

Mayor Dunwell called the Meeting of the Common Council of the Borough of Alpha to order at 6 p.m. on January 4th, 2018.

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 2, 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 announced that Mr. Stewart Davis had passed away on December 17, 2017. Mr. Davis served as the Borough's Treasurer, Tax Collector, and was on the Alpha Volunteer Fire Company and a member of the school board. He also served on Borough Council and was an active member of St. Mary's Church. With that, Mayor Dunwell asked for a moment of silence in honor of Mr. Davis.

Mayor Dunwell led prayer and the salute to the flag.

Mayor Dunwell also stated that we did have the swearing in of the two new Council members Tracy Grossman and Peter Pettinelli on January 1st, 2018.

Public Comment:

Mr. Foor, inquired about the status of the recreation projects. Councilwoman Grossman stated that the other projects are still on the schedule which includes basketball and fencing. Mayor Dunwell also stated that all of the fencing may not be done this year.

Ms. LaCaruba, 1805 Springtown Rd., asked whether or not a manhole cover issue reported by another resident was fixed. Councilman Cartabona reported that it was as well as other manhole covers that had similar issues in the Borough. Ms. LaCaruba further stated that noise issues on Springtown Rd. continue and asked why their issues haven't been resolved as quickly as the manhole cover issues. Mayor Dunwell replied by stating the loose manhole cover was a safety issue vs a noise issue. Ms. LaCaruba brought up other concerns regarding the Clerk's office.

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

Appointments of Mayor's Standing Departments:

Director of Administration: Councilman Alan Singleton
Deputy: Councilwoman Tracy Grossman

Director of Finance: Councilman Michael Schwar
Deputy: Councilman Peter Pettinelli

Director of Health & Welfare: Councilman Peter Pettinelli
Deputy: Councilman Thomas Seiss

Director of Public Property: Councilwoman Tracy Grossman
Deputy: Councilman Alan Singleton

Director of Public Safety: Councilman Thomas Seiss
Deputy: Councilman Louis Cartabona

Director of Public Works: Councilman Louis Cartabona
Deputy: Councilman Michael Schwar

Motion to adopt Mayor's Appointments for Standing Departments made by Councilman Cartabona, seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

Appointments:

Clean Communities Coordinator 1 year – Councilwoman Grossman

Motion to appoint Councilwoman Grossman as Clean Communities Coordinator for 2018 made by Councilman Schwar, seconded by Councilman Seiss. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

Fire Inspector 1 year – Kevin Duddy

Motion to appoint Kevin Duddy as Fire Inspector for 2018 made by Councilman Seiss, seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

Plumbing Sub Code Official 1 year – Valentine DeSanto

Motion to appoint Valentine DeSanto as Plumbing Sub Code Official for 2018 made by Councilman Seiss, seconded by Councilman Pettinelli. Roll Call; Ayes: Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none. Abstentions: Cartabona.

Air Quality Coordinator 1 year – Councilman Cartabona

Motion to appoint Councilman Cartabona as Air Quality Coordinator for 2018 made by Councilman Cartabona, seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss, and Singleton. Nays: none.

Appointments by Mayor to the Land Use Board:

Mayor Dunwell took this time to remind everyone that the Municipal Land Use Law allows the municipality to address the issue of Mayor's appointments in one of two ways; either they are the Mayor's appointment or they are the Mayor's appointment with the advice and consent of Council. Alpha Borough Code Article 57-3 A (4) states that the Land Use Board members are to be appointed by the Mayor.

Tim Mihursky	Class 4 Member	Four-Year Term, Expiring 12/31/21
Tom Fey	Class 4 Member	Four-Year Term, Expiring 12/31/21
Todd Pantuso	Class 2 Member	One-Year Term, Expiring 12/31/18

Mayor opened the floor for the election of Council representative to the Land Use Board. Motion was made by Councilman Schwar, seconded by Councilwoman Grossman to nominate Councilman Seiss. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss, and Singleton. Nays: none.

Election of Council President:

Mayor opened the floor for the election of Council President.

Motion made by Councilman Seiss to nominate Councilman Pettinelli, seconded by Councilman Schwar.

Roll Call; Ayes: Pettinelli, Schwar, Seiss and Singleton. Nays: Cartabona, and Grossman.

Motion was made by Councilwoman Grossman, to nominate Councilman Cartabona, seconded by Councilman Schwar. Roll Call; Ayes: Cartabona and Grossman, Nays: Pettinelli, Schwar, Seiss and Singleton.

Ordinances:

None

Resolutions:

Motion made by Councilman Cartabona, to approve Resolution 2018-01, motion seconded by Councilman Schwar. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-01**

RESOLUTION BY THE MAYOR AND COUNCIL OF THE BOROUGH OF ALPHA, WARREN COUNTY, STATE OF NEW JERSEY, IN REGARD TO REGULAR MEETINGS

WHEREAS, Section 13 of the Open Public Meetings Act, Chapter 231, P.L. 1975, requires that at least once a year not later than January 10th of such year shall post and mail to newspapers designated by said body the Regular Meeting dates during the succeeding year.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey that Regular Meetings of the Alpha Borough Council shall be held at 7:00 pm prevailing time, or otherwise as indicated below for the year 2018, meetings shall be duly advertised according to Section 13 of the Open Public Meetings Act, Chapter 231. The dates of said meetings are as follows:

January 9, 23	July 10, 24
February 13, 27	August 14, 28
March 13, 27	September 11, 25
April 10, 24	October 10 (Wednesday), 23
May 8, 22	November 12 (Monday), 27
June 12, 26	December 11, 27 (Thursday)
January 1, 2019 12 Noon (Re-organization)	

BE IT FURTHER RESOLVED that all meetings shall be held at the Borough Municipal Building, 1001 East Boulevard, Alpha, NJ 08865 and are open to the public.

