

Mayor Dunwell called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on November 22, 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 Gable, Councilwoman Grossman, Councilman Pettinelli (late-7:08pm), Councilman Schwar and Councilman Seiss. Also present, Attorney Christopher Troxell and Borough Clerk, Laurie Barton.

Public Comment:

Dave Cavanaugh, 6th Avenue, inquired about two properties purchased by the Borough near Alpha Street and other at 7th Avenue. Mayor Dunwell corrected, we only acquired one property and in the process of acquiring the other. Mr. Cavanaugh asked what percentage, what the balance of Open Space is after 7th Avenue purchase.

Resolutions:

Motion made by Councilman Schwar to approve Resolution 2016-154, seconded by Councilman Cartabona. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

**RESOLUTION 2016-154
RESOLUTION AUTHORIZING BOROUGH ENGINEER TO
PROVIDE CONSULTING ENGINEERING AND CONSTRUCTION INSPECTION SERVICES
FOR HOMA LANE DRAINAGE IMPROVEMENTS**

BE IT RESOLVED by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the firm of Remington & Vernick Engineers is hereby authorized to act as the Borough Engineer and proceed with the engineering and construction inspection services for Homa Lane drainage improvements, for the contemplated scope of work in accordance with the firm's proposal of June 10, 2016 (maximum \$47,500.00) and the firm's proposal of November 22, 2016 (attached hereto) (an additional

\$5,650.00 maximum) and in the aggregate amount not to exceed \$53,150.00, 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 Schwar to approve Resolution 2016-155, seconded by Councilwoman Grossman. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar and Seiss. Nays; None.

**RESOLUTION 2016-155
RESOLUTION AUTHORIZING A CHANGE ORDER
FOR SOCCER FIELD DRAINAGE IMPROVEMENTS CONTRACT**

WHEREAS, the Mayor and Council of the Borough of Alpha had determined that certain improvements are needed for the Borough's recreational fields and facilities, including certain drainage improvements for a soccer field; and

WHEREAS, the Mayor and Council of the Borough of Alpha had sought and received three quotations for drainage improvements for the soccer field, pursuant to New Jersey law; and

WHEREAS, the Borough of Alpha received the lowest responsible quote from Penn Bower, Inc., based on the best available design information at the time, not to exceed \$15,000.00; and

WHEREAS, the Borough Engineer agrees that an additional amount of pipe (40 feet approx.) is required and will cost about an additional \$2,000.00, still remaining under the second lowest quote received originally.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the Borough Engineer is hereby authorized to proceed with a change order on said contract for the additional pipe for the drainage improvements for the soccer field in the Borough, on the contract with Penn Bower, Inc. of High Bridge, New Jersey, increasing the aggregate to an amount not to exceed \$17,000.00 for said work, 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 approve Resolution 2016-156, seconded by Councilman Cartabona. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

**RESOLUTION 2016-156
RESOLUTION AUTHORIZING BOROUGH TO
ENTER INTO CONTRACT WITH
JERSEY PROFESSIONAL MANAGEMENT**

WHEREAS, the Mayor and Council Members of the Borough of Alpha have determined to retain

a municipal recruiting service to assist the governing body for the purpose of interviewing, selecting and hiring a Public Works Director or other such title which does not conflict with existing Borough titles and is consistent with Civil Service Rules for the Borough's Department of Public Works; and

WHEREAS, Jersey Professional Management has been in existence since 1988 and has served over 300 New Jersey Municipalities, Counties and School Districts, and the principals are extremely knowledgeable in recruiting for local government positions; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-1, et seq.*) requires that the resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and that the contract itself must be available for public inspection.

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

1. That a contract be awarded to Jersey Professional Management, 23 North Avenue East, Cranford, NJ, as outlined further herein, without competitive bidding in accordance with the requirements for extraordinary, unspecifiable services of *N.J.S.A. 40A:11-5(1)(a)* of the Local Public Contracts Law because of the complexities of recruiting suitable candidates for key municipal (and county) government positions; the need for a thorough grasp of the duties required of various public employees; special skills required to prepare job descriptions; and the necessity to utilize an agency having substantial expertise, training and thorough knowledge of local municipal affairs, as well as a proven reputation of recruitment of qualified employees for local government services.
2. Said service is deemed extraordinary and unspecifiable; and

BE IT FURTHER RESOLVED that for the reasons indicated above and for the services to be provided, Jersey Professional Management shall be paid a sum not to exceed the amount of \$12,500, with the Borough directly responsible for the cost of advertising the position of a Public Works Director or other such title which does not conflict with existing Borough titles and is consistent with Civil Service Rules for the Borough's Department of Public Works, as outlined in Jersey Professional Management's proposal letter dated November 17, 2016; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute an appropriate agreement with Jersey Professional Management; and

BE IT FURTHER RESOLVED that the Municipal Clerk shall publish a notice of this contract award in the official newspaper of the municipality as required by law.

