

Mayor Dunwell called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on March 28, 2017.

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, 2017, 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, Councilman Schwar and Councilman Seiss.

Also present, Attorney Christopher Troxell and Borough Clerk, Laurie Barton.

Public Bid

A bid was accepted for \$4,038.00 for Farming Land to George Oberly. Motion to accept this bid made by Councilman Schwar and seconded by Councilwoman Grossman. Roll Call:

Ayes: Cartabona, Gable, Grossman, Pettinelli, Schwar and Seiss. Nays; none.

Public Comment

Mr. George Cupon, Sampson Avenue, inquired about the status of soft water in the borough. Mayor Dunwell asked him to withdraw his comment for a moment.

JCPL rep Stan Prader was present for this meeting and explained that they are currently looking at a path for a water line and inquired if any decision has been made on how to do that. Mayor Dunwell advised that there is no definitive answer yet. Mayor Dunwell explained that it

involves the energy market. He also stated that the JPM interconnect created a market for battery storage and the applicant hasn't received financing for the project. Mayor Dunwell then stated that we are not putting all of the water main along Edge Road and the bulk of footage is being shelved for now.

Back to public comment, Mr. Cupon inquired about the water softener and Mayor Dunwell explained delays in that matter.

Mayor Dunwell asked for 10 minutes in executive session for contractual and litigation. Mr. Joey Foor, Morris Street, inquired about any new decisions with the pool.

Resolutions

Motion made by Councilman Schwar to approve Resolution 2017-59, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Gable, Grossman, Pettinelli, Schwar and Seiss. Nays: none.

RESOLUTION 2017-59 C-2 OPERATOR APPOINTMENT

WHEREAS, the Borough of Alpha is required to have a Licensed Sewer Collection System Operator, also known as a licensed C-2 sewer operator, by the State of New Jersey.

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Alpha, County of Warren, State of New Jersey that John Manganaro of Water Resource Management, a subsidiary of Remington and Vernick Engineering, is hereby appointed C-2 Sewer Operator for the Borough of Alpha, duly licensed by the State of New Jersey at an annual rate of \$15,000.00 to be pro-rated for the calendar year 2017, upon certification of funds by the Borough CFO. This appointment shall be effective April 1, 2017.

BE IT FURTHER RESOLVED, that this is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contract Law as provided by *NJSA* 40A: 11-5 because it requires service performed by a person authorized by law to practice as a recognized profession and it is not possible to obtain competitive bids.

Motion made by Councilman Schwar to approve Resolution 2017-64, motion seconded by Councilwoman Gable. Roll Call; Ayes: Cartabona, Gable, Grossman, Pettinelli, Schwar and Seiss. Nays: none.

**RESOLUTION 2017-64
LIEN REDEMPTION
CERTIFICATE #15-00011**

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 28th day of March 2017 that refunds are made to the certificate holder as noted:

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

Block 84.01, Lot 7 – 1145 Fifth Avenue
Certificate #15-00011
\$1,144.79

Motion made by Councilman Seiss to approve Resolution 2017-65, motion seconded by Councilman Pettinelli. Roll Call; Ayes: Cartabona, Gable, Grossman, Pettinelli, Schwar and Seiss. Nays: none.

**RESOLUTION 2017-65
PREMIUM RETURN
TSC #15-00011**

WHEREAS, the Tax Collector of the Borough of Alpha has advised the Mayor and Borough Council of the Borough of Alpha, that the following property has been redeemed within five (5) years of the tax sale and a premium of \$1,000 was paid at the time of sale,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Borough of Alpha Council this 28th day of March 2017 that a refund be made to the certificate holder as noted:

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

Block 84.01, Lot 7
Certificate #15-00011
\$1,000

Department Reports

Administration, Councilwoman Gable, reported that she has been moving ahead and obtaining a new website with a web developer. She stated that she has been in contact with three different developers and is working on ironing out the details with one of them. Councilwoman Gable stated that hopefully at the next meeting she will have more information on that.

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

Finance, Councilman Schwar, reported that the CFO is in office with normal hours of 5:30-8:30 Tuesdays and Thursdays, and 9-3 on Saturdays. He stated that he went over the budget with her line by line, and that he gave her all of the information for her to put into the user friendly budget. Councilman Schwar stated that she expects to have it done in a week and he will email everyone when it is complete. Councilman Schwar stated that we are striving not to have a tax increase again this year. He also reported that two bills that were previously paid, Gordon Bennett and Avaqua chemicals were never cashed. He stated that they will re-issue checks to them but they will not appear on the bill list. Councilman Schwar advised that if we approve and hold bills for any specific reason, we need to tell the CFO whether it is ok to release or not, within a month's time. He stated that there were a couple of bills that were held because someone told the previous CFO to hold them. The new CFO plans to clean that up.

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

Councilman Pettinelli inquired about different municipalities having a different set of rules with honoring checks. Councilman Schwarz answered that it is generally banks who have different set of rules.