BE IT FURTHER RESOLVED, that the Star Gazette and/or the Express Times and/or the Newark Star Ledger be designated as the official newspapers and should be authorized for all legal publications and notices required for publication according to law.

BE IT FURTHER RESOLVED that the format for regular meetings of Council be as follows:

Regular Meeting Agenda

Call to Order
Prayer & Salute to the Flag
Roll Call
Public Comment
Ordinances
Resolutions
Approval of Minutes
Department Reports
Committee Reports
Professionals & Officials Reports
Public Comment
Payment of Bills & Claims
Old Business
New Business
Executive Session (*As Needed*)
Adjournment

Motion made by Councilman Schwar, to approve Resolution 2018-02, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-02
BANK DEPOSITORIES**

BE IT RESOLVED, by the Mayor and members of Common Council of the Borough of Alpha, New Jersey, that pursuant to the statutes in such cases made and provided for, that PNC Bank, Alpha, New Jersey is hereby designated as the primary depository for the current funds, water utility funds, capital funds, and various other funds of the Borough of Alpha, and the Borough of Alpha payroll account.

BE IT FURTHER RESOLVED, that Bank of America, TD Bank, Chase Bank, Provident Bank and State of New Jersey Cash Management Fund will be utilized as necessary. The CFO, Tax Collector, Construction Official, Court Administrator and Municipal Clerk are hereby authorized and directed to deposit all funds for the above listed accounts in the aforesaid depositories for the Borough of Alpha.

Motion made by Councilman Seiss, to approve Resolution 2018-03, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-03
BILL PAYING POLICY**

WHEREAS, all bills must be rendered before the meeting of the Common Council of the Borough of Alpha; and

WHEREAS, bills must be itemized fully and signed claimant's certification be presented.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and members of the Common Council of the Borough of Alpha that all bills submitted and approved by the Common Council be paid on the following day after approval, unless otherwise deemed appropriate and necessary by the members of the Common Council.

Motion made by Councilman Schwar, to approve Resolution 2018-04, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-04
RESOLUTION OF THE BOROUGH OF ALPHA, COUNTY OF WARREN, STATE OF NEW JERSEY FIXING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES OR ASSESSMENTS.**

WHEREAS, NJSA 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, NJSA 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year;

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

1. The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after due date and 18% per annum on any amount of taxes in excess of \$1,500.00 and allows an additional penalty of 6% to be collected against delinquency in excess of \$10,000 on properties that fail to pay the delinquency prior to the end of the calendar year.

2. Effective January 1, 2018, there will be a ten (10) day grace period of quarterly tax payments made by cash, check, credit card or money order.

3. Any payments not made in accordance with paragraph two of this resolution shall be charged interest from the due date as set forth in paragraph one of this resolution.

4. A certified copy of this resolution shall be provided by the Borough Clerk to the Tax Collector and Borough Auditor.

Motion made by Councilman Seiss, to approve Resolution 2018-5, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-05
TAX REFUND PROCEDURES UNDER \$5.00**

WHEREAS, the State of New Jersey allows a municipal employee to process the cancellation of any property tax refund or delinquencies of less than \$5.00; and

WHEREAS, the municipal employee allowed to process the cancellation shall be the Tax Collector; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the Borough of Alpha hereby authorize the Tax Collector of the Borough of Alpha to process cancellations of any property tax refund or delinquency of less than \$5.00.

Motion made by Councilman Schwar, to approve Resolution 2018-6, motion seconded by Councilman Pettinelli. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-06
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
BOROUGH ATTORNEY**

WHEREAS, the Borough of Alpha, through its common Council, has a need to acquire the goods or services to be provided hereunder as a non-fair and open contract pursuant to the provisions of *N.J.S.A.* 19:44A-20.4 or 20.5, as applicable; and,

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year(s); and

WHEREAS, Christopher M. Troxell, Esq. has submitted a proposal or request indicating he will provide the services of Borough Attorney as agreed to under separate contract for \$49,790, plus additional compensation for additional specified work; and

WHEREAS, Christopher M. Troxell, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that he, a sole proprietor, has not made any reportable contributions to a political or candidate committee in the Borough of Alpha in the previous one year, and that the contract will prohibit the him from making any reportable contributions through the term of the contract, and

WHEREAS, the Borough CFO has certified that there are sufficient and available funds, as required under the law, specifically *N.J.A.C.* 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Alpha hereby authorizes the Mayor to enter into a contract with Christopher M. Troxell, Esq., as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that the Clerk shall publish such notice as required under the law. This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in *N.J.S.A.* 40A:11-5 because said office requires services performed by person or persons qualified to practice recognized professions, and it is not possible to obtain competitive bids, and according to other applicable statutes.