Motion made by Councilman Schwar to approve Resolution 2016-157, seconded by Councilman Cartabona. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays: None.

**RESOLUTION 2016-157
RESOLUTION AUTHORIZING BOROUGH TO
ENTER INTO CONTRACT WITH
CHERRY WEBER & ASSOCIATES, PC FOR
NJDOT SAFE ROUTES TO SCHOOL
PROJECT**

BE IT RESOLVED by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the Borough may enter into a contract with the firm of Cherry Weber & Associates, PC for engineering services in regard to the Schley Avenue Sidewalk (Phase II) NJDOT Safe Routes to School Construction [Federal No. STP-0327(102)] in the Borough for the contemplated scope of work in accordance with the firm’s proposal of May 23, 2016 (attached hereto) and in an amount not to exceed \$40,000.00, 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 2016-158, seconded by Councilwoman Grossman. Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

**RESOLUTION 2016-158
A RESOLUTION AUTHORIZING THE TRANSFER
OF CURRENT FUND APPROPRIATIONS**

WHEREAS, N.J.S.A 40A:4-58 provides for the transfer of excess appropriations by no less than 2/3 vote of full membership of the governing body during the last two months of the fiscal year and first three months of the next fiscal year; and

WHEREAS, the Chief Financial Officer has determined that excess appropriations exist in some accounts and there is need for supplemental appropriations in other accounts in the Year 2016 Current Funds Budget.

NOW THEREFORE BE IT RESOLVED, by Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey, that the following appropriation transfers are hereby approved:

	<u>Transfer to:</u>	<u>Transfer from:</u>
Finance-OE (6-01-20-130-201)	\$10,000	
Telephone-OE (6-01-31-440-201)	\$1,500	
Public Property-S&W (6-01-26-310-101)	\$1,000	
Streets & Roads-OE (6-01-26-290-201)		\$7,000
Health & Welfare-OE (6-01-27-330-201)		\$5,500

Motion made by Councilman Cartabona to approve Resolution 2016-159, seconded by Councilwoman Gable. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, and Schwar. Nays: Seiss.

Discussions ensued regarding the financing of the pool and renovations concerning open space monies collected.

**RESOLUTION 2016-159
RESOLUTION AUTHORIZING BOROUGH ENGINEER TO
PROVIDE CONSULTING ENGINEERING SERVICES
FOR MUNICIPAL POOL RENOVATION**

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 municipal swimming pool renovation in the Borough for the contemplated scope of work in accordance with the firm's proposal of November 21, 2016 (attached hereto) and in an amount not to exceed \$58,450.00, 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 table Resolution 2016-160, seconded by Councilwoman Grossman. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

Approval of Minutes:

Motion made by Councilman Schwar to approve the regular minutes of October 11, 2016 and October 25, 2016. Motion seconded by Councilwoman Grossman, all were in favor.

Department Reports:

Administration, Councilman Peter Pettinelli: Councilman Pettinelli reported that the email storage capacity is being worked on along with the tablets for December. Councilman Pettinelli asked Councilman Cartabona about his email problems. Councilman Pettinelli requested 10 minutes executive session for litigation regarding email system. Councilman Cartabona asked if there was an update regarding cell phones. DPW has one cell phone but needs another one.

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

Finance, Councilman Michael Schwar: Councilman Schwar reported there is a new list of bills on bill list. Have addition for V&K Construction of \$30,835.68. A

meeting is scheduled for next Monday with himself and a Councilperson from Mansfield regarding shared service for CFO. Tuesday there will be a PAIC meeting so if anyone has any insurance questions, please let him know. Councilman Schwar discussed question #10 on the Best Practice regarding the deposits of receipts within 48 hours, which is impossible to ever get off. Councilman Schwar would like to authorize the finance clerk to make deposits. Councilman Schwar stated he will have wording to Attorney Troxell for next meeting for a resolution. Councilman Schwar discussed the introduction and adoption dates for the 2017 budget. Councilman Schwar stated he found out at League Conference that we should post on our website one week prior to introduction of budget. Next Tuesday will be the second budget meeting. Suggested to speak to Attorney for Director of Finance to review every check before they are signed so there are no budget problems at the end of the year. Talk to the Attorney about any ramifications of that. As for insurance, we are employees and we are bonded, no exposure. Mayor Dunwell and I attended a meeting about abstaining on a vote. They said to abstain only if you don't understand or you need more information to make an informed decision. Recuse yourself if benefitting from decision being made. Councilman Schwar discussed the Ordinance they passed last year in which they violate at every meeting concerning public comment.

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

Health & Welfare, Councilwoman Jennifer Gable: Councilwoman Gable reported that the hours have been fixed for the recycling center.

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

Public Property, Councilwoman Tracy Grossman: Councilwoman Grossman reported that due to health reasons, she has not been proactive. Roof is off of pavilion, painting is done, touch ups are done, soccer field is done, and the wooden bleachers have been taken off so painting can be done. Frank Seney provided an explanation regarding the bleachers update and paint of roof and framing. Councilman Cartabona asked about the bleachers and an ordinance that we are supposed to be collecting from teams.

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

Public Safety, Councilman Thomas Seiss: Councilman Seiss had no report.

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

Public Works, Councilman Louis Cartabona: Councilman Cartabona reported regarding the meter exchange program that we are down to 20 residential occupied properties, 13 vacant properties, and 5 commercial properties. On hold with doing repair work on Pursel Street pump house walkway. Quotes are being sought for patching and paving Alpha Street and 5th Avenue.

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

Councilman Schwar requested five minutes executive session regarding contractual for DPW.

Professionals & Official Reports:

Mayor, Craig S. Dunwell: Mayor Dunwell reported on a class he attended at the League convention with Homeland Security and Federal Offices with the topic being soft targets. Mayor Dunwell requested ten minutes executive session regarding potential litigation for water and another ten minutes regarding personnel for a harassment complaint.

Engineer, Frank J. Seney: Mr. Seney referred to the November 22nd report. Summarized update. Topline coming in tomorrow to do base pavement on 1st and 6th Avenues. Olive Street will be done on Monday. The top pavement will start end of next week and should be wrapped up by December 2nd. Soccer field has been completed. Looking at final payment. \$4,000-\$5,000 under contract. Utility Water Project is coming up, this Friday is the pre-construction meeting.

Sewer Engineer, Jim Hill: Point repairs, one more to do mid-week next week. Lateral issue on Winters Street. Two more liners to add to the project. Odor control, temperature is coming down. Tank drawings were approved today. John Ross, commended the police officers assigned to traffic duty. Very cooperative, very pleased. Oswald partial payment is \$103,341.98.

Recycling Coordinator, Thomas Fey: Mr. Fey reported that he will after Thanksgiving do his annual visit to businesses in town to request their recycling reports.

Code Enforcement, Thomas Fey: Received emails today for a property on Alpha Street and 225 Williams Street, in progress. Haven't responded to them yet via email. Mayor Dunwell stated in the Spring, if grass isn't cut, cite them immediately. See utility collector for addresses.

Second Public Comment:

Tom Fey, East Boulevard, remind Council about Christmas tree lighting on Friday, December 2nd at 6:00 pm. The firehouse will host coffee and cookies afterwards.

Dave Cavanaugh, 6th Avenue, referred to the ordinance voted on for the engineer doing pool survey. Mr. Cavanaugh stated that allowing him up to \$58,000 is half of open space money already.

Lengthy pool discussions continued.

Jim Pfeiffer, stated to Council that by Finegan's there was a patch done, which is now starting to go down about 6 inches.

Dave Cavanaugh, 6th Avenue, inquired about water coming from his toilet when the lines are being purged.

Payment of Bills & Claims:

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

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

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
16-00534	07/12/16	SUPLEE	SUPLEE, CLOONEY & COMPANY	Open	13,450.00	0.00	
16-00601	08/04/16	JEWELL	JEWELL COMPUTING SOLUTIONS LLC	Open	2,477.96	0.00	
16-00757	10/11/16	STAP	STAPLES BUSINESS ADVANTAGE	Open	682.00	0.00	
16-00807	10/25/16	JIORL	JIORLE'S OFFICE SUPPLIES	Open	29.99	0.00	
16-00825	11/03/16	ONECA	ONE CALL CONCEPTS	Open	21.25	0.00	
16-00829	11/03/16	METZE	METZ & SON ELECTRICAL, INC	Open	129.50	0.00	
16-00837	11/07/16	POWERPOO	POWER POOL PLUS INC.	Open	415.57	0.00	
16-00838	11/10/16	CASTLE	CASTLE SEPTIC SERVICE CORP	Open	365.00	0.00	
16-00839	11/10/16	ALLIED	ALLIED OIL, LLC	Open	505.89	0.00	
16-00840	11/10/16	ADVANCE	ADVANCED BUSINESS EQUIPMENT	Open	120.12	0.00	
16-00841	11/10/16	ACTION	ACTION DATA SERVICES	Open	130.35	0.00	
16-00842	11/10/16	ACTION	ACTION DATA SERVICES	Open	461.00	0.00	
16-00843	11/10/16	EAS	EAS BY ACTION DATA	Open	115.59	0.00	
16-00844	11/10/16	JCP&L	JCP&L	Open	3,045.99	0.00	
16-00845	11/10/16	VITAL	VITAL COMMUNICATIONS, INC	Open	102.00	0.00	
16-00846	11/10/16	EXETER	EXETER SUPPLY COMPANY	Open	926.62	0.00	
16-00848	11/10/16	GENER	GENERAL CODE LLC	Open	330.00	0.00	
16-00849	11/10/16	COYNE	COYNE CHEMICAL	Open	1,535.00	0.00	
16-00853	11/15/16	VERIZ	VERIZON WIRELESS	Open	50.61	0.00	
16-00854	11/15/16	VERI DSL	VERIZON ONLINE	Open	96.99	0.00	
16-00855	11/15/16	TROXE	CHRISTOPHER M. TROXELL, ESQ	Open	3,750.00	0.00	
16-00856	11/15/16	MCKEN	ELIZABETH C. MCKENZIE	Open	62.50	0.00	
16-00857	11/15/16	FPMAIL	FRANCOTYP-POSTALIA, INC.	Open	147.00	0.00	
16-00858	11/15/16	BURHAM	MIKE BURHAM	Open	7.57	0.00	
16-00859	11/15/16	SEWER	MASON, GRIFFIN & PIERSON	Open	437.50	0.00	
16-00860	11/15/16	JEWELL	JEWELL COMPUTING SOLUTIONS LLC	Open	765.98	0.00	
16-00861	11/22/16	EMERG	PHILLIPSBURG EMERGENCY SQUAD	Open	15,000.00	0.00	
16-00862	11/22/16	VERI	VERIZON	Open	95.55	0.00	
16-00863	11/22/16	WETL	Wetlands Inc.	Open	101,074.97	0.00	
16-00864	11/22/16	NJPDES	TREASURER-STATE OF NJ	Open	450.00	0.00	
16-00866	11/22/16	NJADVMD	NJ ADVANCE MEDIA	Open	3,339.01	0.00	
16-00870	11/22/16	WAMAT	WARREN MATERIALS	Open	25,656.65	0.00	
16-00871	11/22/16	BARANSKY	DANIEL BARANSKY	Open	1,786.66	0.00	
16-00872	11/22/16	TOPLINE	TOP LINE	Open	320,886.79	0.00	
Total Purchase Orders: 34				Total P.O. Line Items: 0	Total List Amount: 498,451.61	Total Void Amount: 0.00	

New Business:

Councilman Cartabona will be sending the new DPW employees to a safety program seminar for snow plowing. Will provide the date at the next Council meeting.

Councilman Cartabona inquired about the need to set up a pool committee. The committee members will be as follows: Councilman Cartabona, Councilwoman Grossman, Councilwoman Gable, and Tom Fey.

Executive Session:

Councilwoman Grossman made a motion to approve the following resolution to go into executive session for 37 minutes for contractual, litigation, and/or personnel. Motion seconded by Councilwoman Gable, 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 37 minutes, allowing for a five (5) minute recess between the regular session and the executive session.

Return to Regular Session:

Motion made by Councilman Pettinelli to return to the regular session, motion seconded by Councilwoman Gable, all were in favor.

Motion made by Councilman Cartabona to go back into executive session for an additional ten minutes, motion seconded by Councilwoman Grossman, all were in favor.

Return to Regular Session:

Motion made by Councilman Pettinelli to return to regular session, motion seconded by Councilman Schwar, all were in favor.

Motion made by Councilman Seiss to allow Director of Public Works to seek other inspection proposals for the 2016 Water Utility Improvement Program. Motion was seconded by Councilman Pettinelli. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays: None.

Adjournment:

Seeing no further business to come before Council, motion made by Councilwoman Gable to adjourn this meeting at 10:33pm, motion seconded by Councilman Cartabona, all were in favor.

Respectfully submitted,

Laurie A. Barten

Borough Clerk