Mayor Dunwell stated that he received an email from Stacy Rider at Remington and Vernick that we are behind on a payment to them. Mayor Dunwell asked that we get bills that are outstanding cleaned up.

Councilman Cartabona inquired about billing for Avaqua, stating that there is a credit of about \$400.00 on a purchase order that he has. Councilman Cartabona inquired on how to know which ones are revised and which one he should be signing.

Health and Welfare, Councilman Pettinelli, reported that he had two complaints on Industrial Drive and West Central Avenue. The complaint on Industrial Avenue has not been rectified, and the complaint on West Central involved 2 cats which has since been cleared up. Councilman Pettinelli advised that town clean-up will be Father's Day weekend, June 16th and 17th. In closing, Councilman Pettinelli approved bills, salaries and wages for his department.

Public Property, Councilwoman Grossman, reported that the panels on Benke field have been replaced and new guard rails have been installed for handicap seating. She also stated that the brackets are being worked on and should be completed by early next week. After all is done, they will start painting. Councilwoman Grossman also reported that AYAA is requesting a 10x14 shed. She stated that we will be using Fox Run storage to purchase for \$2,795.00. Councilwoman Grossman stated that there are no teams to play this spring on Benke field due to a shortage of players. She also reported that she will be getting quotes to improve the grass. Councilwoman Grossman stated that she will be meeting Patrick Smith at the softball and pony fields to assess divots and other concerns. She is also waiting on a quote for concrete at Benke

field. Councilwoman Grossman reported that she will be calling Randy Metz to get a quote for lighting at the Veteran's Wall. She also reported that a survey needs to be done for Green Acres on the Rocco property. She stated that so far the best quote she got was for \$4,450.00 through Bohren. Councilwoman Grossman reported that the bill that was held at the last meeting in regards to the pool may now be released. Councilwoman Grossman also reported that she has gotten a request for use of circle field SYBA for this spring. She is going to have a porta john delivered to the field. She stated that they practice on Tuesdays and Thursdays and have games on Sundays. Councilwoman Grossman advised that she has been using Facebook to notify residents of water projects. She also requested the pavilion schedule as she would like to set up 3 dates for community block parties. Councilwoman Grossman requested 10 minutes in executive session for lease of public property and contractual. Councilwoman Grossman approved all of her bills, salaries and wages for her department.

Councilwoman Gable inquired about a plan on fixing the damage on the soccer field. Councilwoman Grossman stated that the owners of Homa Farm need to be spoken with regarding the damage on the field due to their farming equipment.

Public Safety, Councilman Seiss, reported that he is still working on the 911 list for the county. He also reported that the new crossing guard had her training and she is now at her post with an officer. Councilman Seiss reported that on April 30th the firehouse will be holding a spaghetti dinner. Councilman Seiss approved all of his bills, salaries and wages for his department.

At this time Mayor Dunwell introduced Resolution 2017-66.

Motion made by Councilman Cartabona to approve Resolution 2017-66, motion seconded by Councilwoman Gable. Roll Call; Ayes: Gable, Grossman, Schwar and Seiss. Nays: Pettinelli. Abstains: Cartabona.

**RESOLUTION 2017-66
RESOLUTION APPROVING A CONTRACT FOR
SURVEY FOR THE BOROUGH OF ALPHA**

WHEREAS, the Council of the Borough of Alpha is in the process of purchasing real property in the Borough of Alpha, Block 103, Lot 1, for open space and will require Green Acres funding from the State of New Jersey; and

WHEREAS, the Council of the Borough of Alpha, is required to obtain a survey in accordance with the Green Acres Standard Scope of Survey Services and has sought quotes for such work which is under the public bid threshold amount and it appears that Bohren and Bohren Associates, Inc., with offices located at 260 Highway 202-31 Flemington, New Jersey is the lowest responsible quote.

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 preparation of a boundary and location survey as described herein be awarded to Bohren and Bohren Associates, 260 Highway 202-31 Flemington, New Jersey in the amount of \$4,450.00 as per the attached letter and its terms, upon written certification of funds by the Borough CFO, with funds coming from the Borough's Open Space Trust Fund.

BE IT FURTHER RESOLVED that the Mayor and/or Clerk are authorized to execute all necessary documents to effectuate said contract on behalf of the Borough.

Department of Public Works, Councilman Cartabona, reported that he attended meetings with the mayor, engineer, C2 operator, sewer engineer and their rep. Councilman Cartabona inquired about the bill list in regards to the Penn Bower approval certification. He then gave a

lengthy report on the DPW's list of tasks to get done. He stated that the bulk of their work will be assisting with the water utility project.

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

Councilman Pettinelli inquired about the new DPW truck creating long divots on properties and getting them fixed. Mayor Dunwell stated that it will be a project for DPW in the spring.

Professionals and Officials Reports

Mayor: Mayor Dunwell requested 15 minutes in executive session for the water project, 10 minutes contractual for solid waste and recycling, 10 minutes potential litigation for water quarterly issue.