Motion made by Councilman Schwar, to approve Resolution 2018-07, motion seconded by Councilman Seiss. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-07
RESOLUTION FOR 2017/2018 TAX APPEALS**

BE IT RESOLVED, the Mayor and Council so authorize the Municipal Attorney of the Borough of Alpha to file Municipal Appeals and enter into stipulations on behalf of the Borough of Alpha.

Motion made by Councilman Seiss, to approve Resolution 2018-08, motion seconded by Councilman Pettinelli. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-08
BOND COUNSEL**

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

1. Gibbons, P.C. is hereby retained as Municipal Bond Counsel of the Borough of Alpha for the year 2018.
2. This retainer is awarded without competitive bidding as a “Professional Service” under provisions of the Local Public Contracts Law as provided by NJSA 40A:11-5 because it requires service performed by a person authorized by law to practice a recognized profession and it is not possible to obtain competitive bids.
3. A copy of this resolution shall be published in the Star Gazette, Hackettstown, New Jersey as required by law within 10 days of passage.

Motion made by Councilman Cartabona, to approve Resolution 2018-09, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-09
DESIGNATION OF A PUBLIC AGENCY COMPLIANCE OFFICER
FOR THE BOROUGH OF ALPHA**

WHEREAS, the State Department of Treasury Division of Contract Compliance and Equal Employment Opportunity in Public Contracts requires a Public Agency Compliance Officer; and

WHEREAS, the P.A.C.O. is the liaison between the Division and the Public agency (Alpha) and is the Public Agency point of contact for all matters concerning implementation and administration of the Statute; N.J.A.C 17:27-3.2; and

WHEREAS, the P.A.C.O. is also responsible for administering contracting procedures pertaining to equal employment opportunity regarding both the public Agency (Alpha Borough) and the service providers. The service providers shall include but shall not be limited to goods and services vendor, professional service vendors and construction contractors; and

BE IT FURTHER RESOLVED, the P.A.C.O. must have the authority to recommend changes to effectively support the implementation of the statute and its regulations.

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Alpha hereby designates Donna L. Messina, Acting Municipal Clerk, as the P.A.C.O beginning January 1, 2018 and ending December 31, 2018.

Motion made by Councilman Cartabona, to approve Resolution 2018-10, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-10
RECYCLING COORDINATOR**

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

1. Thomas Fey is hereby retained as Recycling Coordinator of the Borough of Alpha, at a salary as reflected in the salary resolution for the year 2018.
2. This retainer is awarded without competitive bidding as a “Professional Service” under provisions of the Local Public Contracts Law as provided by NJSA 40A:11-5 because it requires service performed by a person authorized by law to practice a recognized profession and it is not possible to obtain competitive bids.
3. A copy of this resolution shall be published in the Star Gazette and/or Express Times Newspaper as required by law within 10 days of passage.

Motion made by Councilman Seiss, to approve Resolution 2018-11, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-11
CODE ENFORCEMENT OFFICER**

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

Hire Thomas Fey as Code Enforcement Officer for a one year appointment in accordance to the current year salary resolution to commence on January 1, 2018 through December 31, 2018.

Motion made by Councilman Seiss, to approve Resolution 2018-12, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none

**RESOLUTION 2018 -12
RESOLUTION TO AUTHORIZE THE BOROUGH CFO
TO PAY CERTAIN BILLS, CLAIMS AND INVOICES**

WHEREAS, all bills, claims, and invoices for payment by the Borough of Alpha must be submitted to the Borough of Alpha Council for consideration before payment is made; and

WHEREAS, due to the nature of certain bills, claims, and invoices and the timing of particular meetings of the Council, certain bills, claims and invoices should be paid when presented which are statutory and /or regular in nature, rather than be held for the next meeting of the Borough Council due to the nature of such;

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

1. Council approves of and hereby authorizes upon the approval from the Director of Finance, that the Chief Financial Officer (CFO) of the Borough of Alpha, to make payment(s) between meetings of all bills, claims and invoices in an amount of \$1,000.00 or less.

2. The CFO is further authorized and directed to prepare the proper vouchers for payment of the above when same are properly presented to the CFO for payment, and present the bill, claim, or invoice on the Bill List to be approved by the Borough Council at the next public meeting.

3. A certified copy of this resolution shall be forwarded to the Borough CFO.

Motion made by Councilman Cartabona, to approve Resolution 2018-13, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-13
RESOLUTION OF THE BOROUGH OF ALPHA, COUNTY OF WARREN, STATE OF NEW
JERSEY FIXING THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT UTILITY
CONSUMER ACCOUNTS.**

WHEREAS, NJSA 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, NJSA 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year;

WHEREAS, the Mayor and Common Council of the Borough of Alpha would like to apply and follow tax collection interest regulations with utility collection as well:

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

1. The Utility Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of utility fees becoming delinquent after due date and 18% per annum on any amount of utility fees in excess of \$1,500.00 and allows an additional penalty of 6% to be collected against delinquency in excess of \$10,000 on properties that fail to pay the delinquency prior to the end of the calendar year.

