

Mayor Dunwell called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 P.M. on April 10<sup>th</sup>, 2018.

Mayor Dunwell announced that adequate notice of the meeting was given and posted on the bulletin board in the Municipal Building satisfying the requirements of the Open Public Meetings Act:

#### NOTICE

Pursuant to the provisions of the Open Public Meetings Act, adequate notice of this meeting has been given. On January 5<sup>th</sup>, 2018, the Municipal Clerk delivered to the Star Gazette/Express-Times and posted on the bulletin board in the Municipal Building a notice containing the date, time, and place of this meeting of the Alpha Borough Council. Also said notice has been mailed to persons requesting the same.

Mayor Dunwell led the prayer and flag salute.

*Roll Call:* Present, Councilman Cartabona (arrived at 7:11), Councilwoman Grossman, Councilman Pettinelli, Councilman Schwar, Councilman Seiss, and Councilman Singleton.

#### *Public Comment:*

Mike Savary, Park Avenue, commented on how well the PA system sounded.

Leo Pursell, High Street, inquired about the body that was found on High Street.

Lisa LaCaruba, Springtown Rd, inquired about the repairs on the safe in the clerk's office.

Meliss Paulus, Glen Avenue, Phillipsburg, inquired about the penalty for the US treasury on the bill list. She also inquired about the QPA services fee.

Tom Fey, East Blvd, advised that the fire company is on board with national night out.

Councilman Pettinelli advised that today was National Librarian Day and wanted to commend Carla on a good job in our library.

Motion made by Councilman Pettinelli to appoint Jennifer Gable to the library board for a two year term, motion seconded by Councilman Seiss. Roll Call; Ayes: Grossman, Pettinelli, Schwar, Seiss, and Singleton. Nays: Cartabona.

Motion made by Councilman Pettinelli to appoint Lisa LaCaruba to the library board for a one year term, motion seconded by Councilman Schwar. Roll Call; Ayes: Grossman, Pettinelli, Schwar, Seiss, and Singleton. Nays: Cartabona.

*Ordinance- 2nd Reading*

Motion made by Councilman Schwar to open the public hearing for Ordinance 2018-5, motion seconded by Councilman Cartabona, all were in favor.

**ORDINANCE NO. 2018-05  
AN ORDINANCE TO AMEND CHAPTER 178  
REVISED CONSTRUCTION PERMIT FEE SCHEDULE**

BE IT ORDAINED, by the Borough Council of the Borough of Alpha, that the following amendments shall be and are herewith enacted to Chapter 178 revising the construction permit fee schedule in the Code of the Borough of Alpha:

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§178-3 Fees.

- D. Building sub code fees: The fees for new building construction or alterations shall be:
- (1) For Use Groups A-1, A-2, A-3, A-4, A-5, B, E, F-1, F-2, H, I, M, R-1, R-2, R-3, R-4, R-5, S-1, S-2, and U, the permit fee shall be \$65 for the first 2000 cubic feet of building or structure volume and \$0.027 per cubic foot of building or structure volume in excess of 2000 cubic feet. For structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d), the maximum fees for such structures on farms shall not exceed \$1,145.

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

Motion to approve Ordinance 2018-5 made by Councilman Seiss, seconded by Councilman Cartabona. Roll Call: Ayes; Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton.

*Resolutions*

Motion made by Councilman Schwar to approve Resolution 2018-52, motion seconded by Councilman Cartabona.

Councilman Pettinelli inquired about the window hours for those who work later hours. Councilwoman Grossman stated that those who work late can email or fax OPRA requests. Councilman Cartabona inquired about whether or not the OPRA hours would be made up in the event of the clerk's office being closed.

Motion to table Resolution 2018-52 made by Councilman Pettinelli, motion seconded by Councilman Cartabona. Roll call; Ayes: Cartabona, Grossman, Pettinelli, Seiss, and Singleton. Nays: Schwar.

**RESOLUTION 2018-52**  
**RESOLUTION ESTABLISHING PROCESSING HOURS FOR OPEN PUBLIC RECORDS ACT**  
**REQUESTS**

WHEREAS, the Borough of Alpha has limited staffing to handle the volume of Open Public Records Requests; and,

WHEREAS, NJSA 47:1A-5 sets special circumstances allowing times during which records may be inspected, examined, copied; accessed and copy fees; in the case of a municipality having a population of 5,000 or fewer according to the most recent federal decennial census, during not less than six regular business hours over not less than three business days per week or the entity's regularly-scheduled business hours, whichever is less; and in the event of a holiday, inclement weather, or any other unforeseen cause, that the clerk's office may be closed, the office will post additional hours to comply with the aforementioned statute, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Alpha, in the County of Warren and the State of New Jersey, hereby sets the hours for review and processing Open Public Records Requests for the following days and times:  
Monday, Tuesday, and Friday from 2:00 pm to 4:00 pm.

Motion made by Councilman Schwar to approve Resolution 2018-59, motion seconded by Councilman Cartabona. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton. Nays: none.

**RESOLUTION 2018-59**  
**FOR THE BOROUGH OF ALPHA**

**RESOLUTION OF THE MAYOR AND GOVERNING BODY OF THE BOROUGH OF ALPHA,**  
**AUTHORIZING THE HIRING OF A SANITARY LIFT SCADA CONTROLS VENDOR**  
**THROUGH THE COMPETITIVE CONTRACTING PROCESS**

WHEREAS, the Borough has a desire to provide for sanitary lift SCADA controls at its treatment plant for the Borough of Alpha; and

WHEREAS, such services are currently available to be provided through the competitive contracting process under the New Jersey Local Publics Contract Law, N.J.S.A. 40A:11-4.1 et seq.; and

WHEREAS, the Borough desires to evaluate such software offerings from Vendors within the procedures as set forth in the New Jersey Local Publics Contract Law (N.J.S.A.40A:11-4.1 et. seq. and N.J.A.C. 5:34-4 et. Seq.); and

WHEREAS, the Borough desires to enter into a contract for up to a five-year contract that will satisfy the needs of the Borough; and

WHEREAS, as per statute the process will be administered by the Business Administrator, Legal Counsel or Qualified Purchasing Agent; and

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

The Qualified Purchasing Agent is hereby authorized to commence the competitive contract/ procurement as allowable under the New Jersey Local Publics Contract Law allowing for a minimum of 20 days' notice after resolution authorizing same.

Councilman Schwar inquired about if we were hiring someone to monitor the SCADA system as opposed to installing it.

Motion made by Councilman Cartabona to approve Resolution 2018-62, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss, and Singleton.

**RESOLUTION 2018-62  
HIRING PARK ATTENDANT I  
FOR THE BOROUGH OF ALPHA**

**WHEREAS**, the position of park attendant is permitted; and

**WHEREAS**, the Borough has had a need for such position to be filled.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Alpha, hereby approves Sandy O'Laughlin, on a part-time basis, as Park Attendant I at an hourly rate of \$13.00 per hour starting April 15th, 2018.

Councilman Cartabona inquired about the number of applications received for this position.

Motion made by Councilman Cartabona to approve Resolution 2018-63, motion seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss, and Singleton.

Councilman Schwar inquired about the work that is left to be done on the 2016 water utility project. Councilman Cartabona inquired about if the inspector is going to be in the borough for other projects.

**RESOLUTION 2018-63  
RESOLUTION AUTHORIZING BOROUGH ENGINEER TO  
PROVIDE CONSULTING ENGINEERING AND INSPECTION OVERSIGHT SERVICES FOR  
2016 WATER UTILITY 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 engineering services in regard to inspection oversight services for the 2016 Water Utility Improvement Project in the Borough for the contemplated scope of work in accordance with the firm's proposal of April 9, 2018 (attached hereto) and in an amount estimated not to exceed \$14,600.00, 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 2018-64, motion seconded by Councilman Seiss. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss, and Singleton.

