

Council President, Tracy Grossman called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on August 9, 2016

Councilwoman Grossman announced that adequate notice of the meeting was given and posted on the bulletin board in the Clerk's office satisfying the requirements of the Open Public Meeting Act:

NOTICE

Pursuant to the provisions of the Open Public Meetings Act, adequate notice of this meeting has been given. On January 1, 2016, the Municipal Clerk delivered to the Star Gazette/Express-Times and posted on the bulletin board in the Municipal Clerk's office a notice containing the date, time, and place of this meeting of the Borough Council. Also said notice has been mailed to persons requesting the same.

Councilwoman Grossman led prayer and the salute to the flag.

Roll Call: Present; Councilwoman Grossman, Councilman Pettinelli, Councilman Preiss, Councilwoman Ronan, and Councilman Seiss. Absent; Mayor Dunwell and Councilman Schwar.

Public Comment:

Jody Smith, Fifth Avenue – hearing stories of the Borough making Fifth & Sixth Avenue parking on only one side of the street.

Lou Cartabona, Fifth Avenue – some vehicles create problems on streets, not all. One way street is a plus. Mr. Cartabona asked Councilwoman Ronan when the last time was that she attended a Council meeting, seems like she never comes and hasn't been to one for quite some time.

Mike Petrius, M&J Variety – business on corner, LMR didn't pick up garbage so he called, they said they would pick up. Didn't pick up cardboard recycling, when he called again they told him it isn't in their contract with the Borough to pick it up

Tim Mellert, North Boulevard – had to call the squad, was told billing would go through insurance. He then received bill for balance. Said he was told the squad accepted what insurance paid, argued that is what the Borough told him when the squad came to Alpha, he is not paying any bill and wants the Borough to take care of it with the squad before it goes to collections.

Resolutions:

Motion made by Councilman Pettinelli to approve Resolution 2016-120, seconded by Councilman Seiss. Roll call: Ayes; Grossman, Pettinelli, Preiss, Ronan, and Seiss. Nays; None.

**RESOLUTION 2016-120
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT 2015**

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Governing Body of the Borough of Alpha hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a

certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Motion made by Councilman Seiss to approve Resolution 2016-121, seconded by Councilman Pettinelli. Roll call: Ayes; Grossman, Pettinelli, Preiss, Ronan, and Seiss. Nays; None.

**RESOLUTION 2016-121
BOROUGH OF ALPHA
HAZARD MITIGATION PLAN**

WHEREAS the **Borough of Alpha**, New Jersey, has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS a *Hazard Mitigation Plan* (HMP) has been developed by the Mitigation Steering and Planning Committees;

WHEREAS the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the Warren County website so as to introduce the planning concept and to solicit questions and comments; and to present the HMP and request comments, as required by law, and

NOW THEREFORE BE IT RESOLVED by the **Governing Body** of the **Borough of Alpha**:

1. The *Warren County Multi-Jurisdictional Hazard Mitigation Plan*, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on **April 29, 2016** by the Warren County Department of Public Safety/Office of Emergency Management is hereby adopted as an official plan of the **Borough of Alpha**; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The **Borough** departments identified in the HMP are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the HMP shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the **Borough of Alpha**, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Warren County Deputy Public Safety Director and Deputy Office of Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Warren County Department of Public Safety/Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

Motion made by Councilman Seiss to approve Resolution 2016-122, seconded by Councilman Pettinelli. Roll call: Ayes; Grossman, Pettinelli, Preiss, Ronan, and Seiss. Nays; None.

Attorney Troxell stated amendment sent by him at 6pm eliminated 6th Avenue and accepted Bid 4 in the amount of \$570,917.18 and Resolution would state such for approval.

**RESOLUTION 2016-122
RESOLUTION AWARDING A CONTRACT FOR THE
RECONSTRUCTION OF A PORTION
OF FIRST AVENUE AND OLIVE STREET**

WHEREAS, the Mayor and Council of the Borough of Alpha have determined that certain improvements are needed for the Borough's road system, including but not limited to the reconstruction of a portion of First Avenue and Olive Street in the Borough; 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

WHEREAS, the Borough of Alpha has received the lowest responsible bid from Topline Construction Corp., of Somerville, New Jersey, based on the recommendation of the Borough Engineer for Base Bid #4.

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 reconstruction of a portion of First Avenue and Olive Street in the Borough, including the contemplated work, construction and improvements thereto, is hereby awarded to Topline Construction Corp., of Somerville, New Jersey, having bid \$570,917.18 for said work under Base Bid #4, upon written certification of funds by the Borough CFO.

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

Motion made by Councilman Seiss to approve Resolution 2016-123, seconded by Councilman Pettinelli. Roll call: Ayes; Grossman, Pettinelli, Preiss, Ronan, and Seiss. Nays; None.

**RESOLUTION 2016-123
RESOLUTION FOR CORRECTIVE ACTION PLAN FOR 2015 AUDIT REPORT
OF THE BOROUGH OF ALPHA, WARREN COUNTY, NEW JERSEY**

WHEREAS, Local Finance Notice #92-15 issued July 8, 1992, requires that all municipalities prepare and submit a Corrective Action Plan as part of their annual audit process and in accordance with OMB Circulars and #92-15, and

WHEREAS, the resolution is submitted to the Division of Local Government Services, Department of Community Affairs and placed on file with the clerk sixty (60) days from the date the audit is received by the governing body, and

WHEREAS, the audit report was received on July 22, 2016, and

WHEREAS, this corrective action plan resolution has been prepared by the Chief Financial Officer and approved by the governing body of the municipality,

WHEREAS, Charles J. Daniel, the Chief Financial Officer, has prepared a corrective action plan for findings in the 2015 Audit Report of the Borough of Alpha, Warren County, New Jersey, and

WHEREAS, the Chief Financial Officer has provided the Mayor and the Council of the Borough of Alpha, Warren County, New Jersey with a copy of this corrective action plan, and

WHEREAS, the Mayor and the Council of the Borough of Alpha, Warren County, New Jersey have reviewed the findings and the corrective actions of this plan.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Alpha, Warren County, New Jersey approve the corrective action plan and that the Chief Financial Officer of the Borough of Alpha, County of Warren, New Jersey is hereby directed to carry out the Corrective Action Plan for the 2015 Audit Report and the Municipal Clerk will forward a copy of this resolution to the Department of Community Affairs.

Motion made by Councilman Pettinelli to approve Resolution 2016-124, seconded by Councilman Preiss. Roll call: Ayes; Grossman, Pettinelli, Preiss, Ronan, and Seiss. Nays; None.

**RESOLUTION 2016-124
RESOLUTION BY THE BOROUGH OF ALPHA, COUNTY OF WARREN, STATE OF NEW
JERSEY, AUTHORIZING THE CORRECTION OF A 2016 PROPERTY**

WHEREAS, the Assessor of the Borough of Alpha, County of Warren, State of New Jersey, has informed the Mayor and the Council of the Borough of Alpha of an assessment correction on Block 97, Lot 2.01, Q0032,

WHEREAS, the following property should have received an assessment for 2016 of \$3,600 for land and \$0 for the improvement, total of \$3,600 not \$357,000 for land and \$0 for the improvement, total \$357,000,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Alpha, County of Warren, State of New Jersey that the Assessor and the Tax Collector of the Borough of Alpha are hereby authorized to make the necessary correction as listed above and correct the assessment for the tax year 2016.

Department Reports:

Administration, Councilman Peter Pettinelli: Councilman Pettinelli reported signing the purchase order for computers. Hasn't gotten to the phones yet because the Mayor wants to talk to him about it and he is away at this time.

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

Finance, Councilman Michael Schwar: Councilman Schwar was absent from the meeting but did come in earlier in the day to approve and sign his bills.

Health & Welfare, Councilwoman Kathleen Ronan: Councilwoman Ronan reported she is continuing with the ongoing complaints with the growth of trees within the Borough that need to be trimmed.

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

Public Property, Councilwoman Tracy Grossman: Councilwoman Grossman reported on the second movie night being tomorrow and they will be showing Percy Jackson.

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

Public Safety, Councilman Thomas Seiss: Councilman Seiss had no report but approved all bills, salaries, and wages for his department.

Public Works, Councilman Jack Preiss: Councilman Preiss had no report but requested ten minutes executive session for litigation.

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

Professionals & Official Reports:

Mayor, Craig S. Dunwell.: Mayor Dunwell requested by email that Councilwoman Grossman lead a discussion for the 2016 Ballot Referendum Question concerning voter approval of taxpayer support to re-open the John Dolak Memorial Pool. Councilwoman Grossman read the two options of the question to be placed on the ballot. Sent an email earlier in the week for suggestions and received responses from only

Councilman Schwar. One question regarded monies to come from Open Space and the other for monies to come from Historical Land Preservation.

Councilman Seiss stated the first question was too long and the second question sounds good but doesn't say anything about refurbishment of the pool. Attorney Troxell suggested they include "pool operation" within the second question. Councilman Seiss agreed.

Councilwoman Ronan said she remains on the fence. Will people be willing to see their taxes go up for the pool? Councilwoman Grossman said taxes will remain at four cents, won't change, is currently the tax being paid for Open Space.

Councilman Pettinelli stated he will say what he has been for the last 18 months; he is waiting to see a plan. Lengthy discussions ensued regarding the referendum wording.

Councilman Seiss made a motion to put question number two on the 2016 Ballot referendum, seconded by Councilman Preiss, all were in favor.

**RESOLUTION
REFERENDUM FOR NOVEMBER BALLOT REGARDING MUNICIPAL OPEN SPACE,
RECREATION, FARMLAND AND HISTORIC PRESERVATION TRUST FUND**

WHEREAS, the Borough of Alpha Council approves the following question to appear on the ballot as a non-binding referendum for the 2016 November General Election:

"With the Borough having recently achieved all of its open space and farmland acquisition goals, do you favor redirecting 100% of the available balance of the Municipal Open Space, Recreation, and Farmland and Historic Preservation Trust Fund monies to recreation activities within the Borough, including refurbishing, reopening, and operating the John Dolak Memorial Pool, now and in the future?"

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Alpha that the Municipal Clerk be authorized to forward said question to the Warren County Clerk for the 2016 November General Election ballot.

Attorney, Christopher Troxell: Attorney Troxell did not have a report but requested five minutes executive session for potential litigation.

Engineer, Stephanie Cuthbert: Stephanie went through the report distributed to Council and provided any updates. Also stated they are now working on the 2016 utility improvements.

Sewer Engineer, Jim Hill: Mr. Hill provided a report with updates on sewer related projects being worked on.

CFO, Charles Daniel: Mr. Daniel stated both Resolutions, one for the audit and the other for the corrective action, have been approved at tonight's meeting and he would

answer any questions from Council. Mr. Daniel advised he would be taking a vacation day on Thursday, 8/18.

Recycling Coordinator, Thomas Fey: Mr. Fey said he was involved with this issue between Mr. Petrius and LMR and will attend the meeting with Attorney Troxell.

Code Enforcement, Thomas Fey: Mr. Fey said he provided the report to Councilman Pettinelli. He also advised Councilman Preiss how important it is for DPW to get the loader. Mr. Fey stated that the area is filling up with water and residents are complaining of mosquitos.

Library Board, Louis Cartabona: Mr. Cartabona advised that on 8/10 the Dog Listener program will be in the library and residents can sign up for 15 minute slots. They also have a Natural Stories program and an Adult Book Group.

Public Comment:

Jim Pfeiffer, East Central Ave. – Asked what's being done with the mower, just sits there. Asked how long the water has been down. Mr. Pfeiffer also asked for an update on the speed limit sign for 7th Avenue.

Louis Cartabona, Fifth Ave. – Thanked Council for coming together regarding the pool question being placed on the ballot.

Payment of Bills & Claims:

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

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

Councilman Pettinelli made a motion that the CFO be authorized to pay all salaries and wages approved by the director, Councilman Preiss seconded. Roll call: Ayes; Grossman, Pettinelli, Preiss, Ronan, and Seiss. 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			
16-00172	03/03/16	FREY ENG	FREY ENGINEERING, LLC	Sewer Repairs-Grout/Line, etc.	Open	9,356.38	0.00			
16-00177	03/07/16	HOME	HOME DEPOT CREDIT SERVICES	CLEANING SUPPLIES FOR GARAGE	Open	59.39	0.00			
16-00520	07/07/16	ZEO	THE ZEO GROUP	MOVIE SCREEN RENTALS	Open	785.00	0.00			
16-00557	07/19/16	BIOLYN	BIOLYNCEUS	PROBIOTIC SCRUBBER II	Open	3,528.86	0.00			
16-00567	07/26/16	HOME	HOME DEPOT CREDIT SERVICES	SEWER DEPT SUPPLIES	Open	136.98	0.00			
16-00584	07/28/16	DEERPARK	READY REFRESH BY NESTLE, A DIV	WATER DELIVERY 6/30/16	Open	25.19	0.00			
16-00585	07/28/16	TRITE	DE LAGE LANDEN FINANCIAL SERV	COPIER LEASE 7/15/16-8/14/16	Open	144.59	0.00			
16-00586	07/28/16	NJADVME	NJ ADVANCE MEDIA	ADS FOR ORDINANCES/BIDDERS	Open	410.24	0.00			
16-00587	07/28/16	FASTENAL	FASTENAL	MISCELLANEOUS PARTS/SUPPLIES	Open	142.33	0.00			
16-00588	08/02/16	ONECA	ONE CALL CONCEPTS	JULY REGULAR LOCATES	Open	8.75	0.00			
16-00589	08/02/16	LMR	LMR CLEANOUT & DISPOSAL	TRASH REMOVAL - JULY	Open	12,833.33	0.00			
16-00590	08/02/16	ACTION	ACTION DATA SERVICES	PAYROLL SERVICES 7/17/16	Open	132.45	0.00			
16-00591	08/02/16	EAS	EAS BY ACTION DATA	PAYROLL SERVICES 7/17/16	Open	101.63	0.00			
16-00592	08/02/16	POHPOL	TOWNSHIP OF POHATCONG	TRAFFIC DETAIL 7/19/16	Open	579.00	0.00			
16-00593	08/02/16	MJRSE	MJR SERVICES INC	FOLD AND INSERT TAX BILLS	Open	200.00	0.00			
16-00596	08/02/16	JCPL	JCP&L	ELECTRICITY CHARGES	Open	3,514.37	0.00			
16-00597	08/02/16	HEALTH	STATE OF NJ HEALTH BENEFITS	July '16 Health Benefits	Open	8,493.09	0.00			
16-00602	08/04/16	FREY ENG	FREY ENGINEERING, LLC	2013 Engineering Services	Open	335.00	0.00			
16-00603	08/04/16	FREY ENG	FREY ENGINEERING, LLC	ENGINEERING SERVICES - ALPHA-2	Open	3,334.60	0.00			
16-00604	08/04/16	FREY ENG	FREY ENGINEERING, LLC	ENGINEERING SERVICES - ALPHA-3	Open	6,030.40	0.00			
16-00605	08/04/16	FREY ENG	FREY ENGINEERING, LLC	ALPHA-4 TASKS	Open	7,816.23	0.00			
16-00606	08/04/16	FREY ENG	FREY ENGINEERING, LLC	ENGINEERING SERVICES - ALPHA-1	Open	1,250.00	0.00			
16-00607	08/04/16	FREY ENG	FREY ENGINEERING, LLC	ENGINEERING SERVICES - ALPHA-5	Open	57.50	0.00			
16-00608	08/04/16	FREY ENG	FREY ENGINEERING, LLC	Engineering Services	Open	263.12	0.00			
16-00609	08/04/16	FREY ENG	FREY ENGINEERING, LLC	Engineering Services	Open	398.13	0.00			
16-00610	08/04/16	FREY ENG	FREY ENGINEERING, LLC	Engineering Services	Open	57.50	0.00			
16-00611	08/04/16	TOWNP	TOWN OF PHILLIPSBURG	2/3/4 QTRS '16 MUNICIPAL COURT	Open	10,608.00	0.00			
16-00612	08/04/16	COOPR	COOPER ALARM SYSTEMS	PROGRAM KEYFOBS-DUNWELL/PREISS	Open	135.00	0.00			
16-00613	08/09/16	PURS	LEO PURSELL JR.	CDL LICENSE REIMBURSEMENT	Open	42.00	0.00			
16-00615	08/09/16	KLIFER	Kevin Lifer	CMFO Training - June/July 2016	Open	1,462.50	0.00			
16-00616	08/09/16	CONSERV	Conservation Advising Svcs LLC	Open Space Advising	Open	399.50	0.00			
16-00617	08/09/16	GIBBO	GIBBONS P.C.	PREPARATION OF BOND ORDINANCE	Open	611.50	0.00			
16-00618	08/09/16	MCKEN	ELIZABETH C. MCKENZIE	COAH-3RD ROUND HOUSING ELEMENT	Open	500.00	0.00			
16-00619	08/09/16	LOWCHER	ALAN LOWCHER	LUB MEETING ATTENDANCE-6/2016	Open	400.00	0.00			
Total Purchase Orders:				34	Total P.O. Line Items:	0	Total List Amount:	74,152.56	Total Void Amount:	0.00

Old Business:

Councilman Pettinelli advised that he attended the Phillipsburg School Board meeting and it was approved that Mr. George Chando would do shared services as the Superintendent for the Alpha School.

New Business:

Motion made by Councilman Preiss to approve Raffle License RA-2016-6 for Alpha Volunteer Fire Company, seconded by Councilwoman Ronan, all were in favor with the exception of Councilman Seiss abstaining.

Executive Session:

Councilman Seiss made a motion to approve the following resolution to go into executive session for 20 minutes for contractual, litigation, and/or personnel. Motion seconded by Councilman Preiss, 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 20 minutes, allowing for a five (5) minute recess between the regular session and the executive session.

Return to Regular Session:

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

Adjournment:

Seeing no further business to come before Council, motion made by Councilman Seiss to adjourn this meeting at 8:59 pm, motion seconded by Councilwoman Ronan, all were in favor.

Respectfully submitted,

Amy J Sharpe

Borough Deputy Clerk