Police, Chief Stettner: Chief Stettner advised that he will check out the intersection of 1st Ave and Alpha Street where Councilman Pettinelli stated that there seemed to be illegal parking. Mayor Dunwell thanked the police department for posting signs. Mayor Dunwell also advised that Remington and Vernick has complained about the speed of vehicles on Industrial Drive.

Mayor Dunwell inquired why we aren't using code red for water projects.

Attorney, Chris Troxell: No report.

Engineer, Stephanie Cuthbert: Ms. Cuthbert mentioned that she has the water allocation permit, which allows to draw water from the ground. It expired last year but they have gotten a one year extension. Ms. Cuthbert stated that she has the completed application, she just needs to get the mayor to sign the permit.

Motion made by Councilman Seiss to have the mayor sign the application, seconded by Councilman Cartabona. Roll call: Ayes; Cartabona, Mrs. Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays: none.

Mayor Dunwell inquired that after meeting with Ms. Cuthbert the week prior, she recommended creating a blanket resolution which would allow the mayor to sign contracts on behalf of the borough. Attorney Troxell advised that we should not do a blanket resolution and keep the process the way it is.

Ms. Cuthbert continued with her report stating that they had the transition meeting with the sewer operator last Friday, and that they still have to transfer information to us.

Councilman Schwar inquired with Ms. Cuthbert about the firehouse generator and whether or not it is now operating as it is supposed to. Ms. Cuthbert stated that it has been tested. Councilman Seiss weighed in, and stated that they ran data lines into the firehouse computer and that software has to be installed.

Ms. Cuthbert then gave redundancy project update.

Attorney Troxell requested 5 minutes in executive session for litigation.

Code Enforcement Officer, Tom Fey: Councilwoman Gable gave the following report for the code enforcement officer: Mr. Fey attended court last week, and a fine of \$750 was given for illegal dumping.

Second Public Comment

George Cupon, Sampson Ave, inquired about who our contact is in place of Mr. Hill. Mayor Dunwell advised that it is John Manganaro and he will be there Friday morning.

Payment of Bills and Claims

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

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

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

Second Public Comment

George Cupon, Sampson Ave, inquired about who is the new contact person in place of Mr. Hill. Mayor Dunwell advised that it is John Manganaro and he will be here Friday.

Old Business

Councilman Schwar discussed the pool and the bid amounts. Motion made by Councilman Schwar to demolish the pool, seconded by Councilman Pettinelli. At this time a lengthy discussion regarding the pool and bids ensued. Motion made by Councilman Schwar to withdraw the motion of demolishing the pool, as long as a plan is put in place by the last meeting in July. At this time another motion is made by Councilman Pettinelli to demolish the pool, seconded by Councilwoman Gable. Roll Call; Ayes: Councilwoman Gable, Councilman Pettinelli,

Councilman Seiss. Nays: Councilman Cartabona, Councilwoman Grossman, Councilman Schwar and Mayor Dunwell to break the tie.

Councilman Pettinelli requested that he be present for the air testing when it is tested for the pool.

New Business

Motion made by Councilman Schwar to hold the PTO yard sales on June 3rd and June 4th, seconded by Councilman Cartabona, all were in favor.

Motion made by Councilman Schwar to approve the annual coin collection at the fire house on June 3rd and June 4th, seconded by Councilwoman Gable, all were in favor.

Executive Session:

Councilman Cartabona made a motion to approve the following resolution to go into executive session for one (1) hour and 1 minute. Motion seconded by Councilman Pettinelli, 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 _____ hour(s), _____ minutes, allowing for a seven (7) 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 Councilwoman Pettinelli, all were in favor.

Motion made by Councilwoman Grossman to approve the social affair permit for the LAO Association on 5/20/17 at 6 pm, seconded by Councilman Pettinelli, all were in favor.

Motion made by Councilman Schwar to approve resolution 2017-67, motion seconded by Councilman Cartabona. Roll Call; Ayes: Cartabona, Gable, Grossman, Pettinelli, Schwar and Seiss. Nays: none.

**RESOLUTION 2017-67
FARMLAND LEASE**

WHEREAS, the Borough of Alpha sought bids to lease farmland at Borough's Block 96, Lot 5; and

WHEREAS, the successful high bidder, Clifford Oberly, having bid \$4,038.00; and

NOW, THEREFORE BE IT RESOLVED, that the lease is hereby awarded to Clifford Oberly who has bid and agreed to pay the Borough of Alpha \$4,038.00 and

BE IT FURTHER RESOLVED, that the Mayor and the Clerk are authorized to sign any and all documents to effect the lease.

Adjournment:

Seeing no further business to come before Council, motion made by Councilwoman Gable to adjourn this meeting at 11:21 pm, motion seconded by Councilman Gable, all were in favor.

Respectfully submitted,

Helen Marino

Deputy Clerk