

Borough of Hamburg Land Use Board Meeting Minutes of May 9, 2016

The Borough of Hamburg Land Use Board meeting was call to order at 7:00 pm by **Chairman Adams** in accordance with the Open Public Meeting Act, with regard to notices.

Chairman Adams invited all those present to participate in the flag salute.

Chairman Adams read the Statement of Certification. This meeting is in compliance with the Open Public Meetings Act, Public Law 1975, Chapter 231, Sections 4 and 13, as advertised by Annual Notice.

Louis I Karp, Esq. administered the Oath of Allegiance to Sam Villagomez, Class IV Member. Mr. Villagomez joins the Board members on the dais.

Those present were Mayor Marino, John Haig, Daniel Hall, Guy Harby, Rich Krasnomowitz, Jeanette Tempe, Sam Villagomez and Robert Adams. Also present was Louis I. Karp, Esq. for Glenn Kienz, Esq., John Ruschke, PE and Eric K. Snyder, PE for Ken Nelson, PP. Absent was Thomas Watts and George Alakpa who was to be administered the Oath of Allegiance as a Class IV Member of the Land Use Board.

MINUTES:

Approval of the March 14, 2016 Land Use Board Minutes:

Ms. Tempe made a motion to approve the minutes of March 14, 2016. Seconded by **Mr. Haig**. Aye: Mayor Marino, Harby, Haig, Tempe and Chairman Adams. Nay: None. Abstained: Hall, Haig, and Krasnomowitz. Abstain: Villagomez

BILLS/VOUCHERS:

Ms. Tempe questioned whether additional bills had been added to the agenda for review and approval. Board Secretary confirms that additional bills were added.

Mayor Marino makes mention to the attorney for Diamond Communications that the escrow account is deficient and additional escrow will be required. Ms. Fairweather indicates the correspondence requesting additional escrow had been recently received and that the escrow account would be replenished by the end of the week.

Ms. Harby motioned to approve payment of the following bills/vouchers. Seconded by **Ms. Tempe**. Aye: Mayor Marino, Haig, Hall, Harby, Krasnomowitz, Tempe, Villagomez and Chairman Adams.

- a. Hatch Mott MacDonald - \$1,282.50 – Diamond Communications (E)
(pending receipt of additional escrow)
- b. Hatch Mott MacDonald - \$715.10 – Diamond Communications (E)
(pending receipt of additional escrow)
- c. Hatch Mott MacDonald - \$54.00 – Bluffs at Ballyowen (E)
- d. Hatch Mott MacDonald - \$162.00 – Brown/Ramage (E)
- e. Hatch Mott MacDonald - \$274.00 – Land Use General

- f. Weiner Lesniak - \$340.00 – Land Use General
- g. Weiner Lesniak - \$1,282.50 – COAH
- h. Nelson Consulting - \$483.00 – Diamond Communications (E)
(pending receipt of additional escrow)
- i. Nelson Consulting - \$161.00 – Hamburg Farms (E)

CORRESPONDENCE:

Chairman Adams asked the members if they had questions or comments regarding the following correspondence items. The members had none.

- a. April 21, 2016 Correspondence from JVC Construction (ZB 02-03, Block 11, Lot 5) requesting return of escrow for account #103.
- b. April 14, 2016 Correspondence from Borough of Franklin to Sussex County Planning Board re: Adoption of 2016 Master Plan Re-examination Report
- c. April 14, 2016 Correspondence from Dolan & Dolan re: Notice of Hearing Block 16, Lots 12 and 13.02 located at 1 and 3 Crystal Springs Road
- d. April 5, 2016 Correspondence from Clerk to Mr. Villagomez re: appointment as Land Use Board Member
- e. March 23, 2016 Township of Hardyston Ordinance No. 2016-03 Amending Chapter 185 "Zoning"
- f. March 22, 2016 Correspondence from Hatch Mott MacDonald regarding Brown and Ramage subdivision deeds..
- g. March 15, 2016 Correspondence from Wayne McCabe, Sussex County Historical Society President re: Diamond Communications application Section 106 Review
- h. The New Jersey Planner January/February 2016
- i. April 27, 2016 Correspondence from Borough of Franklin re: Ordinance #09-2016 Amending Chapter 161

Unfinished Business – COAH Litigation

In the Matter of the Borough of Hamburg Complaint for Declaratory Judgment Demonstrating Municipal Compliance with Constitutional Mount Laurel Obligation (Docket No. SSX-L-000440-15)

- *Status update from Board professionals and Board discussion*
- *April 22, 2016 Correspondence from Weiner Lesniak re: Order entered by Hon. Stephen C. Hansbury, J.S.C. scheduling hearing for entry of Final Judgment*
- *March 30, 2016 Correspondence from Glenn Kienz, Esq. to Hon. Stephen C. Hansbury, P.J. Ch. Re: In the Matter of the Borough of Hamburg for Determination of Mount Laurel Compliance.*
- *March 22, 2016 Resolution No. 2016-12 of the Mayor and Council re: Housing Element and Fair Share Plan*