



## **BOROUGH OF ALPHA**

1001 East Boulevard  
Alpha, New Jersey 08865

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### **REGULAR MEETING AGENDA** Borough of Alpha Municipal Building Tuesday, April 26, 2016 – 7:00pm

1. Call to Order: Open Public Meetings Notice-Mayor Craig S. Dunwell
2. Prayer & Salute to the Flag
3. Roll Call:

Mrs. Grossman, Mr. Pettinelli, Mr. Preiss, Ms. Ronan, Mr. Schwar and Mr. Seiss

4. Public Comment:

5. Ordinances: 2<sup>nd</sup> Reading

➤ **ORDINANCE 2016-4 (2<sup>nd</sup> Reading)**

BOROUGH OF ALPHA  
COLLECTION OF RECYCLABLE YARD WASTE MATERIAL

Ordinance-1<sup>st</sup> reading:

➤ **ORDINANCE 2016-8 (1<sup>st</sup> Reading)**

BOROUGH OF ALPHA  
ORDINANCE OF THE BOROUGH OF ALPHA AMENDING  
AND SUPPLEMENTING CODE SECTION CHAPTER 403  
WATER AND SEWERS

6. Resolutions:

7. Approval of Minutes:

Regular Meeting: 03/8/16 & 03/22/16

Executive Session:

Unreleased Approved Executive Session Minutes:

8. Department Reports:

Administration – Councilman Peter Pettinelli  
Finance – Councilman Michael Schwar  
Health & Welfare – Councilwoman Kathleen Ronan  
Public Property – Councilwoman Tracy Grossman  
Public Safety – Councilman Thomas Seiss  
Public Works – Councilman Jack Preiss

9. Committee Reports

10. Professionals & Officials Reports:

Mayor – Craig S. Dunwell  
Police Department-Chief Faulborn  
Fire Department –Sean McDyer  
Emergency Squad  
Office of Emergency Management- Hunter Stagg  
Attorney – Christopher Troxell  
Engineer – Frank J. Seney  
Sewer Engineer – Jim Hill/John Ross  
CFO- Charles Daniel  
Municipal Clerk – Laurie A. Barton  
Recycling Coordinator – Thomas Fey  
Code Enforcement –Thomas Fey  
Library Board – Louis Cartabona

11. Public Comment:

12. Payment of Bills and Claims

13. Old Business:

14. New Business:

- Approval of pavilion permit for Dave Lynn c/o Boy Scout Pack 57 -Sleepover at Pavilion-request waiver of fee and fire permit for above ground fire Dates: May 13<sup>th</sup> & May 14<sup>th</sup>
- Approval of Pavilion Permit w/alcohol: Tracy Grossman July 2<sup>nd</sup>
- Approval of Raffle License# RA-2016-3 for St. Mary: June 5<sup>th</sup>, 2016

15. Executive Session

16. Adjournment

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***Executive Session may be called anytime prior to adjournment.***

The public may be excluded for the following reasons as stated in the Open Public Meetings Act, NJSA 10:4-12:

- (1) Any matter which, by express provision of Federal Law or State statute or rule of court, shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- (4) Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- (5) Any matter involving the purchase, lease, or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection including any investigation of violations or possible violations of the law.
- (7) Any pending or anticipated litigation or contract negotiation other than in section 4 herein in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
- (8) Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
- (9) Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party as a result of an act or omission for which the responding party bears responsibility.

