORTION OF SEVENTH AVENUE – PHASE II

WHEREAS, the Mayor and Council of the Borough of Alpha have determined that certain improvements are needed for the Borough's road system, including but not limited to the reconstruction of a portion of Seventh Avenue and Industrial Drive in the Borough; and

WHEREAS, the Mayor and Council of the Borough of Alpha have openly and publicly bid such contract for said improvement work, pursuant to New Jersey law; and

WHEREAS, the Borough of Alpha has received the lowest responsible bid from Renda Roads, Inc., based on the recommendation of the Borough Engineer for Base Bid #2.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the said contract for the reconstruction of a portion of Seventh Avenue – Phase II, which includes work on a section of Industrial Drive, all in the Borough, including the contemplated work, construction and improvements thereto, is hereby awarded to Renda Roads, Inc. of Whitehouse, New Jersey, having bid \$247,749.25 for said work under Base Bid #2, 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 contract.

Motion made by Councilman Schwar to table the following resolution, motion seconded by Councilman Seiss, all were in favor.

RESOLUTION D.R. HORTON WAIVING STREET OPENING MORATORIUM

Motion made by Councilman Schwar to approve Resolution 2016-55, motion seconded by Councilman Pettinelli. Roll Call: Ayes: Grossman, Pettinelli, Preiss, Ronan, Schwar and Seiss. Nays: none.

RESOLUTION 2016-55 HONORING MYRNA MINARDI ON HER RETIREMENT FROM THE W.H. WALTERS FREE PUBLIC LIBRARY

WHEREAS, Myrna Minardi, a faithful employee of the W.H. Walters Free Public Library of the Borough of Alpha retired on February 14, 2016, after more than twenty-six years of outstanding and meritorious service to the Borough of Alpha; and

WHEREAS, Myrna began her career with the W.H. Walters Free Public Library of the Borough of Alpha on August 25, 1989; and

WHEREAS, as a result of her leadership, diligent work and demonstrated ability, she was an asset to all those who came in contact with her, especially the youth of the Borough of Alpha; and

WHEREAS, throughout her many years of service, Myrna has served the people of the Borough of Alpha with professionalism, fairness and dedication, and further, she has earned the respect and admiration of the Borough's officials, co-workers and the public at large for her knowledge, commitment, efficiency, and sincerity; and she will be missed by all.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpha hereby extend to Mrs. Myrna Minardi our sincere and grateful appreciation for her dedicated service to the W.H. Walters Free Public Library and to the Borough of Alpha, our congratulations on her well-earned retirement, and our best wishes to her for continued success, happiness, and good health in the years to come.

Approval of Minutes

Motion made by Councilman Schwar to approve the minutes from 01/25/16, motion seconded by Councilwoman Grossman, all were in favor.

Department Reports

Administration, Councilman Peter Pettinelli: Councilman Pettinelli inquired about executive session minutes from a budget meeting held on the 19th of January.

Councilman Pettinelli reported that he is also waiting for a response from Jewel Computers for setting up accounts. Discussions ensued regarding the library having access to the Borough's server for access to the Trane software for the HVAC system. In closing, Councilman Pettinelli approved bills, salaries and wages for his department.

Finance, Councilman Michael Schwar: Councilman Schwar reported on his meeting with the CFO today discussing the bill paying policy.

Councilman Schwar expressed concern over improper procedures occurring regarding quotes and the paperwork missing back up to a purchase requisition.

Councilman Schwar reported that he will be meeting with the CFO every other Thursday to certify purchase requisitions to go over what needs to be paid and review outstanding purchase requisition that are over a month pending.

A budget meeting was set for March 3rd at 7PM. In closing, Councilman Schwar approved bills, salaries and wages for his department.

Health and Welfare, Councilwoman Kathleen Ronan: No report. Councilwoman Ronan requested five minutes in executive session for contractual. In closing, Councilwoman Ronan approved bills, salaries and wages for her department.

Public Property, Councilwoman Tracy Grossman: Councilwoman Grossman requested 20 minutes in executive session for contractual regarding open space. Councilwoman Grossman reported on the training that was conducted from Trane regarding the new software for the HVAC system. In closing, Councilwoman Grossman approved bills, salaries and wages for her department.

Public Safety, Councilman Thomas Seiss: Councilman Seiss spoke of a form that needs to be filled out by Alpha's OEM Coordinator concerning the winter snowstorm Jonas for State reimbursement if an emergency has been declared. In closing, Councilman Seiss approved bills, salaries and wages for his department.

Public Works, Councilman Jack Preiss: Councilman Preiss reported on the dump truck

loader freezing up, in which required a repair at the cost of \$300.00. Councilman Preiss has a

meeting scheduled with the DPW on Wednesday at 2:30 P.M. In closing, Councilman Preiss

approved bills, salaries and wages for his department.

Professionals and Officials Reports

Mayor: No report

Fire Dept: No report.

Emergency Squad, Chris Lee: Mr. Lee gave a 2015 yearly report on total calls and a 2016

update.

Mr. Lee reported on the new station in Alpha stating that it is up and running and doing

very well. They acquired a new ambulance and light rescue vehicle to add to their fleet.

The home outreach program is still going and encourages any elderly resident to join.

Mr. Lee reported on the coverage provided by them for Lopatcong, Pohatcong, Alpha and

Phillipsburg.

Attorney: No report.

Engineer, Frank Seney: Mr. Seney reviewed the February 22nd report distributed to

Mayor and Council giving updates on projects and grants.

Jim Hill, Sewer Engineer: Mr. Hill referred to his report that was distributed and stated

that it's a slow time of year. Mr. Hill reported that all paperwork from the force main break has

been filed.

CFO, Charles Daniel: Mr. Daniel reiterated the purchase order process and how it needs

to be properly followed. Mr. Daniel stated he is receiving calls from vendors on why they

weren't being paid and felt that this shouldn't be handled through his office. Mayor Dunwell

requested that the natural gas bill be split to have the two for the Pursel Street and Alpha Street

pumping stations billed to Utility and not the current account.

Clerk, Laurie Barton: Mrs. Barton inquired if Council would consider going paperless

with their agendas. Councilwoman Grossman responded that this was added to the budget for

consideration.

Recycling Coordinator, Thomas Fey: Mr. Fey reported he is in the process of collecting

reports from businesses in town. Mr. Fey met with LMR and reported that things are going good

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with recycling pick up. The tonnage report is due to the state by end of April and Mr. Fey needs to contact Waste Management for their report from last year.

Code Enforcement, Thomas Fey: Mr. Fey gave a breakdown and update on his two month report on properties he has been having problems with that are starting to get improvements on.

Library Board, Louis Cartabona: Mr. Cartabona announced the library board election of officers that was held at their reorganization meeting. Mr. Cartabona announced the upcoming 80th Anniversary of the library. A winter story time will be held on February 25th and a Lego challenge will be held on February 29th. A Friday movie event will be held on March 4th at 3PM. *Public Comment*

Bill Morris, Alpha St., inquired about his complaint regarding Mr. Stasak on the corner of Alpha Street, stating that there is still more junk coming into there.

Mr. Morris expressed his concerns over the tractor trailers driving through that area and the weight limit for the roads.

Louis Cartabona, 5th Ave., discussed his past issue of the bushes blocking the view of drivers on the corner of 7th Ave. and Alpha Street with Mr. Stasak.

Sharon Decker, Sigsbee Ave., commented on how icy it was on Tuesday and having a hard time getting out.

Ms. Decker also inquired about recent vandalism to her neighbor's window that was smashed twice and egging that has occurred to property.

Louis Cartabona, 5th Ave., asked about when Council will give the residents a break on their water bills.

Sue Smeal, Sigsbee Ave., also thanked the Emergency Squad for responding to her smoke alarm.

James Pfeiffer, East Central Ave., inquired about the truck that was reported to have been frozen up. Mr. Pfeiffer expressed his concern over the McCormack Tractor that sat at the corner of Warren and 4th Ave idling.

Payment of Bill and Claims:

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

Motion made by Councilwoman Grossman to authorize the CFO to pay all bills approved by the Directors, motion seconded by Councilman Pettinelli. Roll call: Ayes; Grossman, Pettinelli, Preiss, Ronan, Schwar, and Seiss. Nays: None.

Motion made by Councilwoman Grossman to authorize CFO to pay salaries and wages approved by the directors, motion seconded by Councilman Pettinelli. Roll call: Ayes; Grossman, Pettinelli, Preiss, Ronan, Schwar, and Seiss. Nays: None.

February 22, 2016 05:23 PM	ı	BOROUGH OF ALPHA Sill List By P.O. Number	* _{#3}		Page	No: 1
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otal Purchase Orders:	30 Total P.O. Line Items:	O Total List Amount: 126,	314.60	Total Void Amou	100.000	0.00

New Business

Motion made by Councilman Schwar to approve a Motor Vehicle Business Services license for: Alpha Car Group LLC located at: 2 Industrial Rd. Motion seconded by Councilwoman Grossman. Roll call: Ayes; Grossman, Pettinelli, Preiss, Ronan, Schwar, and Seiss. Nays: None.

Executive Session

Motion made by Councilman Pettinelli to pass the following resolution to go into executive session for 30 minutes. Motion seconded by Councilman Schwar, 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).

The general nature of the subject matter(s) to be discussed is: Personnel, Litigation and/or Contractual,

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 30 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 appoint Dave Morris as the Borough's Conflict and

Labor Attorney, Councilwoman Grossman seconded motion. Discussions ensued regarding the

appointment. Councilman Seiss offered to withdraw his motion.

Motion made by Councilwoman Grossman to appoint Frank Taddeo as the Boroughs

Conflict and Labor Attorney, motion seconded by Councilman Schwar. Roll call: Ayes:

Grossman, Pettinelli Preiss, Schwar and Seiss. Nays: Ronan.

Adjournment:

Seeing no further business to come before Council, motion made by Councilman

Pettinelli to adjourn at 9:41 P.M., motion seconded by Councilwoman Grossman, all were in

favor.

Respectfully submitted,

Laurie A. Barton

Borough Clerk

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