2. Effective January 1, 2018, utility payments are due and payable 30 days from the billing date; if unpaid after the 30th day interest shall be charged

3. Any payments not made in accordance with paragraph two of this resolution shall be charged interest from the due date as set forth in paragraph one of this resolution.

4. A certified copy of this resolution shall be provided by the Borough Clerk to the Utility Collector and Borough Auditor.

Motion to amend 2018-14 made by Councilman Schwar to read the amount of \$20,725.00 in the fourth WHERAS of the resolution, seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

Motion made by Councilman Schwar, to approve Resolution 2018-14, motion seconded by Councilman Cartabona. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-14
AUDITOR**

WHEREAS, the Borough of Alpha has a need to acquire an Auditor as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; and,

WHEREAS, the CFO has determined and certified in writing that the value of the acquisition will exceed \$17,500.00; and,

WHEREAS, the anticipated term of this contract is 1 year(s) and may be extended 1 time(s) as approved by this governing body; and

WHEREAS, Suplee, Clooney & Company has submitted a proposal indicating they will provide the Borough of Alpha professional accounting and auditing services for an amount not to exceed \$20,725.00 and

WHEREAS, Suplee, Clooney & Company has completed and submitted a Business Entity Disclosure Certification which certifies that Suplee, Clooney & Company has not made any reportable contributions to a political or candidate committee in the Borough of Alpha in the previous one year, and that the contract will prohibit Suplee, Clooney & Company from making any reportable contributions through the term of the contract, and

WHEREAS, the Borough CFO has determined that adequate funding will be provided for in the temporary and final 2017 municipal budget, as required under the law, as per *N.J.A.C. 5:30-5.4.*; and

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Alpha authorizes the Mayor and Borough Clerk to enter into a contract with Suplee, Clooney & Company as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that this resolution be advertised as required by law in the official newspaper of the Borough of Alpha within 10 days of passage.

Motion made by Councilman Cartabona, to approve Resolution 2018-15, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Seiss and Singleton. Nays: none. Abstentions: Schwar

**BOROUGH OF ALPHA
RESOLUTION 2018-15
APPOINTING PUBLIC ALLIANCE INSURANCE
COVERAGE FUND COMMISSIONER**

BE IT RESOLVED, by the Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey, that it hereby appoints Michael Schwar as Fund Commissioner and Donna L. Messina as Alternate Fund Commissioner to the Public Alliance Insurance Coverage Fund; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the Following:

1. Michael Schwar Fund Commissioner
2. Donna L. Messina, Acting Borough Clerk
3. Public Alliance Insurance Coverage Fund

Motion made by Councilman Cartabona, to approve Resolution 2018-16, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-16
RISK MANAGEMENT CONSULTANT**

WHEREAS, the Borough of Alpha has resolved to join Public Alliance Insurance Coverage Fund (PAIC) following a detailed analysis; and

WHEREAS, the Bylaws of PAIC require that each entity designate a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

WHEREAS, the Bylaws indicate that PAIC shall pay each Risk Management Consultant a fee to be established annually by the Executive Committee.

NOW THEREFORE, BE IT RESOLVED, that the Borough of Alpha does hereby appoint Public Entity Advocates, LLC as its Risk Management Consultant in accordance with the Fund's Bylaws.

Motion made by Councilman Schwar, to approve Resolution 2018-17, motion seconded by Councilman Cartabona. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-17
A RESOLUTION AUTHORIZING THE
HIRING OF LABOR/EMPLOYMENT/CONFLICT COUNSEL**

WHEREAS, the Council of the Borough of Alpha deems the hiring of a labor/employment lawyer to be in the best interests of the Borough of Alpha; and

WHEREAS, certain contracts may be awarded 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 such services are required to be performed by a person authorized by law to practice a recognized profession and it is not possible to obtain competitive bids.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of Alpha that Frank Taddeo, Esq., a New Jersey licensed attorney, be hired or retained as labor/employment/conflict counsel for the Borough of Alpha for the calendar year 2018 at a rate of \$165.00 per hour.

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

BE IT FURTHER RESOLVED that the Clerk shall publish such notice as required under the law. This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in *N.J.S.A. 40A:11-5*, because said office requires services performed by person or persons qualified to practice recognized professions, and it is not possible to obtain competitive bids, and according to other applicable statutes.

Motion made by Councilman Schwar, to approve Resolution 2018-18, motion seconded by Councilman Cartabona. Mayor Dunwell asked if there were any questions at which time Councilman Pettinelli asked to read the following into the minutes:

I want to make the following statement and have it be a part of the Minutes.

I wish to table the appointment of the Engineering Firm of Remington and Vernick, for the following actions of the Mayor.

In my opinion, there seems to be a plausible concern about favoritism and or collusion. I feel the Mayor has bullied the council in reaching this reappointment.

Over the past year and a half, everyone on council had concerns and expressed dissatisfaction of the firm.

The Mayor invited a higher ranking person of RV to attend an executive session to plug for their reappointment. The Mayor should do that for the local client as well.

The Mayor allowed no other firms to be considered so the council can't see if the local firm is a better bang for them buck.

The Mayor refused to put an advertisement for an RFP even though the majority of council wanted it to be done.

At the luncheon during the L of Municipalities Convention in AC, the Mayor sat next to the local firm as he was enjoying the food provided by their firm and told the local client that we will be accepting proposals. They are good enough for the Alpha Land Use Board for many years.

The Mayor claimed alleged over billing but after speaking with the firm they state that is was the error of the Alpha Boro CFO who send payment in twice and this is stated clearly in the cover letter dated years ago that the Mayor provided counsel after last meeting - when they found out about the money they returned it, nij harm no foul.

The Mayor seems ok when RV presented a bill for \$20,000 a year and a half after the books were closed. Not exactly a great business climate.

The Mayor drew up the resolution prior to council's consent, which is improper according to weak mayor form of government.

I feel that by not allowing an even playing field for all Proposals submitted the Mayor is acting like a dictator or at the very least a strong mayor form of government and neither situation is allowed in Alpha's weak mayor form of government. Favoritism and or Collusion comes to mind when the Mayor bullied the council using false allegations of over billing to achieve council's consent for reappointment of RV who has a member of the firm that is a life long friend, classmate, and football teammate.

This action seems unprofessional, unethical, and borderline illegal according to NJ Law.

A carry over for another 2 or 3 weeks will not make a difference.
I therefore ask the council member who made the motion and second to withdraw their actions so we can arrive at an appointment in a fair and legal manner.

There was discussion regarding this matter to table this resolution. Mayor Dunwell stated that he received a call from the local firm stating they are going to withdraw their proposal therefore there would be no reason to table the resolution if they are no longer wanting to be considered.

Motion made by Councilman Pettinelli, to table Resolution 2018-18, motion seconded by Councilman Seiss. Roll Call; Ayes: Pettinelli, Seiss. Nays: Cartabona, Grossman, Schwar, Singleton.

Councilman Cartabona made a statement that he did not feel pressured in any way in his decision to vote yes to keep our current engineer.

Councilwoman Grossman stated that she was not bullied or felt pressure to vote in any way and supports our current engineer.

Motion made by Councilman Schwar, to approve Resolution 2018-18, motion seconded by Councilman Cartabona. Roll Call; Ayes: Cartabona, Grossman, Schwar, and Singleton. Nays: Pettinelli and Seiss.

**BOROUGH OF ALPHA
RESOLUTION 2018-18
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR
BOROUGH ENGINEER**

WHEREAS, the Borough of Alpha, through its common Council, has a need to acquire the goods or services to be provided hereunder as a non-fair and open contract pursuant to the provisions of *N.J.S.A.* 19:44A-20.4 or 20.5, as applicable; and,

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is three year(s); and

WHEREAS, Remington & Vernick Engineers. has submitted a proposal or request indicating they will provide the services of Borough Engineer per their municipal qualifications package for engineering services to the Borough of Alpha; and

WHEREAS, Remington & Vernick Engineers has completed and submitted a Business Entity Disclosure Certification which certifies that they or any of their employees have not made any reportable contributions to a political or candidate committee in the Borough of Alpha in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, the Borough CFO has certified that there are sufficient and available funds, as required under the law, specifically *N.J.A.C. 5:30-5.4*.

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Alpha hereby authorizes the Mayor to enter into a contract with Remington & Vernick Engineers, as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that the Clerk shall publish such notice as required under the law. This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in *N.J.S.A. 40A:11-5* because said office requires services performed by person or persons qualified to practice recognized professions, and it is not possible to obtain competitive bids, and according to other applicable statutes.

Motion made by Councilman Cartabona, to approve Resolution 2018-19, motion seconded by Councilman Schwar. Roll Call; Ayes: Cartabona, Grossman, Schwar, Seiss and Singleton. Nays: Pettinelli.

**RESOLUTION 2018-19
WATER UTILITY OPERATOR**

WHEREAS, the Borough of Alpha, through its common Council, has a need to acquire the goods or services to be provided hereunder as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4* or *20.5*, as applicable; and,

WHEREAS, the Borough Clerk has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year(s); and

WHEREAS, *Water Resource Management, a wholly owned subsidiary of Remington and Vernick Engineers* has submitted a proposal indicating that they will provide the services of John Manganaro to act as the Borough's W-2 and T-2 licensed water operator as agreed to under separate contract for \$18,000 per year; and

WHEREAS, John Manganaro has completed and submitted a Business Entity Disclosure Certification which certifies that neither he nor his firm has not made any reportable contributions to a political or candidate committee in the Borough of Alpha in the previous one year, and that the contract will prohibit the him from making any reportable contributions through the term of the contract, and

WHEREAS, the Borough CFO has certified that there are sufficient and available funds, as required under the law, specifically *N.J.A.C. 5:30-5.4*.

WHEREAS, the Mayor and Borough Council desire to ensure that the Borough's water utility is well maintained and that the quality of water is acceptable under state regulations; and

WHEREAS, the Borough's potable water system has been classified by the New Jersey Department of Environmental Protection as needing a W-2 and T-2 licensed water operator; and

WHEREAS, *Resource Management, a wholly owned subsidiary of Remington and Vernick Engineers* has a professional licensed water operator affiliated with its firm, namely, John Manganaro, who possesses said aforementioned licenses; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and the Council of the Borough of Alpha, County of Warren, and State of New Jersey hereby appoint John Manganaro licensed W-2 & T-2 water operator, for the firm of *Water Resource Management, a wholly owned subsidiary of Remington and*

Vernick Engineers, at an annual fee of \$18,000 for the calendar year 2018 (to be paid on a monthly basis) upon certification of funds by the Borough CFO.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that the Clerk shall publish such notice as required under the law. This appointment is made without competitive bidding as a professional service under the provisions of the Local Public Contracts Law, as provided in *N.J.S.A. 40A:11-5*, because said office requires services performed by person or persons qualified to practice recognized professions, and it is not possible to obtain competitive bids, and according to other applicable statutes.

Motion made by Councilman Schwar, to approve Resolution 2018-20, motion seconded by Councilman Cartabona. Roll Call; Ayes: Cartabona, Grossman, Schwar, Seiss and Singleton. Nays: Pettinelli.

**RESOLUTION 2018-20
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 Engineers, is hereby appointed C-2 Sewer Collection System Operator for the Borough of Alpha, duly licensed by the State of New Jersey at an annual rate of \$15,000 for the calendar year 2018, upon certification of funds by the Borough CFO. This appointment shall be effective January 1, 2018.

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 *N.J.S.A. 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.

BE IT FURTHER RESOLVED that the Clerk shall publish such notice as required under the law. This appointment is made without competitive bidding as a professional service under the provisions of the Local Public Contracts Law, as provided in *N.J.S.A. 40A:11-5*, because said office requires services performed by person or persons qualified to practice recognized professions, and it is not possible to obtain competitive bids, and according to other applicable statutes

Motion made by Councilman Cartabona, to approve Resolution 2018-21, motion seconded by Councilman Pettinelli. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**RESOLUTION 2018-21
N2 OPERATOR APPOINTMENT**

WHEREAS, the Borough of Alpha is required to have a licensed N2 operator (industrial discharge operator) by the State of New Jersey; and

WHEREAS, the State of New Jersey has issued a discharge permit for the Frace Street water treatment plant requiring reporting be done by a licensed N2 operator; and

WHEREAS, the Borough has sought applicants for such a position to provide this professional service, pursuant to New Jersey law.

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that Daniel Baransky of RankinBaransky Biosystematics Research is hereby appointed N2 Operator (industrial discharge operator) for the Borough of Alpha, duly licensed by the State of New Jersey at a contract amount of \$10,720.00, payable monthly for the calendar year 2018 upon certification of funds by the Borough CFO.

Motion made by Councilman Schwar, to approve Resolution 2018-22, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**RESOLUTION 2018-22
2018 TEMPORARY BUDGET FOR THE CURRENT FUND**

WHEREAS, NJSA 40A:4-19 provides that where any contracts, commitments, or payments are to be made prior to the final adoption of the 2018 budget, temporary appropriations should be made for purposes and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty (30) days of January 2018; and

WHEREAS, the total appropriations in the 2017 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$2,277,137.29; and

WHEREAS, 26.25% of the total appropriations in the 2017 Current Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2017 budget is the sum of \$597,748.54;

NOW, THEREFORE, BE IT RESOLVED, that the following Current Fund Operating appropriations attached be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

Appropriations limited to 26.25%	\$557,675.00 (Detail Attached)
Appropriations not limited	\$ 40,000.00 (Detail Attached)

Motion made by Councilman Schwar, to approve Resolution 2018-23, motion seconded by Councilman Seiss. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**RESOLUTION 2018-23
2018 TEMPORARY BUDGET FOR THE WATER & SEWER UTILITY FUND**

WHEREAS, NJSA 40A:4-19 provides that where any contracts, commitments, or payments are to be made prior to the final adoption of the 2018 budget, temporary appropriations should be made for purposes and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty (30) days of January 2018; and

WHEREAS, the total appropriations in the 2017 Water/Sewer Utility Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$741,749.03; and

WHEREAS, 26.25% of the total appropriations in the 2017 Water/Sewer Utility Operating Budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2017 budget is the sum of \$194,709.12;

NOW, THEREFORE, BE IT RESOLVED, that the following Water/Sewer Utility Operating appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for her records:

Salary & Wages	\$22,000.00
Other Expenses	\$170,000.00
Social Security	\$2,000.00
Unemployment Comp.	\$500.00
Appropriations limited to 26.25%	\$194,500.00

Motion made by Councilman Schwar, to approve Resolution 2018-24, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none. Abstentions: Cartabona.

**RESOLUTION 2018-24
APPOINTMENT OF ANIMAL CONTROL OFFICER
FOR THE BOROUGH OF ALPHA**

WHEREAS, the position of Animal Control Officer exists within the Borough of Alpha and on the Salary Ordinance and Salary Resolution; and

WHEREAS, the term of office shall be one-year term commencing on January 1, 2018 and ending December 31, 2018.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Alpha hereby appoints Thomas Deacon as Animal Control Officer in accordance to the current year salary resolution.

Motion made by Councilman Seiss, to approve Resolution 2018-25, motion seconded by Councilman Cartabona. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**RESOLUTION 2018-25
RE-APPOINTMENT OF UTILITY COLLECTOR
FOR THE BOROUGH OF ALPHA**

WHEREAS, the position of Utility Collector exists within the Borough of Alpha and on the Salary Ordinance and Salary Resolution; and

WHEREAS, the term of office shall be through December 31, 2018.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Alpha hereby appoints Carrie Emery as Utility Collector in accordance with the salary ordinance at a salary for 2018 to be set at \$20,000 per year.

Motion made by Councilman Cartabona, to approve Resolution 2018-26, motion seconded by Councilman Pettinelli. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**RESOLUTION 2018-26
RESOLUTION AUTHORIZING A MERCANTILE LICENSE
ENFORCEMENT OFFICER AND GREASE TRAP INSPECTION OFFICER**

BE IT RESOLVED by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that Thomas Fey is hereby appointed to the position of mercantile license enforcement officer at an annual salary of \$1,000.00 for the calendar year 2018.

FURTHERMORE he is also appointed as Grease Trap Inspection Officer at an annual salary of \$1,000.00 for the calendar year 2018.

BE IT FURTHER RESOLVED that the Mayor, CFO and Clerk are hereby authorized to sign any related documentation.

Motion made by Councilman Seiss, to approve Resolution 2018-27, motion seconded by Councilman Pettinelli. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**RESOLUTION 2018-27
UTILITY ADJUSTMENTS AND REFUNDS UNDER \$5.00**

WHEREAS, the Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey authorize the Utility Collector to make adjustments and to process the cancellation of any refund or delinquencies of less than \$5.00 on water and sewer accounts.

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Alpha, County of Warren, and State of New Jersey, so authorize the Utility Collector to act as stated above as of January 1, 2018.

Motion made by Councilman Schwar, to approve Resolution 2018-28, motion seconded by Councilman Pettinelli. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**BOROUGH OF ALPHA
RESOLUTION 2018-28
SPECIAL SEWER COUNSEL**

WHEREAS, the Borough Council and Mayor have decided that the best interest of the Borough, Special Sewer Counsel should be retained; and

WHEREAS, the services of Special Sewer Counsel would be exempted from public bidding, This retainer is awarded without competitive bidding as a “Professional Service” under provisions of the Local Public Contracts Law as provided by NJSA 40A:11-5 because it requires service performed by a person authorized by law to practice a recognized profession and it is not possible to obtain competitive bids.

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Alpha hereby appoint Joseph Tauriello of Mason, Griffin & Pierson, to be retained as Special Sewer Counsel, at the rate of \$175.00 per hour (attached hereto) plus relevant costs.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute said contract, and a copy of this resolution shall be published in the official newspaper of the Borough of Alpha as required by New Jersey law within 10 days of passage.

Motion made by Councilman Seiss, to approve Resolution 2018-29, motion seconded by Councilman Schwar. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**RESOLUTION 2018-29
APPOINTMENT OF 911 COORDINATOR AND DEPUTY 911 COORDINATOR
FOR THE BOROUGH OF ALPHA**

WHEREAS, the positions of 911 Coordinator and Deputy 911 Coordinator exist within the Borough of Alpha; and

WHEREAS, the term of office shall be that allowed by law.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Alpha hereby appoints Sean McDyer as 911 Coordinator and Todd Pantuso as Deputy 911 Coordinator with the term being January 1, 2018 and ending December 31, 2018.

Motion made by Councilman Schwar, to approve Resolution 2018-30, motion seconded by Councilman Seiss. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**RESOLUTION 2018-30
A RESOLUTION SETTING THE TERM OF APPOINTMENT
FOR DEPUTY EMERGENCY MANAGEMENT COORDINATOR**

WHEREAS, Todd Pantuso was appointed Emergency Management Coordinator of the Borough of Alpha, with a term ending December 31, 2019; and

WHEREAS, Directive 102 issued by the State Office of Emergency Management specifies that each Emergency Management Coordinator shall appoint a deputy Emergency Management Coordinator with the approval of the Mayor; and

WHEREAS, OEM Coordinator Todd Pantuso desires to appoint Sean McDyer, Deputy Emergency Management Coordinator;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey that Sean McDyer is hereby appointed Deputy Emergency Management Coordinator for a 2-year term ending on December 31st, 2019.

Motion made by Councilman Schwar, to approve Resolution 2018-31, motion seconded by Councilman Singleton. Roll Call; Ayes: Cartabona, Grossman, Schwar, and Singleton. Nays: Pettinelli and Seiss.

**RESOLUTION 2018-31
RESOLUTION AUTHORIZING
BOROUGH ENGINEER RETAINER**

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 construction management, inspection services and consulting engineering

services for small Borough projects in an amount not to exceed \$10,000.00, 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 Schwar, to table Resolution 2018-32, motion seconded by Councilman Cartabona. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss, and Singleton. Nays: none.

**RESOLUTION 2018-32
RESOLUTION AUTHORIZING BOROUGH ENGINEER
TO EXECUTE CHANGE ORDER FOR THE
2016 WATER UTILITY IMPROVEMENTS CONTRACT**

WHEREAS, the Mayor and Council of the Borough of Alpha have determined that certain improvements are needed for the Borough's potable water utility system, including but not limited to the services and work associated with the 2016 Water Utility Improvement Project; 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 previously awarded the contract to Penn Bower for \$975,885.40 based on the recommendation of the Borough Engineer; and

WHEREAS, based upon conditions in the field during construction the contract quantities were adjusted as reflected in the attached detailed tabulation; and

WHEREAS, this resolution supersedes any prior change order resolution related to the award of the contract to Penn Bower for \$975,885.40 for the above-referenced project.

BE IT RESOLVED by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the Borough Engineer, Remington & Vernick Engineers, is hereby authorized to proceed with the following change order(s) as referenced in the attached detailed tabulation (less than 20% of the initial contract referenced above) on the contract for the 2016 Water Utility Improvement Project and to execute all documents in accordance therewith upon written certification of funds by the Borough CFO. The following changes are hereby authorized by the Borough as set forth by the Borough Engineer: an overall increase by \$148,590.42 to a total contract amount of \$1,124,475.82.

BE IT FURTHER RESOLVED, that the Mayor, Clerk, and/or Borough Engineer are authorized to execute all necessary documents to effectuate the contract change orders with Penn Bower.

Motion made by Councilman Schwar, to approve Resolution 2018-33, motion seconded by Councilman Cartabona. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**RESOLUTION 2018-33
RESOLUTION AUTHORIZING APPOINTMENT OF QUALIFIED PURCHASING AGENT
(QPA) FOR THE BOROUGH OF ALPHA**

WHEREAS, the Borough of Alpha, through its Council, has a need to acquire the goods or services to be provided hereunder as a non-fair and open contract pursuant to the provisions of *N.J.S.A.* 19:44A-20.4 or 20.5, as applicable; and,

WHEREAS, the Borough seeks the services of a qualified purchasing agent to benefit the Borough in its public bidding processes among other things; and

WHEREAS, the term of this contract is one year(s); and

WHEREAS, Sean P. Canning, MPA, QPA of the Canning Group, LLC has submitted a proposal or request indicating he will provide the services of qualified purchasing agent for the Borough as agreed to for \$4,500.00 for 2018; and

NOW THEREFORE, BE IT RESOLVED that the Council of the Borough of Alpha hereby authorizes the Mayor to hire Sean P. Canning, MPA, QPA of the Canning Group, LLC as qualified purchasing agent for the Borough of Alpha for \$4,500.00 for the calendar year 2018 and employ him as described herein upon certification of funds by the CFO; and,

BE IT FURTHER RESOLVED that the Clerk shall publish such notice as required under the law. This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in *N.J.S.A.* 40A:11-5 because said office requires services performed by person or persons qualified to practice recognized professions, and it is not possible to obtain competitive bids, and according to other applicable statutes.

Motion made by Councilman Seiss, to approve Resolution 2018-34, motion seconded by Councilman Schwar. Roll Call; Ayes: Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none. Abstentions: Cartabona

**RESOLUTION 2018-34
RESOLUTION APPOINTING JAMES R. SWICK
AS MUNICIPAL COURT JUDGE**

WHEREAS, the term of the former Municipal Court Judge for the Borough of Alpha expired in July 2017, and he remained in the position as a holdover; and

WHEREAS, the Mayor of the Borough of Alpha, pursuant to law, may appoint a new Municipal Court Judge to a three-year term with the advice and consent of the Borough Council; and

WHEREAS, the Borough of Alpha and the Town of Phillipsburg entered into a Shared Service Agreement for the provision of Joint Municipal Court Services whereby it was agreed that Alpha shall appoint as its Municipal Court Judge the same Municipal Court Judge selected by the Town of Phillipsburg for its Joint Municipal Court, and

WHEREAS, the Town of Phillipsburg has appointed James R. Swick as its Municipal Court Judge, and

WHEREAS, the Town of Phillipsburg, pursuant to the above-referenced Shared Service Agreement is responsible for the compensation of, and overall employment and responsibility of Phillipsburg Municipal Court and shall not be a shared expense, and that this appointment is done solely as a perfunctory matter for compliance with the Shared Services Agreement.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Alpha, County of Warren and State of New Jersey, that James R. Swick is hereby appointed as Municipal Court Judge for the Borough of Alpha for the term January 1, 2018 through December 31, 2020.

This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in *N.J.S.A. 40A:11-5* because said office requires services performed by persons qualified to practice recognized professions, and it is not possible to obtain competitive bids and according to other applicable statutes.

Oaths of Office as a Group: Professionals and Staff

Borough Attorney Chris Troxell administered the oaths of office to the Alpha Volunteer Fire Department members, Professionals and Staff.

Second Public Comment:

Mr. Louis Pettinelli, had questions regarding his new water service that will be installed. Mayor Dunwell and Mr. Pettinelli discussed the process for accomplishing this work.

Seeing no further public comment, Mayor Dunwell asked the Governing Body if they had anything to say regarding their accomplishments from last or what they are looking to accomplish this year. Seeing none, Mayor Dunwell wished everyone a Happy New Year.

Councilman Pettinelli asked Mayor Dunwell to describe what the functions of the Qualified Purchasing Agent.

Adjournment:

There being no further business to come before Council at this time, on motion made by Councilman Singleton and seconded by Councilman Pettinelli, all in favor. This meeting adjourned at 7:17 p.m.

Respectfully submitted,

Donna L. Messina
Acting Borough Clerk