

Mayor Dunwell called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on October 11, 2016

Mayor Dunwell 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, 2016, 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 Dunwell led prayer and the salute to the flag.

Roll Call: Present; Councilman Cartabona, Councilwoman Grossman, Councilman Pettinelli, Councilman Schwar, and Councilman Seiss.

Mayor Dunwell began the meeting with discussion of a Council vacancy. The Democratic Party met and provided three names. First name was Alex Zikas. Councilman Seiss made a motion to accept his nomination, Councilman Pettinelli seconded. Councilman Cartabona requested to table this nomination, Councilwoman Grossman seconded. Councilman Schwar stated serious discussion points of when fifteen days begins & ends to fill vacancy. Councilman Cartabona believes Councilman Schwar misread the statute. Discussion ensued over the fifteen and thirty day requirements. Attorney Troxell asked to provide exact wording of the statute. Motion made by Councilman Cartabona to table the nomination of Mr. Zikas, seconded by Councilwoman Grossman. Attorney Troxell read from the statute that it is thirty days from the resignation to have the vacancy on Council filled. Councilman Cartabona and Mayor Dunwell had discussion of Mr. Zikas attending meetings. Roll call was taken for Alex Zikas nomination: Ayes; Pettinelli and Seiss; Nays; Cartabona, Grossman, and Schwar.

Second nominee is Jennifer Gable. Councilman Schwar asked if she is on any boards or organizations within the Borough. Mrs. Gable is currently on the Firehouse Ladies Auxiliary. Councilman Pettinelli asked Council if all nominees were invited to the Council Meeting. Mayor Dunwell said yes. Mayor Dunwell asked for vote from Council to accept Mrs. Gable's nomination. Ayes; Cartabona, Grossman, Pettinelli,

Schwar, and Seiss. Nays; None. Mrs. Jennifer Gable was then sworn in on Council to fill the vacancy. After swearing in she joined Council on the dais.

Resolutions:

Motion made by Councilman Schwar to approve Resolution 2016-138, seconded by Councilman Pettinelli. Roll call: Ayes; Cartabona, Grossman, Pettinelli, Schwar, and Seiss. Nays; None. Abstain: Gable.

**RESOLUTION 2016-138
UNCOLLECTIBLE TAXES
D.R. HORTON PURCHASE**

WHEREAS, N.J.S.A. 54:91.1, and as amended by P.L. 1991, c.75, requires the collector to submit to the governing body on or before November 1 annually, a list of uncollectible taxes for the year 2016 for cancellation.

NOW THEREFORE, IT BE RESOLVED, by the Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey, hereby authorizes and directs the cancellation of the following taxes for 2016:

Motion made by Councilman Schwar to approve Resolution 2016-139, seconded by Councilman Pettinelli. Roll call: Ayes; Cartabona, Grossman, Pettinelli, Schwar, and Seiss. Nays; None. Abstain: Gable.

**RESOLUTION 2016-139
RESOLUTION AUTHORIZING BOROUGH ENGINEER TO
PROVIDE CONSULTING ENGINEERING SERVICES
FOR SCHLEY AVENUE SIDEWALK
NJDOT SAFE ROUTES TO SCHOOL
PROPOSAL M2016-264**

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 engineering services in regard to the Schley Avenue Sidewalk NJDOT Safe Routes to School Construction Phase Services (Proposal M2016-264) in the Borough for the contemplated scope of work in accordance with the firm's proposal of October 5, 2016 (attached hereto) and in an amount not to exceed \$3,475.00, 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 2016-140, seconded by Councilman Schwar. Roll call: Ayes; Cartabona, Grossman, Pettinelli, Schwar, and Seiss. Nays; None. Abstain: Gable.

RESOLUTION 2016-140
RESOLUTION AUTHORIZING BOROUGH SANITARY SEWER ENGINEER
TO EXECUTE CHANGE ORDER ON THE CONTRACT
FOR 2016 SANITARY SEWER SYSTEM
GROUTING AND POINT REPAIRS

WHEREAS, the Mayor and Council of the Borough of Alpha determined that certain work to the Borough's sanitary sewer system was needed, including grouting and point repairs; and

WHEREAS, the Mayor and Council of the Borough of Alpha, through their agent Frey Engineering, LLC, the Borough's sanitary sewer engineer, sought bids publicly for said work, pursuant to New Jersey law and Borough policy; and

WHEREAS, the Borough of Alpha received the lowest responsible bid from Oswald Enterprises, Inc. of Belford, New Jersey, based on the recommendation of Frey Engineering, LLC, and awarded the contract to Oswald Enterprises, Inc. for \$253,230.00; and

WHEREAS, Frey Engineering, LLC recommends the Borough enter into a change order for less than 10% of the original contract award, as attached.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that Frey Engineering, LLC, the Borough's sanitary sewer engineer, is hereby authorized to proceed with the attached change order, dated September 29, 2016, on the contract with Oswald Enterprises, Inc. for grouting and point repairs and to execute all documents in accordance therewith upon written certification of funds by the Borough CFO, in the amount of \$16,990.00.

BE IT FURTHER RESOLVED, that the Mayor, Clerk, Borough Attorney, and/or Borough Sanitary Sewer Engineer are authorized to execute all necessary documents to effectuate the contract change order.

Motion made by Councilman Seiss to approve Resolution 2016-141, seconded by Councilman Schwar. Roll call: Ayes; Cartabona, Grossman, Pettinelli, Schwar, and Seiss. Nays; None. Abstain: Gable.

Councilman Seiss had questions regarding the need for the Resolution.

RESOLUTION 2016-141
SUBSTITUTE PROSECUTOR

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

1. All municipal prosecutors in Warren County, as duly appointed in each municipality, are hereby appointed as Substitute Municipal Prosecutors of the Borough of Alpha for the remainder of 2016, should the need arise.

2. This appointment is made without competitive bidding as a "Professional Service" under provisions of the Local Public Contracts Law as provided by *N.J.S.A. 40A:11-5* because it requires services performed by a person authorized by law to practice a recognized profession, and it is not possible to obtain competitive bids. This appointment is based on the recommendation of the Warren County Prosecutor.

Motion made by Councilwoman Grossman to approve Resolution 2016-142, seconded by Councilman Schwar. Roll call: Ayes; Cartabona, Grossman, Pettinelli, Schwar, and Seiss. Nays; None. Abstain: Gable.

**RESOLUTION 2016-142
RESOLUTION TO AWARD PAINTING
CONTRACT TO GORDON BENNETT PAINTING, INC.**

WHEREAS, the Borough Council has determined that certain improvements are needed to sustain and beautify Benke Field in the Borough and the Borough pavilion; and

WHEREAS, the Borough has sought three quotations from contractors to have certain painting performed at Benke Field and the Borough pavilion, pursuant to law and Borough policy, with Gordon Bennett Painting Inc.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Alpha that the Borough hereby awards a contract for painting the Benke Field backstop and bleachers and the Borough pavilion in an amount of \$17,120.00 to Gordon Bennett Painting, Inc. of Easton, Pennsylvania, upon written certification of funds by the Borough CFO.

BE IT FURTHER RESOLVED, that the Clerk, Borough Attorney and Mayor are hereby authorized to execute any and all documents to effect said contract.

Department Reports:

Administration, Councilman Peter Pettinelli: Councilman Pettinelli reported the computers are ordered, however, they are not yet installed. He is working on getting them here as soon as possible. In closing, Councilman Pettinelli approved all bills, salaries, and wages for his department.

Finance, Councilman Michael Schwar: Councilman Schwar reported bill number 16-00731 is on the bill list. NJ Municipalities magazine has been distributed. When going to conference, suggests that when you get there, choose your first two items you want to attend and know where you need to or are going ahead of time. If there is a bill in your folder that you created, please do not sign it. Have your deputy sign it for you as we should not sign our own bills. Next Tuesday October 18th will be the first budget meeting. CFO will have sheets out to everyone prior to the meeting. CFO will not be in on November 1st. Taking courses to be a QPA (Qualified Purchasing Agent). The second class would be in January and the third class in the spring. Then he would take the test. This will be a huge asset to the Borough.

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

Health & Welfare Deputy, Councilman Thomas Seiss: Councilman Seiss provided two items on the Board of Health Report received. Spoke of the area back behind the salt shed and stated it has been all cleaned up. Requested ten minutes executive session for personnel, ACO.

In closing, Councilman Seiss approved all bills, salaries, and wages for this department.

Public Property, Councilwoman Tracy Grossman: Councilwoman Grossman reported she has received a quote from Gordon & Hinkley. The Mayor has been assisting her and she thanked him for that. Quote: \$1,790 roof, \$1,000 sand blasting, \$5,000 and \$10,460 bleachers. Mayor Dunwell stated he found a couple of other places within the Lehigh Valley. Recommends we do the bleachers, backstop & pavilion. Not the dugouts at this time. He contacted two concrete contractors for the field. Is meeting with one contractor at 7:00 am tomorrow morning. He is then meeting with AYAA at 6:00 pm to see what they think. Councilwoman Grossman stated she completed the purchase requisition for three new tables, a solar speed safety sign, and vinyl cut signs for each office/room inside the building. The vinyl cut signs are \$26 each. A new sign at the park resembling the one out front of the municipal building is \$1,245. Councilman Seiss asked if she had an update on the open vents on the ceilings of the library and council chambers. Councilman Pettinelli asked about the maintenance shed. Frank Seney stated it will be at the field outside of the fence and play area for the safety of players. Councilman Schwar asked if we are getting some type of structure and questioning where we will put it. Mayor Dunwell stated the maintenance shed will be put onto some type of pads, either wood or concrete and out of the play area. More likely over by the County garages. Amount of open space money being used for Benke Field, pavilion, field bleachers, and backstop would be \$17,120.00. Councilman Schwar made a motion to have Attorney Troxell draft a Resolution for the painting of the field bleachers and backstop and also the Borough pavilion, seconded by Councilwoman Grossman, all were in favor.

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

Public Safety, Councilman Thomas Seiss: Councilman Seiss had no report. Mayor Dunwell asked for a status on the third crossing guard position. Councilman Seiss stated he has posted it on the website and is still waiting. Councilman Cartabona stated the past Chief of Police stated it was not needed for safety. Mayor Dunwell stated that this Mayor and Council has decided it is needed for safety. Councilman Cartabona asked about the cell tower people. Stated the chain link fence is broken, kids and others can get in and potentially get hurt.

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

Public Works, Councilman Louis Cartabona: Councilman Cartabona reported he has spent approximately 48 hours in total getting up to speed with DPW. Has been reviewing contracts, minutes, etc. from 2016. Councilman Cartabona spoke about the power outage on Sunday in the Borough. He sent a message to the OEM coordinator. He stated he would like to hire an additional DPW worker. Received several applications from August. Stated that Resolution 2016-134 for Mason Dump has a typo that the CFO noticed in the title and was bringing it to attention to be corrected. He currently has bills prior to him taking office that will need to be signed by someone else. Also stated the bill numbers on the current list, he would like to review them. Requested five minutes executive session for potential litigation and another 15 minutes for contractual regarding the Engineer.

In closing, Councilman Cartabona approved all wages and salaries for his department and is reviewing the bills.

Professionals & Official Reports:

Mayor, Craig S. Dunwell: Mayor Dunwell mentioned the Library Board meeting and the resignation of Sue Schmeal being accepted. Ms. Lisa Lacaruba has been assigned to take her place. Motion made by Councilman Schwar to approve Ms. Lacaruba to the Library Board, seconded by Councilman Cartabona, all were in favor. Mayor then mentioned Councilman Cartabona's resignation as Library Board President, Barbara Ryan is acting President. The Library is in need of a secretary as well.

Next meeting is November 14th. Thanked Mike Savary for his time. Mayor requested ten minutes executive session for potential litigation regarding public property redevelopment, ten minutes for personnel DPW, five minutes potential litigation sewer, ten minutes personnel/contractual for licensed water operator, and ten minutes contractual for open space.

Attorney, Christopher Troxell: Attorney Troxell requested five minutes executive session potential litigation regarding OPRA request.

Engineer, Frank J. Seney: Mr. Seney spoke about the 2016 Utility/Water Improvement Project. Has been authorized to re-advertise for bids. Motion made by Councilman Cartabona to authorize the engineer to re-advertise for bids, seconded by Councilman Schwar, all were in favor with the exception of Councilman Seiss who voted no. Councilman Schwar asked what will be the difference from original bids. Mayor Dunwell provided explanation regarding the amounts from first bidding process. Councilwoman Grossman then asked Mr. Seney where we are with the water softener. Mayor Dunwell stated it will remain offline until redundancy work is done.

Sewer Engineer, Jim Hill: Mr. Hill read the report he handed out to Mayor and Council with an update on the grouting project. Mr. Hill reported on a potential sinkhole on Ellen Street, closer to 519. Mr. Hill asked to have contract extended (Grouting). Motion made by Councilman Schwar to extend the contract, seconded by Councilwoman Grossman, all were in favor.

Second Public Comment:

Joey Fore, Morris Street, asked if there have been any pool discussions. Mayor stated it is up to the voters, question will be on the ballot. Lengthy discussions ensued regarding costs and repairs for the pool. Mayor Dunwell asked for a motion to be made to hold a public hearing regarding the pool to be held two weeks from tonight. Frank Seney said he can have the inspection done within two weeks. Discussion ensued between Council members simultaneously. Councilman Cartabona made a motion to have an annual open space public hearing in the Council chambers on October 25, 2016 at 7:00 P.M. pm, seconded by Councilman Schwar, all were in favor.

Jim Pfeiffer, Central Avenue, inquired about the pipes and structure of the pool.

Myrna Minardi, North Boulevard, expressed her concerns over maintenance.

Payment of Bills & Claims

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

Councilman Pettinelli 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, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays: none.

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

October 6, 2016 05:09 PM

BOROUGH OF ALPHA
Bill List By P.O. Number

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PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
16-00142	02/27/16	FREY ENG	FREY ENGINEERING, LLC	Engineering Serv - 2016 Mthly	Open	1,337.70	0.00
16-00568	07/26/16	STAP	STAPLES BUSINESS ADVANTAGE	CLERK/TAX COLLECTOR SUPPLIES	Open	384.50	0.00
16-00694	09/20/16	EVOQUA	Evoqua Water Technologies, LLC	Bioxide 2 Month Odor Control	Open	2,691.00	0.00
16-00726	09/27/16	DEERPARK	READY REFRESH BY NESTLE, A DIV	WATER DELIVERY 8/30/16	Open	25.19	0.00
16-00727	09/27/16	ACTION	ACTION DATA SERVICES	PAYROLL SERVICES 9/10/16	Open	141.46	0.00
16-00728	09/27/16	EAS	EAS BY ACTION DATA	PAYROLL SERVICES 9/10/16	Open	101.63	0.00
16-00734	10/05/16	FREY ENG	FREY ENGINEERING, LLC	ENGINEERING SERVICES - ALPHA-4	Open	7,093.75	0.00
16-00735	10/05/16	FREY ENG	FREY ENGINEERING, LLC	ENGINEERING SERVICES - ALPHA-4	Open	13,336.11	0.00
16-00736	10/05/16	FREY ENG	FREY ENGINEERING, LLC	ENGINEERING SERVICES - ALPHA-2	Open	117.50	0.00
16-00737	10/05/16	LMR	LMR CLEANOUT & DISPOSAL	TRASH REMOVAL - SEPTEMBER	Open	12,833.33	0.00
16-00738	10/05/16	QC	EUROFINS QC, INC.	WATER TESTING 8/22 & 9/14/16	Open	505.00	0.00
16-00739	10/05/16	TRITE	DE LAGE LANDEN FINANCIAL SERV	COPIER LEASE 9/15/16-10/14/16	Open	151.82	0.00
16-00740	10/05/16	AQUA	AQUA NEW JERSEY	6/28-9/29/16 HYDRANT RENTAL	Open	68.88	0.00
16-00741	10/05/16	PAGAN	FRANK PAGANO	FIX CASE BACKHOE	Open	635.00	0.00
16-00743	10/06/16	TROXE	CHRISTOPHER M. TROXELL, ESQ	2016 MUNICIPAL ATTY SVS - OCT	Open	3,750.00	0.00
16-00744	10/06/16	FREY ENG	FREY ENGINEERING, LLC	ENGINEERING SERVICES--ALPHA-5	Open	800.30	0.00
16-00745	10/06/16	FREY ENG	FREY ENGINEERING, LLC	TASK 2--ALPHA-2	Open	2,399.84	0.00
16-00746	10/06/16	FREY ENG	FREY ENGINEERING, LLC	TASKS 3.1,3.3,3.3A--ALPHA-3	Open	7,192.34	0.00
16-00747	10/06/16	FREY ENG	FREY ENGINEERING, LLC	TASKS 4.1.4&5, 4.7--ALPHA-4	Open	4,681.21	0.00
16-00748	10/06/16	MAGLIO	MAGLIO ELECTRIC	DEFECTIVE PHASE MONITOR	Open	677.50	0.00
16-00749	10/06/16	TOWNP	TOWN OF PHILLIPSBURG	2016 3RD QTR SEWAGE BILLING	Open	57,606.44	0.00
16-00750	10/06/16	ELIZGA	ELIZABETHTOWN GAS	AYAA BLDG - SEPT	Open	29.42	0.00
16-00752	10/06/16	NJSTA	NJ STATE LEAGUE MUNICIPALITIES	NJLON 2016 Convention Register	Open	55.00	0.00
16-00754	10/06/16	TADDEO	FRANCESCO TADDEO, LLC	GEN LABOR MATTERS 9/20/16	Open	82.50	0.00
16-00755	10/06/16	JCPL	JCP&L	ELECTRICITY CHRGS SEPT 2016	Open	2,658.65	0.00
16-00756	10/06/16	AMANJ	ASSOC. OF MUNICIPAL ASSESSORS	V. LUPI MEMBERSHIP DUES	Open	125.00	0.00
Total Purchase Orders: 26				Total P.O. Line Items: 0	Total List Amount: 119,481.07	Total Void Amount: 0.00	

Old Business:

Councilman Cartabona stated the room in which the server is kept always has the door open and is accessible. He feels the server should be protected. Councilwoman Grossman stated she sent an email to the CFO to go ahead and move forward with Cooper.

Councilman Schwar stated the CFO sent a change order for the mason dump and has not yet received a response. Also requested the CFO receive a corrected copy of Resolution 2016-137 with amended amount.

Councilman Cartabona asked about the hiring of an additional DPW worker. Mayor Dunwell explained what took place through 2016 with hiring DPW employees.

What we are currently looking for is a full-time DPW employee for a temporary length of time.

New Business:

Motion made by Councilman Cartabona to approve waiver of fee for pavilion permit for a Girl Scouts campfire sing-along on October 21, 2016, seconded by Councilman Schwar, all were in favor.

Motion made by Councilman Schwar to approve waver of fee for pavilion permit for Team RWB (a Veteran's organization) on October 23, 2016, seconded by Councilwoman Grossman, all were in favor.

Executive Session:

Councilman Cartabona made a motion to approve the following resolution to go into executive session for 1 hour and 20 minutes for contractual, litigation, and/or personnel. 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 1 hour(s), 20 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 the regular session, motion seconded by Councilman Pettinelli, all were in favor.

Adjournment:

Seeing no further business to come before Council, motion made by Councilman Seiss to adjourn this meeting at 11:04 pm, motion seconded by Councilwoman Grossman, all were in favor.

Respectfully submitted,

Amy J. Sharpe
Borough Deputy Clerk