

Mayor Dunwell called the Meeting of the Common Council of the Borough of Alpha to order at 7:00 p.m. on October 25, 2016

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

NOTICE

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

Mayor Dunwell led prayer and the salute to the flag.

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

Public Hearing – Open Space/Recreation Annual Hearing:

Mayor Dunwell began the public hearing by giving the history of past referendums of the pool, acquisitions development, and maintenance (monies collected for). \$750,000 estimated from Engineer (not to exceed) to repair and open the pool.

Councilman Pettinelli stated he wants the total cost to open it. Has yet to see electric costs, needs an estimate. Councilman Pettinelli also added that he would like to see an updated contract from Mountain Lakes and the \$100,000 from John Dolak needs to be in writing.

Joey Fore, Morris Street, expressed his shock in the new estimate amount of \$750,000.00 and added a new building can be put up for that amount.

Leo Pursel, High Street, stated that he would not dump \$750,000.00 into the pool at this point.

Pat Fey, East Boulevard, expressed her opinion on how Council is dragging their feet.

Dave Cavanaugh, 6th Avenue, stated that the money should be used to fix the roads in town.

Jim Pfeiffer, East Central Avenue, inquired about lifeguard costs, electric costs, and manager salary.

Mike Savary, Park Avenue, inquired about an ordinance prohibiting tax dollars being used to support the pool

Joey Fore, Morris Street, stated that maybe basketball or other stuff to get done, and use money for their activities instead of the pool.

Councilman Pettinelli reiterated his view of having more homes built to ease the tax burden.

Mayor Dunwell thanked Mr. Savary for his hand in negotiations with Rocco and ultimately acquiring the Rocco property.

Regular Public Comment:

Dave Cavanaugh, 6th Avenue, mentioned to Seiss, corner of 6th and Central. Parking ordinance in town states 25 feet from an intersection. For a month a green dumpster has been parked five feet from the intersections and causing safety issues.

Leo Pursel, High Street, brought up an issue from when his wife needed the ambulance to transport her to hospital and now is receiving a bill from the Emergency Squad.

Jim Pfeiffer, East Central Avenue, inquired about the stainless steel pump.

Mike Savary, Park Avenue, asked about the status of firm capacity.

Dave Cavanaugh, 6th Avenue, reported on stones in the roadway.

Jim Pfeiffer, East Central Avenue, commented on the paving on Morris street,.

Ordinances:

Motion to open public hearing regarding Ordinance 2016-14 made by Councilman Seiss, seconded by Councilman Cartabona. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

Mike Savary, Park Avenue, asked how much the increase of fees would be.

Motion to close public hearing made by Councilman Cartabona, seconded by Councilwoman Grossman, all were in favor.

Motion to adopt Ordinance 2016-14 made by Councilman Cartabona, seconded by Councilman Seiss. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays: None.

ORDINANCE 2016-14
AN ORDINANCE AMENDING CHAPTER 178
REVISED CONSTRUCTION PERMIT FEE SCHEDULE

WHEREAS, the Governing Body of the Borough of Alpha hereby amends Chapter 178 revising its construction permit fee schedule; and

NOW THEREFORE BE IT RESOLVED, that the following be revised as stated:

§178-3 Fees.

A. General.

- (1) The fee for plan review, shall be computed as a percentage of the fee for a construction permit, and shall be paid at the time of the application for a permit or at the discretion of the Construction Official be paid at the time of granting the permit. Plan review fees are not refundable.
- (2) The fee to be charge for a construction permit shall be the sum of the basic construction fees plus all applicable surcharges, flat fees and special fees, such as elevator or sign fees. This fee shall be paid before a permit is issued.
- (3) The fee to be charged for a certificate for occupancy shall be paid before the certificate is issued. This fee shall be in addition to the construction permit fee.
- (4) Fees shall be rounded to the nearest dollar amount or to the next larger dollar amount.
- (5) Whenever the municipality contracts with an on-site agency for plan review and inspection subcode services, the construction permit fees charged for hose contracted subcode services shall be Department fees pursuant to N.J.A.C. 5:23-4.20 multiplied by the percentage set forth in contract between the municipality and the agency. The fee shall not exceed the amount to be paid to the private agency except for the surcharge fee in accordance with section #235-3. C. (3).

B. State of New Jersey training fees.

- (1) In order to provide for the training, certification and technical support programs required by the Act, the enforcing agency shall collect a surcharge fee, which shall be based upon the volume of new construction within the municipality. Said fee shall be accounted for and shall be remitted to Treasurer, State of New Jersey, on a quarterly basis for the fiscal quarters ending September 30, December 31, March 31 and June 30 and not later than one month next succeeding the end of the quarter for which it is due.
- (2) Amount. This fee shall be in accordance with the prevailing New Jersey State permit surcharge fees pursuant to N.J.A.C. 5:23-4.19(b) of the New Jersey Uniform Construction Code.
 - (a) No fee shall be collected for pre-engineered systems of commercial farm buildings.
 - (b) No fee shall be collected for permits to perform asbestos abatement or lead abatement.
 - (c) No fee shall be collected for permits for the construction or rehabilitation of residential units that are to be legally restricted to occupancy by households of low or moderate income, as defined in N.J.A.C. 5:43-1.5.
 - (d) No fee shall be collected for permits for the demolition of a building or other structure.
 - (e) No fee shall be collected for work consequential to a natural disaster when the local code enforcement agency is waiving its fee.