# Unreleased Approved Executive Session Minutes List

## Litigation:

06/13/95 (#1) Sewer  
04/13/99 (#2) Sewer (Pohatcong)  
05/11/99 (#2) Sewer (Pohatcong)  
05/25/99 (#1) Sewer (Pohatcong)  
05/25/99 (#3) Sewer (Pohatcong)  
09/09/99 (#2) Resnick  
09/28/99 (#1) Sewer (Phillipsburg)  
09/28/99 (#8) Resnick  
10/12/99 (#1) Sewer (Pohatcong)  
10/26/99 (#1) Sewer (Pohatcong)  
11/09/99 (#3) Sewer (Pohatcong)  
12/14/99 (#1) Resnick  
12/28/99 (#2) Resnick  
01/11/00 (#1) Sewer (Pohatcong)  
01/11/00 (#2) Resnick  
02/22/00 (#4) Resnick  
03/06/00 (#1) Resnick  
04/24/00 (#6) Resnick  
05/23/00 (-) Resnick  
06/08/00 (-) Resnick  
07/25/00 (#2) Resnick  
08/08/00 (#1) Resnick  
08/22/00 (#2) Sewer  
09/07/00 (#3) Sewer  
10/10/00 (-) Sewer  
11/28/00 (#2) Resnick  
12/12/00 (#5) Resnick  
01/09/01 (#5) Sewer (Hubbard)  
04/24/01 (#3) Pohatcong  
04/24/01 (#5) Litigation Updates  
05/08/01 (#1) Alpha 519  
06/26/01 (#3) Resnick  
02/26/02 (#2) EAI  
03/26/02 (#1) EAI  
06/25/02 (#2) Alpha 519  
07/23/02 (#3) Resnick  
08/13/02 (#2) Sewer  
10/22/02 (#4) Resnick  
11/12/02 (#1) Resnick  
11/26/02 (#7) Resnick  
12/10/02 (#3) Resnick  
01/14/03 (#4) Sewer Contract  
03/25/03 (#6) Alpha 519  
04/22/03 (#4) Alpha 519  
09/09/03 (#6) COAH  
09/23/03 (#1) Sewer Litigation  
09/23/03 (#3) Alpha 519  
10/14/03 (#2) Alpha 519  
10/28/03 (#1) Sewer Agreement  
11/10/03 (#1) Alpha 519  
11/10/03 (#4) Sewer  
12/09/03 (#2) Alpha 519  
12/09/03 (#3) DEP-Sewer  
12/16/03 (#1) Don Souders  
01/13/04 (#1) Lyn Aaroe-Sewer  
01/13/04 (#3) Souders-Sewer  
02/10/04 (#1) Perelman  
02/10/04 (#3) Alpha 519  
02/24/04 (#4) Alpha 519  
03/09/04 (#1) Alpha 519  
08/24/04 (#5) Alpha 519  
09/28/04 (#2) Alpha 519  
10/12/04 (#5) Odor-Alpha 519  
10/12/04 (#7) Resnick-Toll Brothers  
10/26/04 (#4) Landfill  
10/26/04 (#5) Resnick Update  
11/09/04 (#3) P'Burg Sewer  
11/09/04 (#4) Resnick-Prop. Transf.  
11/30/04 (#3) Resnick  
12/14/04 (#6) Alpha 519

## Litigation (continued):

01/11/05 (#3) Alpha 519  
01/25/05 (#1) Alpha 519  
02/08/05 (#7) Alpha 519  
03/08/05 (#1) Pohat-Water/Sewer  
05/10/05 (#4) Alpha 519  
06/14/05 (#1) P'Burg Sewer  
08/09/05 (#3) Litigation Updates  
08/23/05 (#2) Alpha 519  
09/27/05 (#2) Aqua  
09/27/05 (#3) EAI Letter  
10/11/05 (#5) EAI Letter  
01/24/06 (#2) Brian Prop  
02/28/06 (#1) Alpha 519  
02/28/06 (#2) COAH  
03/14/06 (#10) EAI Update  
03/29/06 (#5) COAH  
04/11/06 (#1) COAH  
04/11/06 (#6) Toll Brothers  
04/25/06 (#3) Ezekian-Crincoli-Landfill  
05/09/06 (#1) Toll Brothers  
08/08/06 (#5) Pohat School-Sewer  
10/10/06 (#1) CFO  
10/10/06 (#3) COAH  
10/10/06 (#5) Pohat & Alpha Sewer  
11/28/06 (#1) Rocco  
12/05/06 (#7) Homa Farm-Rocco  
12/19/06 (#3) Brian Properties  
03/13/07 (#3) Pohatcong-Sewer Lines  
03/13/07 (#2) Alpha 519  
03/27/07 (#1) Alpha 519  
03/27/07 (#2) Brian Properties  
04/10/07 (#2) Alpha 519  
05/08/07 (#2) Alpha 519  
05/08/07 (#3) Almond Tree Liquor Lic.  
06/12/07 (#1) Planning Board  
12/08/09 (#2) DEP-Home Water Dmg  
04/27/10 (#3) Woodhill  
07/13/10 (#5) Resolution for Quarry  
03/26/13 (#6) New Fire Truck  
04/23/13 (#2) DR Horton  
04/23/13 (#3) Sewer Blockag  
04/23/13 (#4) AYAA  
04/23/13 (#5) AYAA Missing Funds  
04/23/13 (#6) Library  
05/28/13 (#2) D.R. Horton  
05/28/13 (#5) DEP  
06/11/13 (#12) Pedestrian Injury  
06/11/13 (#13) DR Horton  
06/11/13 (#2) Sinkhole Third Ave  
6/11/13 (#10) Water Meters Malfunction  
07/09/13 (#1) DR Horton  
07/09/13 (#2) Lear-Fence  
07/09/13 (#3) Alpha V. John Does  
07/09/13 (#4) Fred Cook  
07/09/13 (#5) Sink Hole-Oberly Property  
07/09/13 (#6) AYAA  
08/13/13 (#5) Homa Farm Drainage  
08/13/13 (#6) Cahill Rambo Farm  
08/13/13 (#9) Fire Hydrant Damage  
08/13/13 (#10) Fred Cook  
08/13/13 (11) John Doe Lawsuit  
09/10/13 (#1) Damage at AYAA Field House  
09/10/13 (#5) Water Main Break-Penn Bower  
09/10/13 (#6) Backwash permit  
10/22/13 (#1) Vault on W Vulcanite  
10/22/13 (#9) Cook Litigation  
11/12/13 (#1) Mold  
11/26/13 (#1) Wayne St Water Main Break  
11/26/13 (#3) MOLD-Peosh

## Contractual:

10/11/94 (-) Sewer Agreement  
01/28/97 (#8) Sewer Contract  
05/26/98 (#1) Sewer Negotiations  
06/09/98 (#2) Sewer Negotiations  
07/14/98 (#3) Sewer Contract  
07/14/98 (#4) Sewer Capacity  
11/24/98 (#2) Sewer Agreement  
12/08/98 (#1) Sewer Contract  
07/27/99 (#1) Sewer Contract  
10/08/02 (#3) Quarry  
10/22/02 (#3) Quarry  
11/12/02 (#3) Quarry  
12/10/02 (#1) Quarry  
12/10/02 (#4) Sewer  
09/09/03 (#2) Quarry  
09/23/03 (#2) Quarry  
10/28/03 (#2) Quarry  
09/28/04 (#6) Pohat Sewage Request  
10/12/04 (#1) P'Burg Sewer Agrmnt.  
10/26/04 (#7) Sewer Agreement  
11/30/04 (#1) Quarry  
11/30/04 (#2) Alpha 519  
02/22/05 (#5) Water-Alpha 519  
04/26/05 (#3) Water Allocation  
06/28/05 (#8) Sewer  
07/12/05 (#1) Sewer Update  
08/23/05 (#1) Sewage  
09/13/05 (#3) Aqua  
10/25/05 (#3) Aqua  
05/23/06 (#1) Sewer w/P'Burg  
05/23/06 (#5) Quarry  
08/08/06 (#9) P'Burg Sewer Agrmnt  
11/28/06 (#3) CFO-Salaries  
12/05/06 (#8) DPW-CFO Contracts  
12/19/06 (#2) CFO  
06/23/09 (#2) Water System  
12/08/09 (#1) Clerk Transition  
01/26/10 (#2) Appraisal  
04/27/10 (#5) Quarry  
07/27/10 (#1) DPW Contract-Pension  
04/23/13 (#7) Fire Truck  
05/28/13 (#3) Firetruck  
05/28/13 (#4) Industrial Drive  
05/28/13 (#6) Sewer Highlands  
06/11/13 (#1) Indus Dr Realignment  
06/11/13 (#3) Valves & Pipe Upgrade  
06/11/13 (#4) Court-Shared Services  
06/11/13 (#8) Insurance  
07/09/13 (#8) Fire Truck Bill  
07/09/13 (#11) Admin Clerk  
07/09/13 (#12) Homa Farm  
08/13/13 (#1) Court  
08/13/13 (#7) Fire Truck  
09/10/13 (#3) Lease of Pub Property-Cell Tower  
09/10/13 (#4) Truck Purchase  
09/10/13 (#7) Penn Bower  
09/10/13 (#11) Fire Truck  
09/19/13 (#1) Mold Remediation  
09/24/13 (#1) LUB Rep  
09/24/13 (#3) Mold  
10/22/13 (#2) Water Main Easement  
10/22/13 (#4) Fire Truck Repairs  
11/12/13 (#2) DEP Alpha St Well  
11/12/13 (#4) Easement-Rooks  
11/12/13 (#5) Court Shared Services  
11/12/13 (#6) FireTruck Purchase  
11/26/13 (#4) PEG Bandwidth  
11/26/13 (#8) Savary-Work done for Borough -Concrete  
12/10/13 (#3) Alpha Fire Co-Meet & Greet

## Personnel:

03/14/06 (#4) DPW-Ins. Liability  
03/14/06 (#8) Pohat Sewer Billing  
05/23/06 (#4) Plan. Attny-Master Plan  
10/24/06 (#5) Labor Attny-DPW  
01/23/07 (#1) Open Space  
02/13/07 (#1) Construction Official  
02/13/07 (#4) Attorney Souders  
02/27/07 (#2) Auditors  
02/27/07 (#4) CFO-Weekend Work  
03/13/07 (#4) Don Souders  
11/27/07 (#2) Health Benefits-Assessor  
11/10/09 (#2) Dep Clerk-Salary  
12/15/09 (#1) Pension for Sewer Emp.  
12/15/09 (#3) Sewer-Reports & AD  
01/05/10 (#1) CFO-Greenwich  
01/05/10 (#4) Savary-DPW Employees  
01/26/10 (#4) CFO-Greenwich  
01/26/10 (#5) Mayor-Letter Re'cd  
01/26/10 (#6) Licensed Operator  
02/09/10 (#1) Savary-Recycle Coord.  
02/23/10 (#1) Court Administrator  
03/09/10 (#2) Water Pump Operator  
03/23/10 (#3) Court Administrator  
03/23/10 (#5) Court Administrator  
03/23/10 (#6) CFO-Rice Notice  
04/27/10 (#1) Rice Notice CFO  
04/27/10 (#6) DPW Harassment Complaint  
05/11/10 (#6) Art Groves  
05/11/10 (#7) Clarence Deemer  
05/25/10 (#3) Art Groves  
05/25/10 (#4) Librarian  
07/13/10 (#8) Clerk-Personnel Records  
07/27/10 (#2) Scrap Metal  
07/27/10 (#6) Scrap Metal: Clean Up  
08/10/10 (#2) Clerk-Trenton  
08/10/10 (#4) Attny Conflict-J Caleca  
08/10/10 (#5) Security Cameras  
12/27/10 (#1) CFO-Shared Serv.  
01/19/2012 Construction Official  
03/26/13 (#2) DPW  
03/26/13 (#3) Code Book  
03/26/13 (#5) Clerk  
04/23/13 (#7) Easter Egg Hunt  
05/28/13 (#7) Dep Clerk Personal Days  
06/11/13 (#5) Clerk  
06/11/13 (#9) Library  
06/11/13 (311) NJLM Conf Hotel Limit  
06/11/13 (#14) Savary-Charges  
07/09/13 (#9) Clerks Office  
07/09/13 (#10) AYAA  
08/13/13 (#2) Tax Collector  
08/13/13 (#3) Library  
08/13/13 (#4) Clean Communities  
08/13/13 (#12) Hops N Barley Name Change  
09/10/13 (#2) DPW Overtime  
09/10/13 (#9) Library  
09/10/13 (#10) Savary  
09/10/13 (#12) Mold in Municipal Building  
09/24/13 (#2) Library Board President  
10/22/13 (#3) Library Titles  
10/22/13 (#5) Fire Co Applications  
10/22/13 (#6) Savary  
10/22/13 (#7) DPW Employees-Cell Phones  
10/22/13 DPW -Laptop

## Unreleased Approved Executive Session Minutes List (*continued*)

### Litigation:

11/26/13 (#5) VanVeldhusien-Sewer Hook Ups  
11/26/13 (#6) Judy Korp Property  
11/26/13 (#9) Damage to Dog Fence  
12/10/13 (#4) Invoices for Mold  
12/10/13 (#8) Stormwater  
12/30/13 (#4) Water Break-Response from DPW  
01/14/14 (#1) Savary-Unauthorized Access  
01/14/14 (#4) Penn Bower  
02/11/14 (#) Sewer Back Up  
02/11/14 (#4) Sewer Authority  
02/25/14 (#1) Fred Cook  
02/25/14 (#4) John Doe Lawsuits  
02/25/14 (#5) Mrs. Lear Sewer Bill  
04/08/14 (#3) Lee Ave Sewer Back Up  
04/08/14 (#8) Lear Tort Claim  
05/13/14 (#3) Firm Capacity  
05/13/14 (#4) Fred Cook  
05/13/14 (#7) HVAC System  
06/10/14 (#1) DR Horton  
06/10/14 (#2) Water Repairs 519  
6/10/14 (#3) Lee Ave  
6/10/14 (#6) Inspection Fees-Pohat  
6/10/14 (#7) CFO-Greenwhich  
6/24/14 (#1) Drainage-Homa  
6/24/14 (#4) Pohat Eng Billing  
6/24/14 (#5) Library  
7/8/14 #1 DPW  
7/8/14 #2 Library  
7/8/14 #4 Computer Switch  
7/8/14 #6 Penn Bower  
9/9/14 #1 D.R. Horton  
9/9/14 #3 Trane  
9/9/14 #4 D.R. Horton  
9/23/14 #3 Library