**RESOLUTION 2018-64  
RESOLUTION AUTHORIZING BOROUGH ENGINEER  
TO EXECUTE CHANGE ORDER ON THE CONTRACT  
FOR PIPING & VALVE UPGRADES AT FRACE WATER TREATMENT PLANT**

**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 piping and valve upgrades at the Frace Street Water Treatment Plant in the Borough of Alpha; 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 the lowest responsible bidder, PACT Two LLC of Ringoes, New Jersey, for \$325,000.00 based on the recommendation of the Borough Engineer.

**BE IT RESOLVED** by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that the upon the recommendation of the Borough Engineer, Remington & Vernick Engineers, the following change order (all less than 20% of the initial contract referenced above) on the contract for the piping and valve upgrades at the Frace Street Water Treatment Plant is authorized and the Borough Engineer is authorized to execute all documents in accordance therewith upon written certification of funds by the Borough CFO, as follows:

The following changes are hereby authorized by the Borough:

Deduction of \$6,000.00 (mistake on Resolution 2016-113 [\$11,679.00 vs. \$17,679.00]);  
Addition of \$2,549.00 for pH probes;  
Addition of \$856.20 for Solenoid valves;  
Addition of \$4,235.18 for Pursel Street piping modifications; and  
Deduction of \$2,500.00 for sampling sink (previously approved in Resolution 2017-31)

Total Change Order Amount:        - \$859.62        (Reduction of \$859.62).

**BE IT FURTHER RESOLVED**, that the Mayor, CFO, and/or Borough Engineer are authorized to execute all necessary documents to effectuate the contract change order with PACT Two LLC.

*Department Reports:*

*Administration, Councilman Singleton*, reported that the kick off meeting for the new website has been rescheduled until the last week of April. Councilman Singleton

addressed Ms. LaCaruba to answer her question about the safe. He explained that the safe had too many documents in it, and the mechanism for the safe was being blocked so therefore it wasn't actually broken. In closing, Councilman Singleton approved all bills, salaries, and wages for his department.

*Finance, Councilman Schwar,* reported that on April 2<sup>nd</sup> he attended a meeting at the Almond Tree Manor with Councilman Pettinelli. He stated that Councilman Pettinelli gave a speech on the history of Alpha. He also stated that a presentation was given by Dean Baransky, who is the CFO of the health institute of New Jersey. At this time, Councilman Schwar passed handouts to the mayor regarding joining the committee of life sciences. Councilman Schwar received an email from the county that Route 641, Route 642, Lee Avenue, Springtown Road and High Street are set to be repaved in 2019. He stated that we will need to add money to the budget for that. Councilman Schwar reminded everyone that financial disclosures need to be done for April 30<sup>th</sup>. Councilman Schwar stated that a question arose last meeting about the reimbursement of mileage for Mr. Fey. He stated that he traveled 9 times to get CEU's which is a requirement in his position. At this time, Councilman Schwar addressed Ms. Paulus in regards to her question about the IRS penalty. He stated that the reason for the penalty was due to the previous CFO making mistakes on a 1099 form. He also stated that the QPA service is a monthly payment. In closing, Councilman Schwar approved all bills, salaries and wages for his department.

*Health & Welfare, Councilman Pettinelli,* reported that town cleanup will be held on June 8<sup>th</sup> and 9<sup>th</sup>. He also gave the animal control officer's report for the month of March as follows: complaint of an aggressive German Shepherd on Williams Street, a dog was reported missing but was recovered, and a cat was reported missing and has not yet been found. In closing, Councilman Pettinelli has approved all bills, salaries and wages for his department.

*Public Property, Councilwoman Grossman,* reported that porta johns have been delivered to all of the fields and have been staked down. She also reported that Mountainside will begin grass cutting next week. Councilwoman Grossman stated that

seeding and fertilizing has been started at Benke Field. She also stated that Benke Field will be used by the Alpha Braves. Councilwoman Grossman reported that AYAA will not be using circle field this year but that they have agreed to let the girls Pohatcong softball team use it. She also reported that she was able to reach someone at Arbor fencing to get some updated pricing. Councilwoman Grossman stated that she gave everyone a copy of the summer events she has lined up, and wants to know if anyone has any issues with any of it. She stated that the bands would like a stage to perform on, and she inquired if we should rent one again or purchase one for future use. Councilman Schwar recommended that we just buy one. Councilman Pettinelli advised that he knew of someone that we may be able to purchase one from. In closing, Councilwoman Grossman approved all bills, salaries and wages for her department.

*Public Safety, Councilman Seiss,* reported that he spoke with Todd Pantuso about working on the night out event this summer. In closing, Councilman Seiss approved all bills, salaries, and wages for his department.

*Public Works, Councilman Cartabona,* reported that the DPW will be working on picking up sticks and towing the chipper. He stated that he's been meeting with the engineers to possibly put a bike path on Lee Avenue and Springtown Road near the park. In closing, Councilman Cartabona approved all bills, salaries and wages for his department.

Mayor Dunwell inquired if the DPW will be able to clean up stones in the street which he receives many complaints about. Councilman Cartabona stated that they will be setting up to have street sweeping done.

At this time, Councilman Singleton requested 15 minutes in executive session for personnel.

*Committee Reports:*

Councilman Cartabona inquired about having a spring newsletter since we haven't had one in some time. Councilman Schwar stated that is working on it. Mayor Dunwell stated that our QPA is requesting an overview of planning for 2018.

*Professionals & Official Reports:*

*Mayor, Craig S. Dunwell,* reported that he received something from the Highland's council dated April 4<sup>th</sup> stating that we need to reexamine our master plan. He stated that they are going to reallocate ten thousand dollars from other previously granted monies to the borough. Mayor Dunwell requested 25 minutes in executive session for personnel and contractual.

*Police, Chief Stettner,* addressed Mr. Pursell about the body found in Alpha, and stated that he had no information at this time. He reported that the sheriff's department will be participating in the national night out.

*Fire Department, Chief Sean McDyer,* reported that last month they had 7 calls. He also reported that the Easter egg hunt went well. Lastly, he reported that he sent in a letter for the coin toss.

*Attorney, Chris Troxell,* had no report but requested 25 minutes in executive session for personnel and litigation.

*Engineer, Stephanie Cuthbert,* referred everyone to the latest April report previously handed out, giving updates with ongoing projects. Ms. Cuthbert reported that the contractor for the 2016 water utility improvements is requesting an extension until June 1<sup>st</sup>.

A motion was made by Councilman Cartabona to give an extension to the contractor on the water utility improvements until 6/1/18, motion seconded by Councilman Schwar, all were in favor.

A motion was made by Councilman Schwar to give an extension to the contractor working on the South Blvd sanitary project until 6/1/18 as long as they are continuously working on it, motion seconded by Councilman Cartabona, all were in favor.

At this time, a lengthy discussion ensued regarding the engineer's report.

*Recycling Coordinator, Tom Fey*, reported that he is in the process of collecting data through town and will have a completed report by June 15<sup>th</sup>.

*Code Enforcement Officer, Tom Fey*, reported that he sent out 4 letters. Mayor Dunwell asked Mr. Fey and council if they knew what the ordinance stated about garbage not being in cans on garbage day. Mr. Fey stated that he will research and get back to him.

*Library Board, Steve Noll*, reported a list of events coming up such as:

4/12, 4/20, 4/26 – Tech Express

4/16, 4/23, 4/30 – Preschool story time

4/17 – Writers group at 6 pm

4/21 – Read to a dog program & book club

4/24 – NASA event

He also stated that he stopped in today for “bring a friend to play a game”, and there were about 30 kids there.

*Public Comment:*

Jodi Smith, 5<sup>th</sup> Avenue, inquired about the special meeting on Thursday.

Lisa Bambuci, Garfield Street, inquired about having recycling every other week.

Mike Savary, Park Avenue, inquired about why people are using their cellphones in the municipal buildings when there are signs that say “no cellphones”.

Lisa LaCaruba, Springtown Road, also inquired about the special meeting on Thursday.

Marcia Stastny, Warren Street, inquired about the water softener.

Ed Hanics, Schley Avenue, commented on Arbor fencing and how he thought they were good.

Tom Fey, East Boulevard, inquired about when South Boulevard would be fully constructed.

*Payment of Bills and Claims:*

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

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

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

P.O. Type: All		Open: N		Paid: N		Void: N				
Range: First to Last		Rcvd: Y		Held: Y		Aprv: N				
Format: Condensed		Bid: Y		State: Y		Other: Y Exempt: Y				
PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type			
17-00783	12/18/17	VANCLE	VANCLEEF ENGINEERING ASSOCIATE	1557 SPRINGTOWN RD - OCT 2017	Open	240.00	0.00			
18-00015	01/12/18	VITAL	VITAL COMMUNICATIONS, INC	JAN-MAR MOD IV/CAMA TAX SYSTEM	Open	105.00	0.00			
18-00021	01/18/18	ALBOA	ALPHA BOARD OF EDUCATION	2018 Local School Tax	Open	326,116.50	0.00			
18-00040	01/24/18	TRITE	DE LAGE LANDEN FINANCIAL SERV	COPIER LEASE 1/15/18-4/14/18	Open	144.59	0.00			
18-00047	01/25/18	BARANSKY	RANKIN BARANSKY BIOSYS RESRCH	N-2 OPERATOR JAN-MAR 2018	Open	893.33	0.00			
18-00057	01/30/18	SHERI	SHERIDAN COMMUNICATIONS, INC.	TRANSFER INFO TO MEMORY STICK	Open	320.00	0.00			
18-00070	02/02/18	JEWELL	JEWELL COMPUTING SOLUTIONS LLC	BACKUP SERVICE/OFFICE 365-2018	Open	575.77	0.00			
18-00080	02/08/18	CANNING	THE CANNING GROUP LLC	QPA SERVICES	Open	416.67	0.00			
18-00094	02/10/18	LOWCHER	ALAN LOWCHER	1557 SPRINGTOWN RD, LLC #16-05	Open	1,805.00	0.00			
18-00099	02/10/18	VANCLE	VANCLEEF ENGINEERING ASSOCIATE	1557 SPRINGTOWN RD - 2017	Open	720.00	0.00			
18-00103	02/10/18	LMR	LMR CLEANOUT & DISPOSAL	TRASH REMOVAL	Open	13,000.00	0.00			
18-00126	02/23/18	TOWNP	TOWN OF PHILLIPSBURG	POLICE COVERAGE 2018	Open	35,416.67	0.00			
18-00146	03/02/18	HOME	HOME DEPOT CREDIT SERVICES	RACCOON TRAP/DRILL BIT SETS	Open	151.95	0.00			
18-00159	03/09/18	VANCLE	VANCLEEF ENGINEERING ASSOCIATE	1557 SPRINGTOWN RD--PB APPEAL	Open	360.00	0.00			
18-00168	03/20/18	VERI	VERIZON	LIBRARY PHONE CHARGES MAR 2018	Open	44.39	0.00			
18-00170	03/20/18	DRBC	DELAWARE RIVER BASIN COMMISS.	WATER ALLOCATION ANNUAL FEE	Open	456.00	0.00			
18-00179	04/02/18	STPWT	STATE OF NEW JERSEY-PWT	2018 1ST QTR WATER SYSTEM TAX	Open	131.14	0.00			
18-00180	04/02/18	TOWNP	TOWN OF PHILLIPSBURG	2018 1ST QTR SEWAGE BILLING	Open	68,445.75	0.00			
18-00181	04/02/18	JCP&L	JCP&L	ELECTRICITY CHRGS MAR/APR 2018	Open	5,404.09	0.00			
18-00182	04/02/18	LOCK	THE LOCK DOCTOR	REPAIR DOORS/SAFE	Open	190.00	0.00			
18-00184	04/02/18	AMGAS	AMERIGAS - CLINTON 7510	PROPANE - FRACE ST	Open	242.39	0.00			
18-00185	04/02/18	FEDEX	FEDERAL EXPRESS	FEDEX SERVICES 3/15/18	Open	54.42	0.00			
18-00186	04/02/18	BAER	BAER AGGREGATES, INC.	QUARRY PROCESS STONE	Open	567.73	0.00			
18-00187	04/02/18	MGL	MGL PRINTING SOLUTIONS	HOMESTEAD BENEFIT FORMS	Open	78.50	0.00			
18-00188	04/02/18	ELIZGA	ELIZABETHTOWN GAS	GAS CHARGES MARCH 2018	Open	307.83	0.00			
18-00189	04/02/18	ACTION	ACTION DATA SERVICES	PAYROLL SERVICES 3/10/18	Open	168.94	0.00			
18-00190	04/02/18	EAS	EAS BY ACTION DATA	PAYROLL SERVICES 3/10/18	Open	108.12	0.00			
18-00191	04/02/18	NAPA	CARVER'S AUTO PARTS OF WC	REPAIR PARTS	Open	55.72	0.00			
18-00192	04/02/18	ATLSA	ATLANTIC SALT	SALT DELIVERY 3/7,9,12/18	Open	4,492.00	0.00			
18-00193	04/02/18	OPDK	OPDYKE'S SALES & SERVICE	2008 INT'L 7300 MAINTENANCE	Open	469.40	0.00			
18-00195	04/02/18	CORTES	CORTES & HAY, INC.	COUNTY SEARCH FEE	Open	175.00	0.00			
18-00196	04/02/18	MCKEN	ELIZABETH C. MCKENZIE	COAH-3RD ROUND HOUSING ELEMENT	Open	62.50	0.00			
18-00197	04/02/18	FEDEX	FEDERAL EXPRESS	FEDEX SERVICE 3/5/18	Open	32.96	0.00			
18-00200	04/03/18	PERS	PUBLIC EMPLOYEES RETIRE SYS	ANNUAL EMPLOYER APPROPRIATION	Open	40,324.59	0.00			
18-00201	04/04/18	AQUA	AQUA NEW JERSEY	2018 HYDRANT RENTAL	Open	69.84	0.00			
18-00202	04/05/18	DUNWELL	CRAIG S. DUNWELL	VARIOUS REIMBURSEMENTS	Open	595.29	0.00			
18-00203	04/05/18	DOG	NJ DEPT OF HEALTH & SENIOR SER	MAR 2018 DOG LICENSE REPORT	Open	10.80	0.00			
18-00204	04/06/18	DUNWELL	CRAIG S. DUNWELL	UTILITY PARTS	Open	97.30	0.00			
18-00205	04/06/18	DUNWELL	CRAIG S. DUNWELL	CABLE LOCKS/POOL PARTS	Open	53.29	0.00			
Total Purchase Orders:				39	Total P.O. Line Items:	0	Total List Amount:	502,903.47	Total Void Amount:	0.00

*Old Business:*

Councilman Seiss made mention of the microphones working well. He stated that the round microphones aren't working as properly. Councilman Seiss stated that Cooper's is coming up with a quote for new mics. He also stated that we are looking to put one in the center for the public.

*New Business:*

Motion made by Councilman Pettinelli to approve the following:

- Approval of Raffle License #RA-2018-002 for St. Mary's Church: June 3rd, 2018

Motion seconded by Councilwoman Grossman, all were in favor.

Mayor Dunwell inquired with council about the idea of limiting the committee and professionals report to once a month. Attorney Troxell stated that this should be done by Resolution.

Motion made by Councilman Schwar to approve Pavilion Permit with alcohol for Alan Singleton: June 2nd, seconded by Councilwoman Seiss, Councilman Singleton abstained and Councilman Cartabona voted no.

Motion made by Councilman Seiss to approve Pavilion Permit with alcohol for Knights of Columbus: August 26th, seconded by Councilman Pettinelli, all were in favor except for Councilman Cartabona.

Councilman Cartabona requested 5 minutes in executive session for personnel.

Motion made by Councilman Singleton to obtain a no reply email specifically for OPRA requests, seconded by Councilwoman Grossman, all were in favor.

*Executive Session:*

Councilman Cartabona made a motion to approve the following resolution to go back into executive session for 1 hour and 10 minutes for contractual, litigation, and/or personnel. 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 1 hour(s), 10 minutes, allowing for a five (5) minute recess between the regular session and the executive session.

*Return to Regular Session:*

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

Motion made by Councilman Cartabona to un-table Resolution 2018-52, seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton.

Motion by Councilman Cartabona to pass amendment to Resolution 2018-52, seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss and Singleton.

**RESOLUTION 2018-52  
RESOLUTION ESTABLISHING PROCESSING HOURS FOR OPEN PUBLIC  
RECORDS ACT REQUESTS**

WHEREAS, the Borough of Alpha has limited staffing to handle the volume of Open Public Records Requests; and,

WHEREAS, NJSA 47:1A-5 sets special circumstances allowing times during which records may be inspected, examined, copied; accessed and copy fees; in the case of a municipality having a population of 5,000 or fewer according to the most recent federal decennial census, during not less than six regular business hours over not less than three business days per week or the entity's regularly-scheduled business hours, whichever is less; and in the event of a holiday, inclement weather, or any other unforeseen cause, that the clerk's office may be closed, the office will post additional hours to comply with the aforementioned statute, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Alpha, in the County of Warren and the State of New Jersey, hereby sets the hours for review and processing Open Public Records Requests for the following days and times:  
Monday, Tuesday, and Friday from 2:00 pm to 4:00 pm.

Motion made by Councilman Cartabona to approve Resolution 2018-65, seconded by Councilman Schwar. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss, and Singleton.

**BOROUGH OF ALPHA  
RESOLUTION 2018-65  
ROSE CASE**

WHEREAS, the Borough of Alpha was sued by Christy Rose in the United States District Court, District of New Jersey; and

WHEREAS, the defense of said lawsuit was solely by the Borough's insurance carrier and settlement of the case was recommended by the Borough's insurance carrier and its counsel; and

WHEREAS, the settlement of said lawsuit was solely by the Borough's insurance carrier with payment coming from said insurance carrier and any payment by Alpha to

the carrier is governed by a contractual agreement with the carrier which is yet to occur; and

**WHEREAS**, the Borough did not need to take any affirmative steps for the insurance carrier to settle unless it decided to reject settlement and proceed without the benefits of coverages under the insurance policy.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Alpha that the Borough of Alpha hereby memorializes its decision to not take over the litigation, which thus implicitly approved the settlement, of the Rose v. Alpha case filed in the United States District Court, District of New Jersey.

Motion made by Councilman Schwar to approve Resolution 2018-66, seconded by Councilwoman Grossman. Roll Call; Ayes: Cartabona, Grossman, Pettinelli, Schwar, Seiss, and Singleton.

**RESOLUTION 2018-66  
SPECIAL COUNSEL**

**WHEREAS**, the Borough Council and Mayor have decided that Special Counsel should be retained; and

**WHEREAS**, the services of Special 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 Borough of Alpha Council hereby authorizes, Day Pitney, LLC, to be retained as Special Counsel, at the rate of up to \$400 per hour plus relevant costs.

**BE IT FURTHER RESOLVED**, that the mayor and/or Council President are hereby authorized to execute said contract.

Mayor Dunwell asked council if we should keep the special meeting on Thursday or not. Council decided to keep the meeting.

*Adjournment:*

Seeing no further business to come before Council, motion made by Councilman Singleton to adjourn this meeting at 10:10 PM, motion seconded by Councilman Pettinelli, all were in favor.

Respectfully submitted,

Helen Marino

Deputy Clerk