C. Enforcing agency fees.

- (1) Plan review fee: The fee for plan review shall be 5% of the amount to be charged for a new construction permit.
- (2) Basic construction permit fees: The basic construction permit fee shall be the sum of the parts computed on the basis of the volume or cost of construction, the number of plumbing fixtures and pieces of equipment, the number of electrical fixtures and ratings of electrical devices, the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates and/ or applicable flat fees as provided herein plus any special fees.
- (3) Administrative municipal surcharge fees: The following municipal surcharge fees shall be assessed and shall be in addition to the basic construction permit fees and certificate, flat or other special permit fees as listed in this section. Administrative fees are assessed to defray the additional costs associated with processing the permits or certificates for the following class of permits.
 - (a) There shall a municipal surcharge fee in the amount of 15% of the cost of a sub code (permit fee) whenever the municipality contracts with a private

on-site agency for plan review and inspection services for a technical sub code.

- (b) There shall be an additional municipal surcharge calculated at 2 ½ times the herein listed permit fees and it shall be added to the cost of a construction permit whenever the enforcing agency is required to investigate and notify an owner, agent, applicant or contractor to obtain a construction permit for work performed in violation of N.J.A.C. 5:23-2.14 or N.J.A.C. 5:23-2.17A.
- (c) There shall be an additional \$125.00 surcharge assessed whenever the enforcing agency is required to investigate or notify an owner, agent, applicant or contractor to abate a certificate or occupancy violation pursuant to N.J.A.C. 5:23-2.23.

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 \$68 for the first 2000 cubic feet of building or structure volume and \$0.034 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.
- (2) Fees for renovations, alterations and repairs, site construction associated with pre-engineered systems of commercial farm buildings, premanufactured construction, and the external utility connections for premanufactured construction shall be based upon the estimated cost of work.
 - (a) For Use Groups A-3, R-3, and R-5 the fee shall be \$46 for the first \$3,000 of the estimated cost of work and \$16 per \$1,000 of value for the cost of work exceeding \$3,000 up to and including \$50,000, and \$12 per \$1,000 of value for the cost of work in excess of \$50,000.
 - (b) For Use Groups A-1, A-2, A-4, A-5, B, E, F-1, F-2, H, I, M, R-1, R-2, R-4, S-1, S-2, and U, the fee shall be \$56 for the first \$3,000 of estimated cost of work and \$24 per \$1,000 of value for the cost of work exceeding \$3,000 up to and including \$50,000, and \$12 per \$1,000 of value for the work in excess of \$50,000.
 - (c) For the purpose of determining estimated cost, the applicant shall submit to the enforcing agency, when required by the Construction Official, such cost data as may be available, produced by the architect or engineer of record, or by a recognized firm, or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The Construction Official shall make the final decision regarding the estimated cost of work.
- (3) Fees for additions shall be computed on the same basis as for new construction for the added portion.
- (4) Fees for a combination of renovations and additions shall be computed as the sum of the fees computed separately in accordance with Subsection D(1), (2), and (3) above.
- (5) The fee for tents, in excess of 900 square feet or more than 30 feet in any dimension, shall be a flat fee of \$92.
- (6) The fee for roofing and siding work completed on a structure in Use Groups R-3 and R-5 shall be a flat fee of \$48.
- (7) The fee for an aboveground swimming pool shall be \$65. The fee for an in-ground swimming pool shall be \$150. These fees shall include any protective fencing mechanically attached to a pool structure or other protective fencing equal to or less than 6 feet in height. Fencing higher than 6 feet is subject to the fees herein listed.
- (8) The fee for pre-manufactured garden and utility-type yard sheds which are from 100 to 200 square feet in area or greater than 10 feet in height and accessory to Use Groups R-3 or R-5 of the building subcode shall be \$36. The fee for utility yard sheds for all other use groups or sheds constructed on site shall be \$48. The fees for all sheds greater than 200 square feet shall be computed in accordance with §178-3 D(1).
- (9) The fee for the installation of a fence over 6 feet in height and accessory to Use Groups R-3 and R-5 of the building subcode shall be \$46. For all other use groups the fee shall be \$120.

E. Plumbing subcode fees: plumbing fixtures and equipment.

- (1) For plumbing fixtures and equipment, the fee shall be in the amount of \$13 per fixture, piece of equipment or appliance connected to the plumbing system and for each appliance connected to the gas piping or oil piping systems, except as indicated in Subsection E(2) below.
- (2) The fee shall be \$65 per special device for the following: grease traps, oil separators, refrigeration units, utility service connections, backflow preventers equipped with test ports (double check valve assembly, reduced pressure zone and pressure vacuum breaker

backflow preventers), steam boilers, hot-water boilers (excluding those for domestic water heating), active solar systems, sewer pumps and interceptors. There shall be no inspection fee charged for gas utility service entrance.

- (3) There shall be a flat fee of \$52 for 4 or fewer plumbing fixtures, appliances, or pieces of equipment connected to the gas or oil piping system.

F. Electrical subcode fees: electrical fixtures and devices.

- (1) The fee for the first block of outlets consisting of 1 to 25 receptacles, fixtures or devices shall be \$46, and for each additional block consisting of 25 receptacles, fixtures or devices, the fee shall be \$8. For the purpose of computing this fee, receptacles, fixtures or devices shall include lighting fixtures, wall switches, convenience receptacles, sensors, dimmers, alarm devices, smoke and heat detectors, communication outlets, light standards 8 feet or less in height including luminaries, emergency lights, electric signs, exit lights or similar electric fixtures and devices rated 20 amperes or less including motors or equipment rated less than 1 horsepower (hp) or 1 kilowatt (kw).
- (2) For each motor or electrical device rated from 1 hp or 1 kw to 10 hp or 10 kw; for each transformer or generator rated from 1 kw or 1 kva to 10 kw or kva; for each replacement of wiring involved one branch circuit or branch thereof; for each storable pool or hydromassage bathtub; for each underwater lighting fixture; for household electrical cooking equipment rated up to 16kw; for each fire, security or burglary alarm control unit; for each receptacle rated from 30 amperes to 50 amperes; for each light standard greater than 8 ft. in height including luminaries; and for each communications closet, the fee shall be \$13.
- (3) For each motor or electrical device rated from greater 10 hp or 10 kw to 50 hp or 50 kw; for service equipment, panelboard, switchboard, switchgear, motor control center, or disconnecting means rated 225 amperes or less; for each transformer or generator rated from greater than 10 kw or 10 kva to 45 kw or 45 kva; for each electrical sign rated greater than 20 amperes to 225 amperes including associated disconnected means; for each receptacle rated greater than 50 amperes; and for each utility load management device, the fee shall be \$54.
- (4) For each motor or electrical device rated from greater than 50 hp or 50 kw to 100 hp or 100 kw; for each service equipment panelboard, switchboard, switchgear, motor control center or disconnecting means rated from greater than 225 amperes to 1000 amperes; and for each transformer or generator rated from greater than 45 kw or 45 kva to 112.5 kw or 112.5 kva, the fee shall be \$116.
- (5) For each motor or electrical device rated greater than 100 hp or 100 kw; for each service equipment, panelboard, switch board, switchgear, motor control center or disconnecting mean rated greater than 1000 amperes; and for each transformer or generator rated greater than 112.5 kw or 112.5 kva, the fee shall be \$576.
- (6) The fee charged for electrical work for each permanently installed swimming pool as defined in the building subcode, spa, hot tub or fountain shall be a flat fee of \$65 which shall include any required bonding and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles, and heaters, etc., excepting panelboards and underwater lighting fixtures. For public swimming pools, the fee shall be based on the number of electrical fixtures and ratings on electrical devices involved in accordance with subsection F(1) through (5) above.
- (7) The fee charged for the installation of single- and multiple-station smoke or heat detectors and fire, burglar or security alarm systems in any one- or two-family dwelling shall be a flat fee of \$29 per dwelling unit. For fire, burglar and security alarm systems and detectors in buildings, other than one- or two-family dwellings, the fee shall be charged in accordance with Subsection F(1) and (2) above.
- (8) For photovoltaic systems, the fee shall be based on the designed kilowatt rating of the solar photovoltaic system as follows:
 - (A) One to 50 kilowatts, the fee shall be \$58.
 - (B) Fifty-one to 100 kilowatts, the fee shall be \$116.
 - (C) Greater than 100 kilowatts, the fee shall be \$576.
- (9) For installations consisting of multimeter stacks, the fee shall be based on the ampere rating of the main bus and not upon the number of meters or rating of disconnects on the meter stack. Individual loadside panel boards shall be charged in accordance with Subsection F (3), (4) and (5) above. There shall be no additional fee charged for the concurrent installation of individual feeder conductors.
- (10) For motors or similar devices requiring concurrent installation of individual controls, relays and switches, the fee shall be based only upon the rating of the motor or device. There shall be ono additional fee charged for the concurrent installation of individual circuit components, for example, controllers, starters, and disconnecting means.

- (11) For electrical work requiring the replacement of service entrance conductors or feeder conductors only, the fee shall be in accordance with Subsection F(2) through (5) above based on the designated ampere rating of the overcurrent device of the service or feeder.
- (12) The fee charged for process equipment shall be based on the ampere rating of the overcurrent device protecting the conductor feeding the process equipment or cutoff device.
- (13) For the purpose of computing; all electrical and communications devices, utilization equipment and motors which are part of premises wiring, except those which are portable plug-in type, shall be counted.
- (14) For the inspection of an electrical service and the issuance of a cut in card, as part of an electric utility request to install or unblock and electric meter, the fee shall be \$54.
- (15) For an annual electrical inspection of swimming pools, spas or hot-tubs, which are required to be inspected pursuant to N.J.A.C. 5:23-2.18C, the fee shall be \$54.