### Litigation (*continued*):

### Contractual:

12/10/13 (#5) DEP Firm Capacity  
12/10/13 (#6) Water Softener  
12/10/13 (#7) Sewer  
12/30/13 (#1) Road Improvement Program-Engineer  
01/14/14 (#2) Shared Services-Pohatcong –Police  
01/14/14 (#3) Shared Services-Court  
01/14/14 (#5) HVAC System  
02/11/14 (#3) Shared Services-Court  
02/14/14 (#5) Shared Services Court  
02/25/14 (#2) PEG Bandwidth  
03/11/14 (#1) Shared Services  
03/11/14 (#2) Court  
04/08/14 (#1) Garbage  
04/08/14 (#2) Courts Shared Serv  
04/8/14 (#4) Water Frace St Bids  
04/8/14 (#5) Lease of Boro Property  
04/08/14 (#6) DR Horton  
04/08/14 (#7) Open Space  
05/13/14 (#2) Debt Limit  
05/21/14 (#1) Library  
6/10/14 (#4) DPW  
6/10/14 (9) Shared Services Court  
6/10/14 (#10) DPW-Fence Repairs  
6/24/14 (#3) Sprint Metro PC  
7/8/14 #5 Alpha St Pump House  
7/8/14 # 7 Redundancy  
7/8/14 #8 T-Mobile  
7/8/14 #10 Solar Panels  
7/22/14 #1 Penn Bower  
7/22/14 #2 Penn Bower-Emergency Call Out  
7/22/14 #3 Open Space  
7/22/14 #4 Solar Panels  
7/22/14 #6 Fire Truck Purchase  
8/12/14 #1 Shared Service-Pohatcong  
8/12/14 #2 Penn Bower  
8/12/14 #3 Metro PCS  
8/12/14 #4 DPW  
8/12/14 #5 River Edge  
8/12/14 #6 Trane  
9/9/914 # 2 Fire truck Purchase  
9/23/14#1 Root Control Bid  
9/23/14 # 5 Professionals  
9/23/14 #6 Engineer Inspector  
9/23/14 #4 Shared Services Greenwich

### Personnel:

11/12/13 (#3) Library Titles  
11/26/13 (#2) N2 Discharge Operator  
11/26/13 (#7) DPW Laptop  
12/10/13 (#1) Deputy Clerk  
12/10/13 (#2) Civil Service-Library  
12/30/13 (#2) William Packer  
12/30/13 (#3) Adminsitrativ Clerk Request  
12/30/13 (#5) Library Employees-Funds  
12/30/13 (#6) Password Policy  
01/14/14 (#6) ACO Budget for Rabies Clinic  
01/14/14 (#7) Library Resolution Appointments  
02/11/14 (#2) Monitor Position  
02/25/14 (#3) Library Pensions  
02/25/14 (#6) Clerks Office  
03/11/14 (#3) ACO  
03/11/14 (#4) Library Personnel  
05/13/14 (#1) Chief Faulborn Power Cat Purchase  
05/21/14 (#2) Shared Services-Pohatcong-Clerk  
6/10/14 (#5) Dunwell  
6/24/14 (#2) Sidewalk Project Appointment  
7/8/14 #3 CFP as LPA  
7/8/14 #9 ACO  
7/22/14 # 5 DPW Employee-Fire Calls  
9/9/14 # 5 Field House  
9/23/14 # 2 Deputy Clerk

**ORDINANCE 2016-4  
BOROUGH OF ALPHA  
COLLECTION OF RECYCLABLE YARD WASTE MATERIAL**

§ 334-20.2. Collection of recyclable yard waste material.

The collection of recyclable yard waste material(s) shall be in the manner prescribed as follows:

Only residents or commercial property owners of the Borough of Alpha shall have the right to dispose of their yard waste material, including grass clippings, at a facility or area so designated by the Borough on days and times to be designated by the Borough and preferably listed on the Borough's website. Their yard waste material shall be only that generated from their Alpha property. Non-residents who dispose of Alpha residents' yard waste material shall not be in violation of this ordinance, provided that they can prove that they are transporting and disposing of Alpha residents' yard waste material. Any violation of this section of the ordinance shall subject the violator to penalties as set forth herein, specifically in § 334-23.3.

## **EXECUTIVE SESSION RESOLUTION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist.

1. The public shall be excluded from discussion(s) of the hereinafter specified subject matter(s).
2. The general nature of the subject matter(s) to be discussed is: Personnel, Litigation and/or Contractual,
3. It is anticipated at this time, that the above stated subject matter(s) will be made public when it is no longer a matter of confidentiality.
4. Action may or may not be taken after executive session.

**NOW THEREFORE BE IT RESOLVED**, by the governing body of the Borough of Alpha that the public shall be excluded from an executive session for approximately \_\_\_\_\_ hour(s), \_\_\_\_\_ minutes, allowing for a five (5) minute recess between the regular session and the executive session.

Vote: