Council-President, Tracy Grossman called the Regular Meeting of the Common Council of the Borough of Alpha to order at 7:00 P.M. on Tuesday, August 23, 2016.

Council-President Grossman 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.

Council-President Grossman led prayer and the salute to the flag.

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

Public Comment:

Dave Cavanaugh, 6th Ave., discussed hearsay regarding the road conditions and the possibility of having one side parking on 5th and 6th Avenues.

Ordinance

Motion made by Councilman Seiss to open the public hearing for Ordinance 2016-12, motion seconded by Councilman Schwar, all were in favor.

Hearing no public comment, motion made by Councilman Seiss to close public hearing. Motion seconded by Councilman Schwar, all were in favor. Motion made by Councilman Seiss to adopt Ordinance 2016-12, motion seconded by Councilman Schwar. Roll call: Ayes: Grossman, Preiss, Schwar and Seiss. Nays: none.

ORDINANCE 2016-12
BOROUGH OF ALPHA
ORDINANCE OF THE BOROUGH OF ALPHA AMENDING AND SUPPLEMENTING CODE SECTION 116
FOUR-WAY STOP NEAR SCHOOL

WHEREAS, the Council of the Borough of Alpha desires to amend a portion of Chapter 116, and amend its Code accordingly with the safety and welfare of school-aged children in mind by authorizing stop signs to be installed on all four corners of the intersection of North Boulevard and Schley Avenue near the Alpha Public School.

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 116” be amended and supplemented as follows:
§ 116-22
Through streets.
Pursuant to the provisions of N.J.S.A. 39:4-140, the streets or parts of streets described are hereby designated as through streets. Stop signs shall be installed on the near-right side of each street intersecting the through street except where yield signs are provided for in the designation.

Name of Street Limits
Alpha Street Between Seventh Avenue and Fifth Avenue
East Boulevard A. Between Hobson Street and Sigsbee Avenue
B. Between West Central Avenue and North Boulevard
East Central Avenue A. Between Fifth Avenue and Third Avenue (C.R. No. 519)
B. Between Fifth Avenue and Seventh Avenue
C. Between First Avenue and Third Avenue (C.R. No. 519)
East Vulcanite Avenue Between Third Avenue (C.R. No. 519) and its easternmost terminus
Edge Road Between Route N.J. 122 (New Brunswick Turnpike) and the Borough of Alpha-Township of Pohatcong corporate limits
First Avenue A. Between High Street (C.R. No. 642) and William Street
B. Between High Street (C.R. No. 642) and Central Avenue
Fifth Avenue Between East Vulcanite Avenue and William Street
Hobson Street Between its most westerly terminus and Springtown Road (C.R. No. 641)
Industrial Drive Between Route N.J. 122 (New Brunswick Avenue) and its southernmost terminus
Lee Avenue Between Dewey Avenue and Springtown Road (C.R. No. 641)
Olive Street Between Seventh Avenue and Fifth Avenue
Park Avenue A. Between High Street (C.R. No. 642) and Park Avenue Drive North
B. Between Park Avenue Drive South and South Boulevard
Park Drive A. North: between East Park Drive and West Park Drive
B. South: between East Park Drive and West Park Drive
C. East: between North Park Drive and South Park Drive
D. West: between North Park Drive and South Park Drive
Second Avenue Between Morris Street and East Central Avenue
Schley Avenue A. Between High Street (C.R. No. 642) and North Boulevard
B. Between North Boulevard and West Central Avenue
C. Between West Central Avenue and South Boulevard
Sixth Avenue Between Route N.J. 122 (New Brunswick Avenue) and East Vulcanite Avenue
Sigsbee Avenue Between Schley Avenue and Lee Avenue
South Boulevard Between East Central Avenue and its northernmost terminus (Saint Mary's Cemetery)
West Boulevard Between East Boulevard and West Boulevard
West Central Avenue Between North Boulevard and Hobson Street

§ 116-23
Stop intersections.
Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections described are hereby designated as stop intersections. Stop signs shall be installed as provided therein:

Intersection Stop Sign On
Fourth Avenue and Warren Street Fourth Avenue (north and south approaches)
Hawk Avenue and Hunterdon Street Hawk Avenue
Hawk Avenue and Somerset Street Hawk Avenue (north and south approaches)
Morris Street and Hawk Avenue Morris Avenue (east and west approaches)
Pearl Street and Argyle Avenue Pearl Street (north and south approaches)
Pearl Street and Bagley Street Pearl Street (north and south approaches)
Pearl Street and Sampson Avenue Pearl Street (north and south approaches)
Pearl Street and West Central Avenue Pearl Street (north and south approaches)
Wayne Street and Williams Street Wayne Street

§ 116-24
Multi-way stop intersections.
Pursuant to the provisions of N.J.S.A. 39:4-140, the intersections herein described are designated as multi-way stop intersections. Stop signs shall be installed as provided herein.

Intersection Stop Sign On
North Boulevard and Schley Avenue North Boulevard (east and west approaches) and Schley Avenue (north and south approaches)

Motion made by Councilman Seiss to open the public hearing for Ordinance 2016-13, motion seconded by Councilman Schwar, all were in favor.

Dave Cavanaugh, 6th Avenue, inquired about having RCN having rights to come into to the Borough.

Motion made by Councilman Seiss to close public hearing, motion seconded by Councilman Schwar, all were in favor.

BOROUGH OF ALPHA
ORDINANCE 2016-13

AN ORDINANCE REGULATING THE STATUTORY AUTHORITY OF VERIZON NEW JERSEY INC., ITS SUCCESSORS AND assigns TO USE THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE BOROUGH OF ALPHA, WARREN COUNTY, NEW JERSEY, FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF.

BE IT ORDAINED by the Borough of Alpha, Warren County, New Jersey that:

SECTION 1: Pursuant to the provisions of N.J.S.A. 48:17-10, N.J.S.A. 48:17-11, and N.J.S.A. 48:17-12, permission and consent hereby granted to Verizon New Jersey Inc. (the "Company"), its successors and assigns, to install, operate, inspect, maintain, repair, replace and remove its communications facilities and other transmission or process equipment, including underground facilities, such as conduits, manholes, cables, wires, and all other facilities appurtenant thereto, and above-ground facilities, such as cables, wires, antennas, poles, posts, supports, guys, pedestals, cable termination and distribution cabinets and all other facilities appurtenant thereto, in, through, upon, along, over, under, and across all of the various public streets and ways, which include the roads, avenues, right-of-way, sidewalks, highways, bridges, waterways, and other public places, and parts thereof: throughout their entire length, and to effect the necessary street openings and lateral connections to curb poles, property lines and other facilities in the Borough of Alpha (the "Borough") for said Company's local and through lines and other communications facilities in connection with the transaction of its business. In the event that any public street or way where the Company has facilities is vacated by the Borough, the Borough agrees to reserve unto said Company the rights granted the Company by the present Ordinance.

SECTION 2: All poles, posts, pedestals, cabinets, or other facilities shall be located and placed back of the curb lines where shown on the official map(s) of the Borough the poles and posts, however, shall be located within eighteen (18) inches of the face of such curb line or as may otherwise be mutually agreed by both parties for said Company's local and through lines and communications facilities. Underground conduits and associated facilities, as aforementioned, shall be placed at least eighteen (18) inches below the surface of said public streets and ways and with the exception of lateral branches to curb poles and property lines and other facilities, the same shall generally not be constructed more than ten (10) feet from the curb line, unless obstructions make it necessary to deviate from such course or unless the parties mutually agree to another location. Manholes shall be located at such points along the line of underground conduits as may be necessary or convenient for placing, maintaining, and operating the facilities, as aforementioned, which the Company may from time to time use in connection with its underground conduit system and shall be so constructed as to conform to the cross-sectional and longitudinal grade of the surface so as not to interfere with the safety or convenience of persons or vehicles.

SECTION 3: The Company may bury its local and through communications facilities such as cables, conduit, manholes and associated equipment, fixtures, process equipment and appurtenances within the right-of-way of the various public streets and ways and at such locations as shall be mutually agreed upon by the parties for said Company's local and through lines and communications facilities. Underground conduits and associated facilities, as aforementioned, shall be placed at least eighteen (18) inches below the surface of said public streets and ways and with the exception of lateral branches to curb poles and property lines and other facilities, the same shall generally not be constructed more than ten (10) feet from the curb line, unless obstructions make it necessary to deviate from such course or unless the parties mutually agree to another location. Manholes shall be located at such points along the line of underground conduits as may be necessary or convenient for placing, maintaining, and operating the facilities, as aforementioned, which the Company may from time to time use in connection with its underground conduit system and shall be so constructed as to conform to the cross-sectional and longitudinal grade of the surface so as not to interfere with the safety or convenience of persons or vehicles.

SECTION 4: Before proceeding with any new construction or relocation work in an area covered by this Ordinance, the Company shall give prior notice in writing thereof to the Borough, through its designated representative, of its intention to perform such work. The Company shall obtain such street opening or excavation permits as may be lawfully required by any applicable ordinances regulating such openings or excavations. Any such area affected by the Company in constructing its facilities shall be restored to the good condition as it was before the commencement of work thereon. No public streets or ways shall be encumbered for a period longer than shall be reasonable to execute the work.

SECTION 5: The Company agrees to indemnify and save harmless the Borough from and against all claims and liabilities resulting from any injury or damage to the person or property of any person, firm or corporation caused by or arising out of road conditions resulting from any negligent or faulty excavations, installation or maintenance connected with the work or equipment of said Company, and not attributable to the fault or negligence of the Borough, except that if such injury or damage shall be caused by the joint or concurring negligence or fault of the Company and the Borough, the same shall be borne by them to the extent of their respective fault or negligence.

SECTION 6: Whenever a curb line shall be established on streets where one does not now exist or where an established curb line shall be relocated in order to widen an existing street in conjunction with road construction being performed by the Borough the Company shall change the location of its above-ground facilities covered by this Ordinance in accordance with applicable law, so that the same shall be back to, and adjacent to, the new curb line so long as the Borough has acted in accordance with applicable law and with reasonable care in establishing the new curb line and providing notice thereof.

SECTION 7: Any company or corporation having legal authority to place its facilities in the public streets and ways
of the Borough may jointly use the Company's poles, posts, pedestals or other structures for all lawful purposes, provided the Company consents to such use, on terms and conditions acceptable to the Company and not inconsistent with the provisions of the present Ordinance.

SECTION 8: The Company shall provide space, to the extent available, on its poles so long as said poles are occupied by the Company and space, to the extent available, in its main conduits existing on the date of passage of this Ordinance, but not exceeding one (1) duct of standard size, for the sole benefit of the Borough during the pendency of this Ordinance. Such space shall be provided for the exclusive use of the Borough which use shall be limited to accommodating the wires or electrical conductors required for one-way signal control in connection with municipal police patrol, fire alarm signal control and traffic-signal control systems only; but for no other uses or purposes, either alone or in conjunction therewith; nor for circuits for the supply of electrical energy for traffic or other signals; nor for wires, conductors, cable or the equivalent which provide a means of transmitting any signal to a private, commercial or residential location, and which is normally provided by a nongovernmental supplier; provided, further, that no such use or attachment by the Borough shall interfere with the plant or facilities of or the use thereof by the Company. All costs or expenses incurred by the Company in connection therewith shall be paid by the Borough. It shall be the obligation of the Borough to attach its wires to the poles or place its electric conductors in the conduits or manholes of the Company, provided that before proceeding with said work, either by itself or by a person, firm or corporation engaged to perform such work, the Borough shall give the Company thirty (30) days prior notice in writing. All such work shall be performed under the supervision of said Company. The Borough agrees to indemnify and save harmless the Company from and against all claims and liabilities resulting from any injury or damage to the person or property of any person, firm or corporation caused by or arising out of the Borough's installation maintenance, operation or removal of wires or facilities or the Borough's use or enjoyment of the Company's plant or facilities as provided under this section, except that if such injury or damage shall be caused by joint or concurring negligence of the Company and Borough, the same shall be borne by them to the extent of their respective fault or negligence.

SECTION 9: If any or all of the said streets or ways are later taken over by the County of Warren or the State of New Jersey, such County or State shall have such rights and privileges and be subject to the same terms, conditions and limitations of use as apply herein to the Borough, provided, however, that satisfactory prior arrangements as may be necessary are made with the Borough and the Company for the full protection of the respective interest of each.

SECTION 10: The term "Borough" as used in this Ordinance shall be held to apply to and include any form of municipality or government into which the Borough or any part thereof may at any time hereafter be changed, annexed, or merged.

SECTION 11: The permission and consent hereby granted shall apply to and cover all communications facilities of the Company existing at any time, and related structures, process equipment, and appurtenances heretofore or hereafter erected, constructed, reconstructed, removed, located, relocated, replaced, maintained, repaired, or operated by the Company, its predecessors, successors, or assigns within the Borough. This Ordinance shall cancel and supersede all prior consent ordinances between the Borough and the Company regarding the subject matter hereof.

SECTION 12: This Ordinance shall continue in full force and effect for a period of fifty (50) years from the date it becomes effective subject to the right of the Company to seek such changes herein as may be deemed necessary from time to time prior to the expiration of said period, said changes to be approved by the Borough. The Company shall maintain its property within the Borough and shall comply with applicable law for the provision of safe, adequate and proper service at just and reasonable rates. At and after the term of this Ordinance, the Company shall safeguard the public interest in continuous and uninterrupted service within the Borough.

SECTION 13: In the event that any provision herein shall for any reason be illegal or unenforceable under applicable law, such illegality or unenforceability shall not affect any other provisions of this Ordinance, and this Ordinance shall be construed as if such illegal or unenforceable provision(s) had never been contained herein.

SECTION 14: The Company shall pay the expenses incurred for advertising required in connection with the passage of this Ordinance, after the date of its first reading, within thirty (30) days after the Company has received a bill for said advertising from the publisher. Following final passage of this Ordinance, the Borough Clerk shall provide the Company with written notice thereof by certified mail. As provided by applicable law, this Ordinance, and any subsequent amendments, shall not become effective until acceptance thereof by the Company and approval thereof by the Board of Public Utilities.

Resolutions


RESOLUTION 2016-125
SCHOOL CROSSING GUARD

WHEREAS, the position of School Crossing Guard exists within the code of the Borough of Alpha on the Salary Ordinance and Salary Resolution; and
NOW THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Alpha hereby hires Marianne Maher as School Crossing Guard, per the salary resolution at the rate of $27.00 per day.

Resolution 2016-126 canceled


RESOLUTION 2016-127
RESOLUTION AUTHORIZING BOROUGH ENGINEER TO PUBLICLY ADVERTISE THE BENKE FIELD BLEACHER/DUG OUT AND RECREATIONAL FIELD PAVILION ROOF REPLACEMENT

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 Benke Field Bleacher and Dug Out and Recreational Complex Pavilion Roof Replacements 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.


RESOLUTION 2016-128
RESOLUTION HIRING SUMMER HELP

WHEREAS, the Borough wishes to employ a full time temporary worker to work under the Department of Public Works and be paid out of the 2016 current fund; and

WHEREAS, the Borough has openly advertised for said position(s).

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Alpha that Nicholas Marino be hired as a full time, temporary worker to work under the Department of Public Works at a rate of $15.00 per hour, generally Monday through Friday from 7AM to 3PM, not to exceed three (3) months total.

Approval of Minutes

Motion made by Councilman Schwar to approve the following regular minutes:

- 6/14/16, 6/28/2016, 7/12/16 & 7/26/16

Motion seconded by Councilwoman Grossman, all were in favor.

Department Reports

Administration, Councilman Peter Pettinelli: No report. Councilwoman Grossman reviewed the Code Enforcement officer’s report that was received.
In closing, Councilwoman Grossman approved bills, salaries and wages for Administration.

*Finance, Councilman Michael Schwar:* Councilman Schwar reported on working with the CFO regarding budget transfers. Councilman Schwar reminded Council it is that time of year to start thinking of dates for budget meetings.

Councilman Schwar asked if anyone on Council had an issue with $6,489.00 dollars to be paid to Wayne Willever for work that was done. No objections were made.

Councilman Schwar stated that the Council will need to decide on what to do with the Open Space dollars.

Councilman Schwar discussed the issue of a street opening permit waiver of fee for the Maslonka’s.

Councilman Schwar discussed the proposed ordinance being asked by the Warren County Integrated Advisory Council on amending the tobacco free policy for all buildings in the Borough.

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


*Public Property, Councilwoman Tracy Grossman:* Councilwoman Grossman reported on the short visit from members of the Warren County Conservancy that came to look at the property at 7th Avenue.

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

*Public Safety, Councilman Thomas Seiss:* Councilman Seiss discussed having the DPW install crosswalk signs for Third Ave, to paint. Councilman Seiss also brought up having the yellow curbs repainted to brighten them up.

Councilman Seiss had no bills, salaries or wages to approve.

*Public Works, Councilman Jack Preiss:* Councilman Preiss reported on the properties that the DPW cleaned up and will now have liens placed on them for the cost.

Councilman Preiss inquired on how to get rid of oxygen tanks at Sheridan Printing.

Councilman Preiss inquired about trucks with the name of Oswald on them parking at the park near the pool.
Councilman Preiss announced that the school board meeting was being tonight in which the discussion of sharing services with Phillipsburg for administration and technical support.

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

Professionals and Officials Reports


RESOLUTION 2016-129
RESOLUTION TO AUTHORIZE THE WAIVER OF THE STREET OPENING PERMIT FEE FOR 335 FIFTH AVENUE

WHEREAS, Chris and Mary Maslonka of 335 Fifth Avenue, Alpha, NJ need to repair their sewer lateral, after having problems therewith; and

WHEREAS, the Maslonka’s seek a waiver of the street opening permit fee for a sewer lateral repair for the property at 335 Fifth Avenue in the Borough of Alpha; and

WHEREAS, the Maslonka’s have demonstrated hardship and valid reasons for the Borough Council to waive such street opening permit fee, understanding they are still required to obtain said permit; and

WHEREAS, there is an apparent overlap of work, including replacing the TTE at the main by the Maslonka’s contractor, which had been included in a public bid awarded to an outside vendor by the Borough; and

WHEREAS, the Borough will seek a credit of about $3,500.00 from its contractor, resulting in a savings to the Borough; and

WHEREAS, the Maslonka’s will assume that said TTE work to be approved by the Borough or its designee.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Alpha that the street opening permit fee for the Maslonka’s at 335 Fifth Avenue in the Borough of Alpha is hereby waived for the reason set forth herein and for the other good cause.

Engineer, Frank Seney: Mr. Seney summarized the report distributed to Mayor and Council, updating ongoing projects. Mr. Seney requested the authorization from Council to advertise bids for the Utility Improvement project. Motion made by Councilman Schwar to authorize the Engineer to advertise bids for the Utility Improvement project. Motion seconded by Councilwoman Grossman, all were in favor with the exception of Councilman Seiss voting no.

Sewer Engineer, Jim Hill: Mr. Hill referred Council to his August 23rd report that he handed out, summarizing ongoing sewer work.
CFO, Charles Daniel: Mr. Daniel updated Council on the FEMA grant regarding snow storm Jonas. Mr. Daniel reported that it looks like the Borough reimbursement is close to $18,000, in which FEMA will pay 75% of the final amount.

Payment of Bill and Claims:

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

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

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

New Business

Motion made by Councilman Schwar to approve the Raffle License RA-2016-7, St. Mary's Church, motion seconded by Councilwoman Grossman, all were in favor.
Adjournment:

Seeing no further business to come before Council, motion made by Councilman Schwar to adjourn at 7:45 P.M., motion seconded by Councilwoman Grossman, all were in favor.

Respectfully submitted,

Laurie A. Barton

Borough Clerk