

BOROUGH OF ALPHA LAND USE BOARD -

March 9, 2022, Special Meeting

Municipal Building 1001 East Blvd., Alpha, New Jersey

The special meeting of the Borough of Alpha Land Use Board was called to order at 7:00 PM, by Attorney Steven Gruenberg.

NOTICE

Pursuant to the Open Public Meeting Act, Chapter 231, P.L. 1975, adequate notice of this meeting has been provided by mail to the Star Ledger and the Hunterdon County Democrat a notice of this meeting and all other regular meeting of the Land Use Board of the Borough of Alpha, which notice sets forth the time, date, and location of this meeting by posting said notice on the bulletin board outside the municipal clerk's office.

Attorney Gruenberg administered Oaths of Office to the following:

Dawn Dalrymple – Class 4 Member

Tom Fey – Class 4 Member

Roll Call: Present: Mr. Dragotta, Ms. Dalrymple, Mayor Dunwell, Mr. Fey, and Mr. Schwar. Absent: Mr. Cartabona, Mr. Fritts, Mr. Gable, and Mr. Plimpton.

Also present were Steven Gruenberg, Esq., attorney for the Board and Stan Schrek, Board Engineer.

Election of Board Chairman:

Motion made by Mr. Schwar to nominate Tom Fey as Land Use Board Chairman for 2022. Motion seconded by Mayor Dunwell.

Motion to close the nomination was made by Mr. Schwar. Motion seconded by Mayor Dunwell. All were in favor.

Roll Call to accept the nomination of Mr. Fey as Land Use Board Chairman for 2022. Ayes: Mr. Dragotta, Ms. Dalrymple, Mayor Dunwell, Mr. Fey, and Mr. Schwar. Nays: None. Absent: Mr. Cartabona, Mr. Fritts, Mr. Gable, and Mr. Plimpton. Motion passes.

Election of Board Vice Chairman:

Motion made by Mr. Schwar to nominate Mr. Dragotta as Land Use Board Vice Chairman. Motion seconded by Mayor Dunwell.

Motion to close the nomination was made by Mr. Schwar. Motion seconded by Mayor Dunwell. All were in favor.

Roll Call to accept the nomination of Mr. Dragotta as Land Use Board Vice Chairman for 2022. Ayes: Mr. Dragotta, Ms. Dalrymple, Mayor Dunwell, Mr. Fey, and Mr. Schwar. Nays: None. Absent: Mr. Cartabona, Mr. Fritts, Mr. Gable, and Mr. Plimpton. Motion passes.

Resolutions:

Motion made by Mr. Schwar to approve Resolution 2022-01. Motion seconded by Mayor Dunwell. Roll call: Ayes: Mr. Dragotta, Ms. Dalrymple, Mayor Dunwell, Mr. Fey, and Mr. Schwar. Nays: None. Absent: Mr. Cartabona, Mr. Fritts, Mr. Gable, and Mr. Plimpton. Motion passes.

**BOROUGH OF ALPHA
RESOLUTION 2022-01**

RESOLUTION BY THE LAND USE CHAIRPERSON AND LAND USE BOARD OF THE BOROUGH OF ALPHA, WARREN COUNTY, STATE OF NEW JERSEY, IN REGARD TO REGULAR MEETINGS

WHEREAS, Section 13 of the Open Public Meetings Act, Chapter 231, P.L. 1975, requires that at least once a year not later than January 10th of such year shall post and mail to newspapers designated by said body the Regular Meeting dates during the succeeding year.

NOW, THEREFORE BE IT RESOLVED by the Land Use Chairperson and Land Use Board of the Borough of Alpha, County of Warren, State of New Jersey that Regular Meetings of the Alpha Borough Council shall be held at 7:00 pm prevailing time, or otherwise as indicated below for the year 2022, meetings shall be duly advertised according to Section 13 of the Open Public Meetings Act, Chapter 231. The dates of said meetings are as follows:

	August 17
	September 21
April 20	October 19
May 18	November 9 (2 nd Wednesday)
June 15	December 21
July 20	
January 18, 2023 (Re-organization) & Regular Meeting	

BE IT FURTHER RESOLVED that all meetings shall be held at the Borough Municipal Building, 1001 East Boulevard, Alpha, NJ 08865 and are open to the public.

BE IT FURTHER RESOLVED that the Star Ledger and the Hunterdon County Democrat be designated as the official newspapers and should be authorized for all legal publications and notices required for publication according to law.

BE IT FURTHER RESOLVED that the format for regular meetings of the Land Use Board be as follows:

Regular Meeting Agenda

Call to Order
Roll Call
Resolutions
Approval of Minutes
Engineer Reports
Old Business
New Business
Correspondence
Public Comment
Executive Session (*As Needed*)
Adjournment

This resolution is available for public inspection in the office of the Land Use Board at the Municipal building, 1001 East Boulevard, Alpha, New Jersey.

Motion made by Mr. Schwar to approve Resolution 2022-02. Motion seconded by Mr. Dragotta. Roll call: Ayes: Mr. Dragotta, Ms. Dalrymple, Mayor Dunwell, Mr. Fey, and Mr. Schwar. Nays: None. Absent: Mr. Cartabona, Mr. Fritts, Mr. Gable, and Mr. Plimpton. Motion passes.

RESOLUTION 2022-02

RESOLUTION BY THE LAND USE BOARD OF THE BOROUGH OF ALPHA, WARREN COUNTY, NEW JERSEY FOR PURPOSE OF APPOINTING A SECRETARY FOR THE CALENDAR YEAR 2022

WHEREAS, per N.J.S.A. 40:55D-24 “Organization of Planning Board” the Land Use Board has the statutory authority to select professionals such as an attorney, a secretary or create or fill any other offices it deems necessary.

BE IT RESOLVED, by the Land Use Board of the Borough of Alpha, Warren County, New Jersey as follows:

Donna Messina is hereby hired as Secretary for the Land Use Board for the calendar year 2022 at an annual salary of \$14,000.00. Said salary shall be paid on a bi-weekly basis.

This resolution is available for public inspection in the office of the Land Use Board at the Municipal building, 1001 East Boulevard, Alpha, New Jersey.

Motion made by Mr. Dragotta to approve Resolution 2022-03; motion seconded by Mr. Schwar. Roll call: Ayes: Mr. Dragotta, Ms. Dalrymple, Mayor Dunwell, Mr. Fey, and Mr. Schwar. Nays: None. Absent: Mr. Cartabona, Mr. Fritts, Mr. Gable, and Mr. Plimpton. Motion passes.

RESOLUTION 2022-03

BOROUGH OF ALPHA

**A RESOLUTION AUTHORIZING THE
HIRING OF A NON-FAIR AND OPEN CONTRACT FOR LAND USE BOARD COUNSEL**

WHEREAS, the Borough of Alpha Land Use Board, has a need to acquire the goods or services to be provided hereunder as a non-fair and open contract pursuant to the provisions of *N.J.S.A.* 19:44A-20.4 or 20.5, as applicable; and,

WHEREAS, it has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the Land Use Board of the Borough of Alpha deems the hiring of a Land Use Board lawyer to be in the best interests of the Borough of Alpha; and

WHEREAS, certain contracts may be awarded without competitive bidding as a “Professional Service” under provisions of the Local Public Contracts Law as provided by *NJSA* 40A:11-5 because such services are required to be performed by a person authorized by law to practice a recognized profession and it is not possible to obtain competitive bids.

NOW THEREFORE BE IT RESOLVED, by the Land Use Board of the Borough of Alpha that Steven P. Gruenberg, Esq., a New Jersey licensed attorney, be hired or retained as Land Use Board counsel for the Borough of Alpha for the calendar year 2022 at a rate of \$165.00 per hour, minimum charge if no meeting is held; \$75.00 per hour for paralegal.

BE IT FURTHER RESOLVED, that the Land Use Board Chairman and Land Use Board Secretary are hereby authorized to execute the contract and any related documents.

BE IT FURTHER RESOLVED that the Land Use Board Secretary shall publish such notice as required under the law. This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in *N.J.S.A.* 40A:11-5, because said office requires services performed by person or persons qualified to practice recognized professions, and it is not possible to obtain competitive bids, and according to other applicable statutes.

This resolution is available for public inspection in the office of the Land Use Board at the Municipal building, 1001 East Boulevard, Alpha, New Jersey.

Motion made by Mr. Schwar to approve Resolution 2022-04. Motion seconded by Mr. Dragotta. Roll call: Ayes: Mr. Dragotta, Ms. Dalrymple, Mayor Dunwell, Mr. Fey, and Mr. Schwar. Nays: None. Absent: Mr. Cartabona, Mr. Fritts, Mr. Gable, and Mr. Plimpton. Motion passes.

**RESOLUTION 2022-04
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR LAND
USE BOARD ENGINEER**

WHEREAS, the Borough of Alpha Land Use Board, has a need to acquire the goods or services to be provided hereunder as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5, as applicable; and,

WHEREAS, it has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Van Cleef Engineering Associates, has submitted a proposal or request indicating they will provide the services of Land Use Board Engineer per their municipal qualifications package for engineering services to the Borough of Alpha Land Use Board; and

WHEREAS, Van Cleef Engineering Associates has completed and submitted a Business Entity Disclosure Certification which certifies that they or any of their employees have not made any reportable contributions to a political or candidate committee in the Borough of Alpha in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

NOW THEREFORE, BE IT RESOLVED that the Land Use Board of the Borough of Alpha hereby authorizes the Mayor to enter into a contract with Van Cleef Engineering Associates, as described herein; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that the Land Use Board Secretary shall publish such notice as required under the law. This appointment is made without competitive bidding as professional services under the provisions of the Local Public Contracts Law, as provided in N.J.S.A. 40A:11-5 because said office requires services performed by person or persons qualified to practice recognized professions, and it is not possible to obtain competitive bids, and according to other applicable statutes.

This resolution is available for public inspection in the office of the Land Use Board at the Municipal building, 1001 East Boulevard, Alpha, New Jersey.

Approval of Minutes:

Motion made by Mr. Schwar to approve the October 10, 2021, minutes. Motion seconded by Mr. Dragotta. All were in favor.

Motion made by Mr. Schwar to approve the December 16, 2021, minutes. Motion seconded by Mr. Dragotta. All were in favor.

Public Hearing:

Amendment to the Master Plan.

Attorney Gruenberg stated that the appropriate service and publication of the notice of public hearing was done.

Ms. Knowles was sworn in by Attorney Gruenberg at this time.

Councilman Cartabona arrived at 7:10 PM and was sworn in by Attorney Gruenberg as a Class 3 Land Use Board Member.

A presentation was made by Angela Knowles, who is a professional planner from Van Cleef Engineering Associates on the topic of the amendment to the Master Plan via the adoption of documents entitled “Borough of Alpha, Warren County, Highlands Center Designation Plan. The purpose of the presentation was to review the draft of the Center Designation Plan. This plan helps to set the foundation for our zoning and what we would like to see the Borough evolve into as time goes on. There was conversation regarding deed-restricted areas for future planning purposes and how Green Acres can tie into the process. It was brought to the attention of Ms. Knowles that there was a zoning designation error on the document. She will research and make the proper corrections.

After the presentation and discussion, Attorney Gruenberg advised that this should not be voted on this tonight. This hearing will be re-noticed, and it will be carried forward to the April 20th, 2022, meeting.

At this time our engineer, Stan Schrek announced that Angela will be moving on to another opportunity as deputy director of Somerset County. Everyone thanked Angela for work and wished her well in her new position.

Mayor Dunwell made a motion to amend Resolution 2022-03 to reflect that the appointment of Steve Gruenberg as Alpha Borough Land Use Board council was done in a non-fair and open manner. Motion was seconded by Councilman Cartabona. Roll call: Ayes: Councilman Cartabona, Mr. Dragotta, Ms. Dalrymple, Mayor Dunwell, Mr. Fey, and Mr. Schwar. Nays: None. Absent: Mr. Fritts, Mr. Gable, and Mr. Plimpton. Motion passes.

Adjourn:

There being no other business on the agenda, Councilman Cartabona moved to adjourn the meeting at 8:17 PM. Mr. Dragotta seconded the motion. All were in favor.

Respectfully submitted,

Donna L. Messina,
Land Use Board Secretary
Approved: __/__/__