G. Fire protection subcode fees; for fire protection and hazardous equipment, sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas- and oil- fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums, the fee shall be as follow:

- (1) The fee for 20 or fewer heads shall be \$83; for 21 to and including 100 heads, the fee shall be \$115; for 101 to and including 200 heads, the fee shall be \$289; for 201 to and including 400 heads, the fee shall be \$748; for 401 to and including 1,000 heads, the fee shall be \$1,036; For over 1,000 heads, the fee shall be \$1,323.
- (2) The fee for 1 to 12 detectors shall be \$72; and for each additional 25 detectors or portion thereof, the fee shall be in the amount of \$15.
- (3) The fee for each standpipe shall be \$289.
- (4) The fee for each independent pre-engineered system shall be \$116.
- (5) The fee for each gas- or oil-fired appliance that is not connected to the plumbing system shall be \$58.
- (6) The fee for each kitchen exhaust system shall be \$58.
- (7) The fee for each incinerator or crematorium shall be \$365.
- (8) For single- and multiple-station smoke or heat detectors and fire alarm systems in any one- or two-family dwelling, there shall be a flat fee of \$36 per dwelling unit. For detector and fire alarm systems in buildings other than one- or two-family dwellings, the fee shall be charged in accordance with Subsection G(2) above.
- (9) The fee for the installation of a flammable or combustible liquid storage tank in excess of 275 gallons capacity in use groups R-3 and R-5 shall be \$46. For all other use groups, the fee shall be \$73 per tank.

H. Fees for certificates and other permits are as follows:

- (1) For a demolition or removal permit for a building or structure less than 5,000 square feet in area and less than 30 feet in height; for one or two family residences (Use Group R-3 or R-5) and structures on farms including commercial farm buildings under N.J.A.C. 5:23-3.2(d) the fee shall be \$82.00. For all other use groups the fee shall be \$150.00. For the removal of a structure, accessory to use group R-3 or R-5 and less than 200 square feet in area, the fee shall be \$36.
- (2) For the removal or abandonment of an underground flammable or combustible liquid storage tank and accessory to a Use Group R-3 or R-5 of the building subcode the fee shall be \$46.00. For all other use groups, the fee for underground storage tanks shall be \$120.00. For the removal of an above-ground combustible or flammable liquid storage tank up to 660 gallons in capacity for all use groups shall be \$39. For above-ground tanks over 660 gallons the fee shall be \$120.
- (3) The fee for a permit to construct a sign shall be in the amount of \$1.45 per square foot of surface area of the sign; computed on one side only for double-faced signs. The fees for signs with a surface area of 32 square feet or less shall be a flat fee of \$46.00.
- (4) The fee for a Certificate of Occupancy shall be \$65.00 for buildings in Use Groups R-3 and R-5 of the building subcode. For Use Groups A, B, E, F, H, I, R1, R2, R4, S, and U in the building subcode, the fee shall be \$120. For buildings requiring the issuance of multiple certificates of occupancy for more than one dwelling or tenant space, the fee shall be \$40 per tenant space, dwelling or unit area within the building.
- (5) The fee for a Certificate of Occupancy granted pursuant to a change of use group shall be \$150.
- (6) The fee for a Certificate of Continued Occupancy shall be \$120.
- (7) The fee for the first issuance and the renewal of a Temporary Certificate of Occupancy shall be \$45.00 for all use groups.

- (8) The plan review fee of a building, for compliance under the alternate systems and nondepletable energy source provisions of the energy subcode, shall be \$274 for one and two-family homes (Use Groups R-3 or R-5 of the building subcode) and for light commercial structures having the indoor temperature controlled from a single point. For all other structures, the fee shall be \$1,369.
- (9) The fee for an application for a variation in accordance with N.J.A.C. 5:23-2.10 shall be \$594.00 for Class I structures and \$120.00 for Class II and Class III structures. The fee for a resubmission of an application for a variation shall be \$229.00 for Class I structures and \$65.00 for Class II and Class III structures.
- (10) The fee for a permit for lead hazard abatement work shall be \$106. The fee for a lead abatement clearance certificate shall be \$28.
- (11) The administrative fee for a construction permit issued for an asbestos hazard abatement project shall be \$106.
 - (a) An administrative fee for each certificate of occupancy issued following the completion of an asbestos hazard abatement project shall be \$28.
- (12) For cross connections and backflow preventers that are subject to testing and requiring an annual re-inspection, the fee shall be \$65 for each device when they are tested. In occupancies where multiple backflow preventers are inspected and tested on the same day, requiring one commute to the inspection site, the fee shall be \$65 for the first device and \$13 for each additional device. For other inspection arrangements requiring additional commutes to the inspection site the fees shall repeat and be in addition to the initial inspection fees.
- (13) The fee for a mechanical inspection in a Use Group R-3 or R-5 structure by a mechanical inspector shall be a flat fee of \$58 for the first installed device, appliance, or piece of equipment and \$16 for each additional device, appliance, or piece of equipment. No separate fee shall be charged for the gas, fuel oil, or water-piping connections associated with the mechanical equipment.

I. Annual permit requirements and fees.

- (1) The fee for an annual construction permit shall be charged annually. This fee shall be a flat fee based upon the number of maintenance workers (including foremen) employed by the facility, and who are primarily engaged in work that is governed by a subcode. Managers, engineers, and clericals shall not be considered maintenance workers for the purpose of establishing the annual construction permit fee. Annual permits may be issued for building, fire protection, electrical and plumbing.
- (2) Fees for annual permits shall be as follows:
 - (a) For 1 to 25 persons the fee shall be \$667 per worker, and for each additional person over 25 the fee shall be \$232 per worker.
 - (b) Prior to the issuance of the annual permit, a training registration fee of \$140 per subcode and a list of not more than three individuals to be trained per subcode shall be submitted by the applicant to the Department of Community Affairs, Bureau of Code Services, Training Section, along with a copy of a construction permit (Form F170). Checks shall be made payable to "Treasurer, State of New Jersey." The Department shall register these individuals and notify them of the courses being offered.

J. Elevator devices.

- (1) The fee for the plan review for elevator devices, in structures of Use Groups R-3 and R-5 and for elevator devices within dwelling units in R-2 structures, shall be \$50 for each device.
- (2) The fee for plan review for elevator devices in all other Use Groups and the common area devices in Use Group R-2 shall be \$260 for each device.
- (3) The fees for the inspections and test of elevator devices shall be as set forth in N.J.A.C. 5:23-12.

Motion to open public hearing regarding Ordinance 2016-15 made by Councilman Cartabona, seconded by Councilwoman Grossman. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

Motion to close public hearing made by Councilman Seiss, seconded by Councilman Cartabona, all were in favor.

Motion to adopt Ordinance 2016-15 made by Councilman Cartabona, seconded by Councilwoman Grossman. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

**ORDINANCE 2016-15-AMENDED
AN ORDINANCE AMENDING CHAPTER 87
FOR COST OF PUBLIC RECORDS**

WHEREAS, the Council of the Borough of Alpha desires to amend a portion of Chapter 87, Records, specifically Section 87-7 and amend its Code accordingly;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Alpha in the County of Warren and State of New Jersey that “Section 87-7, Procedures and fees for purchasing public records,” be amended and supplemented as follows:

C. Pre-printed documents.

Copy of the Code book \$174.00 (includes S&H)

This Ordinance shall take effect after adoption and publication thereof as provided by law.

Motion to open public hearing regarding Ordinance 2016-16 made by Councilman Cartabona, seconded by Councilwoman Grossman. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

Mike Savary asked who the enforcer will be for this Ordinance.

Motion to close public hearing made by Councilman Cartabona, seconded by Councilwoman Grossman, all were in favor.

Motion to adopt Ordinance 2016-16 made by Councilman Cartabona, seconded by Councilwoman Grossman. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

**ORDINANCE 2016-16
BOROUGH OF ALPHA
AN ORDINANCE TO AMEND CHAPTER 403 – WATER AND SEWERS
OF THE CODE OF THE BOROUGH OF ALPHA**

BE IT ORDAINED, by the Borough Council of the Borough of Alpha, that the following amendments shall be and are herewith enacted to Chapter 403 – WATER AND SEWERS of the Code of the Borough of Alpha:

§ 403-5. Maintenance of pipes and fixtures; notice to repair or replace.

A.
All persons using water shall keep their pipes and fixtures within their premises, together with the service pipe to the curb stop, in good repair and protect the same from frost at their own expense. If the owner of any premises shall neglect or refuse to repair a leak within three days, exclusive of Sundays and legal holidays, after receipt of written notice from the Director directing such repairs, the water supply for such

premises shall be shut off at the main or at the curb, and service shall not be resumed for such premises until after all repairs ordered have been made and the fee, as set forth in § [403-21B](#), has been paid.

B.

Additionally, the Borough shall have the right to replace a consumer's service line from the curb stop to the water meter, or any portion thereof, and bill him/her according to the fee schedule set forth in § [403-21B](#), under any of the following circumstances:

(1)

The service pipe is constructed of a material not listed in § [403-23](#).

(2)

The service pipe is declared unreliable by the Director due to prior adverse experience.

(3)

The curb stop is deemed unserviceable due to its location.

(4)

The service pipe, due to its age and material of construction, fails during system maintenance.

The consumer shall have up to three (3) years from the time of completion to repay the Borough in full in equal quarterly installments if the Borough replaces the water service line on the consumer's side of the curb stop. Should the consumer transfer the property or any interest therein or have any ownership interest altered, the entire outstanding balance is payable at the time of closing of title or change in interest.

C.

In all cases, except in Subsection [B\(4\)](#) above, the consumer will be provided with at least seven (7) calendar days' advanced notice to choose a qualified professional and replace his/her service line himself or herself. It shall be incumbent upon the consumer to notify the Borough within the seven-calendar-day period of his/her selection of a qualified professional to replace his/her service line himself or herself. If notice is not timely made, the Borough may proceed as referenced above. Additionally, if the consumer gives the Borough notice of intent that he/she will have a qualified professional replace his/her service line, said replacement must be made within 90 days. Otherwise, the Borough may proceed as referenced above. The Borough shall offer a payment plan of up to three (3) years from the time of completion, should the Borough replace the water service line on the consumer's side of the curb stop.

Motion to open public hearing regarding Ordinance 2016-17 made by Councilman Seiss, seconded by Councilwoman Grossman. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

Mike Savary asked when a project is done will there be inspection fees or are they included or will that be a separate item. Is it just for the work being done?

Motion to close public hearing made by Councilman Cartabona, seconded by Councilwoman Grossman, all were in favor.

Motion to adopt Ordinance 2016-17 made by Councilman Cartabona, seconded by Councilwoman Grossman. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

ORDINANCE 2016-17

AN ORDINANCE PROVIDING FUNDING FOR VARIOUS IMPROVEMENTS TO SEWER UTILITY, INCLUDING BUT NOT LIMITED TO MANHOLE LIDS, SEWER METER PIT ASSEMBLY, ODOR CONTROL SYSTEM HARDWARE AND INSTALLATION, AS WELL AS OTHER APPURTENANCES, APPROPRIATING A TOTAL OF \$75,000.00 (2016 UTILITY CAPITAL IMPROVEMENT FUND OF \$46,251.00 AND A 2015 UTILITY CAPITAL IMPROVEMENT FUND BALANCE OF \$28,749.00) FOR SUCH PURPOSE.

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF ALPHA, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The Borough of Alpha, in the County of Warren, New Jersey, authorizes the improvement of sewer utility – including but not limited to manhole lids, sewer meter put assembly, odor control system hardware and installation, as well as other appurtenances - as a utility capital improvement for the Borough of Alpha to be funded from the sources specified in Section 2 of the Ordinance.

SECTION 2:

The amount of \$46,251.00 is hereby appropriated from the 2016 Utility Capital Improvement Fund.

The amount of \$28,749.00 is hereby appropriated from the 2015 Utility Capital Improvement Fund balance.

SECTION 3:

In connection with the purpose and the amount authorized in Sections 1 and 2 hereof, the Borough determines the purpose described in Section 1 hereof is not a Current Expense and is an improvement which the Borough of Alpha may lawfully make as a general improvement.

SECTION 4:

All ordinances or parts of ordinances which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

SECTION 5:

This Ordinance shall take effect immediately upon due passage and publication according to law.

Resolutions:

Motion made by Councilman Schwar to approve Resolution 2016-143, seconded by Councilwoman Grossman. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

**RESOLUTION 2016-143
RESOLUTION AWARDING A CONTRACT FOR METERING MANHOLE**

BE IT RESOLVED by the Borough Council of the Borough of Alpha, County of Warren, State of New Jersey that a contract is hereby awarded to Plasti-Fab/Ershigs, Inc. of Tualatin, Oregon, having submitted the lowest responsive, responsible quote – after Frey Engineering sought three quotes – for a metering manhole in the amount not to exceed \$15,250.00, upon written certification of funds by the Borough CFO.

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

Motion made by Councilman Schwar to approve Resolution 2016-144, seconded by Councilwoman Grossman. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

**RESOLUTION 2016-144
RESOLUTION AUTHORIZING BOROUGH ENGINEER TO
PROVIDE CONSULTING ENGINEERING SERVICES
FOR COMPUTER-GENERATED ZONING MAP**

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 their providing a new computer-generated zoning map of the Borough for the contemplated scope of work in accordance with the firm's proposal of September 14, 2016 (attached hereto) and in an amount not to exceed \$2,500.00, 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 Pettinelli to approve Resolution 2016-145, seconded by Councilwoman Grossman. Roll call: Ayes; Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

Discussion ensued whether or not to table the Resolution which was then withdrawn.

**RESOLUTION 2016-145
RESOLUTION AWARDING A CONTRACT
FOR DRAINAGE IMPROVEMENTS FOR SOCCER FIELD**

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

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

WHEREAS, the Borough of Alpha has received the lowest responsible quote from Penn Bower, Inc., based on the recommendation of the Borough Engineer.

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 drainage improvements for the soccer field in the Borough is hereby awarded to Penn Bower, Inc. of High Bridge, New Jersey, in an amount not to exceed \$15,000.00 for said work as per the attached proposal, upon written certification of funds by the Borough CFO.

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

Motion made by Councilman Schwar to approve Resolution 2016-146, seconded by Councilwoman Grossman. Roll call: Cartabona, Gable, Grossman, Pettinelli, Schwar, and Seiss. Nays; None.

**RESOLUTION 2016-146
RESOLUTION AWARDING
CONTRACT FOR BIOXIDE TANK**

BE IT RESOLVED, by the Council of the Borough of Alpha, County of Warren, State of New Jersey that a contract is hereby awarded to Design Plastics (Snyder Tanks) of Norristown, Pennsylvania, having submitted the lowest responsive, responsible quote, after Frey Engineering sought three quotes, for a bioxide tank in the amount of \$13,366.00 upon written certification of funds by the Borough CFO.

BE IT FURTHER RESOLVED, that the Mayor, Clerk, Borough Attorney and Frey Engineering, LLC are authorized to execute all necessary documents to effectuate the contract.

Approval of Minutes:

Motion made by Councilman Schwar to approve the regular meeting minutes of September 13, 2016 and September 27, 2016, seconded by Councilwoman Grossman, all were in favor with the exception of Councilman Cartabona and Councilwoman Gable abstaining.

Department Reports:

Administration, Councilman Peter Pettinelli: No report.

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

Finance, Councilman Michael Schwar: Councilman Schwar reported the two new computers will be installed on Thursday. Notice that the old Pub 519 is now Sharky's and is open for business. There have been two bills added to the bill list, PO803 to Warren County \$5,200 for permit and PO804 to DEP \$12,600 for an application fee for Homa Lane. These change the total for the bill list to \$404,836.48. Will be meeting with the CFO on Thursday for budget issues with payroll, issues with payroll. Received an email from Clerk and Councilman Seiss that they are working with PAIC on bonding count, personnel, and best practices list. Will discuss later. Next budget meeting will be November 29th at 7:00 pm. Notified the Tax Assessor that we need 200 foot list for work we are doing on Homa Lane to provide to Engineer. Mayor Dunwell stated a resident made a comment regarding intersection of 519 and Alpha Street that they were not notified of LUB hearing. Also, caution of 200 list, have Pohatcong residents and school receive that notice.

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

Health & Welfare, Councilwoman Jennifer Gable: Councilwoman Gable reported she is currently working on the wording of the sign for the recycle area. Councilwoman Gable reported that she is in the process of updating information on the website.

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

Public Property, Councilwoman Tracy Grossman: Councilwoman Grossman had no report.

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

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

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

Public Works, Councilman Louis Cartabona: Councilman Cartabona had no report. Requested 15 minutes executive session for contractual regarding the landfill.

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

Professionals & Official Reports:

Mayor, Craig S. Dunwell: Mayor Dunwell requested five minutes executive session for contractual and an additional ten minutes executive session for another contractual item. Councilman Cartabona then requested ten minutes executive session for personnel.

Engineer, Frank J. Seney: Mr. Seney will be updating the report to include the progress of each project.

Sewer Engineer, Jim Hill: Mr. Hill is in the process of updating ongoing projects.

Motion made by Councilwoman Grossman to authorize the sewer engineer, to hire Willever, for tank installation for \$2,775.00 , seconded by Councilman Cartabona, all were in favor.

Municipal Clerk, Laurie A. Barton: Laurie Barton reported she is beginning the year end process and re-organization process. The Clerk reminded Council of the next Council Meeting being held on Monday, November 7, 2016.

Motion made by Councilman Schwar to authorize CFO to generate purchase order to pay Oswald per recommendation of sewer engineer the set payment amount of \$102,276.64 (partial payment), seconded by Councilman Cartabona, all were in favor.

Code Enforcement, Thomas Fey: Councilman Pettinelli provided the report. Posted one property, sent three letters, and has a court appearance.

Payment of Bills & Claims:

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

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

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

October 20, 2016
06:57 PM

BOROUGH OF ALPHA
Bill List By P.O. Number

Page No: 1

P.O. Type: All		Range: First to Last		Open: N	Paid: N	Void: N		
Format: Condensed				Rcvd: Y	Held: Y	Aprv: N		
PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	Exempt: Y
16-00220	03/22/16	REMINGTON & VERNICK ENGINEERS	Redundancy Proj: R&V Soft Cost	Open	2,710.00	0.00	B	
16-00559	07/19/16	SLC RIO SUPPLY, INC.	Handheld Data Collector	Open	7,900.00	0.00		
16-00668	09/01/16	REMINGTON & VERNICK ENGINEERS	Frace WTP: Backwash Neutr Sys	Open	1,755.00	0.00	B	
16-00689	09/01/16	REMINGTON & VERNICK ENGINEERS	2016 Water Utility Improvement	Open	16,922.77	0.00	B	
16-00689	09/15/16	NJDECA	NJ DEPT OF COMMUNITY AFFAIRS	Open	42.00	0.00		
16-00695	09/20/16	REMINGTON & VERNICK ENGINEERS	Life Hazard Fee	Open	42.00	0.00		
16-00724	09/27/16	MRKIRBY	Eng Inspection - Oliv Strt Imp	Open	4,999.30	0.00	B	
16-00732	10/04/16	HOME	EMERGENCY REPAIR 4TH&VULCANITE	Open	800.00	0.00		
16-00733	10/05/16	ONECA	PARTS--PURSELL ST PUMPHOUSE	Open	125.35	0.00		
16-00738	10/05/16	QC	SEPTMBER REGULAR LOCATES	Open	20.00	0.00		
16-00741	10/05/16	PAGAN	WATER TESTING 8/22 & 9/14/16	Open	505.00	0.00		
16-00748	10/06/16	MAGLIO	FIX CASE BACKHOE	Open	635.00	0.00		
16-00751	10/06/16	FRA	DEFECTIVE PHASE MONITOR	Open	677.50	0.00		
16-00758	10/11/16	WARRENSE	2016-2017 ANIMAL LIC SOFTWARE	Open	600.00	0.00		
16-00760	10/11/16	WARRENSE	5TH AVE&VULCANITE SEWER REPAIR	Open	1,215.00	0.00		
16-00771	10/16/16	VERIZON	4TH AVE&VULCANITE SEWER REPAIR	Open	840.00	0.00		
16-00772	10/16/16	CASTLE	C. OLAH WIRELESS PHONE CHARGES	Open	50.61	0.00		
16-00773	10/16/16	ACTION	TOILET RENTAL CHARGES - OCT	Open	365.00	0.00		
16-00774	10/16/16	EAS	PAYROLL SERVICES 9/25/16	Open	130.00	0.00		
16-00775	10/16/16	VITAL	PAYROLL SERVICES 9/25/16	Open	43.19	0.00		
16-00776	10/16/16	JCPL	OCT MOD IV/CAMA TAX SYSTEM	Open	102.00	0.00		
16-00777	10/16/16	SEWER	ELECTRICITY CHARGES OCT 2016	Open	2,859.18	0.00		
16-00779	10/16/16	VERI	LEGAL SRVCS-SEWER LITIGATION	Open	3,325.00	0.00		
16-00780	10/16/16	ALBOA	VERIZON ONLINE/INTERNET	Open	96.99	0.00		
16-00786	10/17/16	QC	NOVEMBER 1, 2016 SCHOOL TAX	Open	316,684.90	0.00		
16-00787	10/17/16	LSI	WATER TESTING 9/8/16	Open	55.00	0.00		
16-00790	10/20/16	VERI	LINE SYSTEMS, INC	Open	803.29	0.00		
16-00791	10/20/16	LMR	OCT PHONE CHARGES	Open	95.66	0.00		
16-00792	10/20/16	MANS	LIBRARY PHONE CHARGES 10/10/16	Open	279.20	0.00		
16-00793	10/20/16	REMINGTON & VERNICK ENGINEERS	15Y ROLLOFF--INDUSTRIAL DR	Open	11,273.21	0.00		
16-00794	10/20/16	REMINGTON & VERNICK ENGINEERS	CMFO SSA - 7/1/16 to 9/30/16	Open	1,500.00	0.00		
16-00795	10/20/16	REMINGTON & VERNICK ENGINEERS	LICENSED WATER OPERATOR - 9/16	Open	164.50	0.00		
16-00796	10/20/16	REMINGTON & VERNICK ENGINEERS	EMERG GENERATOR--FIREHOUSE	Open	772.50	0.00		
16-00797	10/20/16	REMINGTON & VERNICK ENGINEERS	GENERAL ENGINEERING SVS-9/16	Open	1,520.50	0.00		
16-00798	10/20/16	REMINGTON & VERNICK ENGINEERS	HOMA LANE DRAINAGE IMPROVEMENT	Open	162.50	0.00		
16-00800	10/20/16	RESORTS	TAX MAP MAINT/REVISIONS	Open	3,117.61	0.00		
16-00801	10/20/16	NJSTA	1ST AVENUE IMPROVEMENTS	Open	178.72	0.00		
			NJSLOM 2016 - L. CARTABONA	Open	65.00	0.00		
			NJSLOM 2016 CONVEN REG	Open				
Total Purchase Orders: 37				Total P.O. Line Items: 0	Total List Amount: 383,391.48	Total Void Amount: 0.00		

**BOROUGH OF ALPHA
BILL LIST
25-Oct-16**

	<u>AMOUNT</u>
2014 CURRENT FUND RESERVE	0.00
2015 CURRENT FUND	0.00
2016 CURRENT FUND	339,244.96
DOG TRUST ACCOUNT	0.00
ESCROW TRUST ACCOUNT	0.00
GENERAL CAPITAL	4,999.30
UNEMPLOYMENT TI	0.00
DEVELOPERS TRUST	0.00
2015 WATER/SEWER	0.00
2016 WATER/SEWER	17,759.45
SEWER/UTILITY CAI	21,387.77
GRANTS	0.00
TOTAL ALL FUNDS	<u>383,391.48</u>
 ADDENDUM TO THE BILL LIST	
16-00811 NJ TRANSIT	3,645.00
PERMIT FEE	
TOTAL	3,645.00
 GRAND TOTAL	 387,036.48

New Business:

Councilman Schwar spoke about the Best Practice Checklist. All questions answered no are on Council. A couple of policies have to pass. Insurance person has these. Will seminate them once he receives them. Mayor Dunwell requested that the CFO forward the copy of questionnaire to Council.

Councilman Cartabona asked if there is any ordinance regarding dumpsters being placed on the street.

Executive Session:

Councilwoman Grossman made a motion to approve the following resolution to go into executive session for forty minutes for contractual, litigation, and/or personnel. Motion seconded by Councilman Schwar, 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 40 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 Councilwoman Gable to adjourn this meeting at 10:27 pm, motion seconded by Councilwoman Grossman, all were in favor.

Respectfully submitted,

Laurie A. Barton

Borough Clerk