



BOROUGH OF ALPHA

1001 East Boulevard
Alpha, New Jersey 08865

REGULAR MEETING AGENDA
Borough of Alpha Municipal Building
Tuesday, May 24, 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:

➤ **ORDINANCE 2016-8 (2nd 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: 04/7/16 (*Special*) & 4/12/16 & 4/26/16

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

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Agenda-Continued

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:

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.

**ORDINANCE 2016-8
BOROUGH OF ALPHA
ORDINANCE OF THE BOROUGH OF ALPHA AMENDING
AND SUPPLEMENTING CODE SECTION CHAPTER 403
WATER AND SEWERS**

WHEREAS, the Council of the Borough of Alpha desires to amend a portion of Chapter 403, Water and Sewers 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 Chapter 403, Section 403-18 (Payment of bills) and Chapter 403, Section 403-21 (Water Rates; turn-on and turn-off procedures) and Chapter 403, Section 403-42 (Billings; collection of unpaid charges) shall be amended, only in part, and supplemented as follows:

§ 403-16 Water meters: installation, repair, tests.

D. Property owners may place a second water meter on their property with the property owner being solely responsible for the cost of the meter and the installation thereof by the Borough employees, agents or designees (with the meter remaining the property of the Borough). The second water meter shall be utilized for outdoor water consumption, for activities such as gardening and filling of swimming pools, which does not impact the property owner's sewage usage and shall thus not be used in calculation of sewerage billing.

§ 403-18 Payment of bills.

A.

All bills for water and/or sewer, except under building permits, shall be due and payable within 30 days of the billing date for the same. If a bill remains unpaid for a period over 30 days after the billing date or presentation, interest shall be charged. The interest rate is 8% per annum on any balance \$1,500 or less and 18% per annum on any balance greater than \$1,500. Also, any account which is in arrears for greater than six months, upon notice and in addition to the interest, may be subject to having the water turned off. No delinquent balances for water and/or sewer can be carried past the second (quarter) billing cycle; same must be paid by July 15th of the same calendar year, or the account(s) shall be subject to having the water turned off, upon notice and in addition to interest. Any account where the water is turned off shall not have the water

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turned on again until the entire balance(s) of the water and sewer account(s) are paid in full and the fee as set forth in § 403-21B has been paid. However, if proof is provided to the Borough's representatives and/or agents that the turn-on and turn-off are for a home inspection of a property that is under contract to be sold or transferred, the increased fees set forth in § 403-21B shall apply and need to be paid upfront for said home inspection water turn-on and turn-off. The inspection period shall not exceed 72 hours. The entire balance(s) of the water and sewer account(s) are to then be paid in full at closing and shall each remain due and payable as herein delineated in this chapter and shall remain a lien on the property, as well.

§ 403-21 Water rates; turn-on and turn-off procedures.

A.

The rates for water services per quarter shall be as follows:

(1)

For residential, commercial, industrial, and multi-use building usage:

(a)

A minimum service fee of \$55.00 per quarter per unit for residential and multi-use building(s); and minimum service fee of \$55.00 per quarter per unit for commercial and industrial.

B.

Miscellaneous fees. Fees for miscellaneous services shall be as follows:

(1)

Turn-off charge: \$50.

(2)

Turn-on charge: \$50.

(7)

If the turn-on is for or related to a home inspection of a property that is under contract to be sold or transferred there shall be a \$100.00 charge, payable prior to turn-on. Unless the closing is to occur within 72 hours of the water turn-on, then the water shall be turned off. To have the water turned on in the normal course of business, there shall be a standard turn-on charge as stated in § 403-21B (2), provided the balance of the water and sewer account(s) is paid in full.

403-42 Billings; collection of unpaid charges.

A.

All sewer rental billings are on a quarterly charge basis.

B.

In the event of nonpayment of all or any part of the service or rental charge herein prescribed and provided for as due, such service charge or rentals shall bear interest at the rate equal to that which is set by the Borough of Alpha for delinquent municipal taxes. Unpaid service or rental charges shall be a lien on real property and subject to collection and enforcement of such liens as are provided by law. Any late or nonpayment of sewer rental billings or fees shall subject the account holder to water shut-off as delineated in § 403-18. No delinquent balances for sewer can be carried past the second (quarter) billing cycle; same must be paid by July 15th of the same calendar year, or the account(s) shall be subject to having the water turned off, upon notice and in addition to interest.

BE IT FURTHER ORDAINED, by the Council of the Borough of Alpha that this ordinance shall take effect immediately, but the minimum fees set forth in § 403-21 shall take effect in the third (quarter) billing cycle 2016.

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: