

Borough of Hamburg Land Use Board Meeting Minutes of July 11, 2016

The Borough of Hamburg Land Use Board meeting was call to order at 7:05 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.

Those present were Daniel Hall, Guy Harby, Rich Krasnomowitz (arrived at 7:12 pm), Mayor Marino (arrived at 7:12 pm), Jeanette Tempe, Thomas Watts, Sam Villagomez and Robert Adams. Also present was Glenn Kienz, Esq. and Ken Nelson, PP. Absent: Board members John Haig and George Alakpa and Board Engineer John Ruschke, PE.

MINUTES:

Approval of the June 13, 2016 Land Use Board Minutes:

Watts made a motion to approve the minutes of June 13, 2016. Seconded by Harby. Aye: Hall, Harby, Krasnomowitz, Tempe, Villagomez, Watts and Chairman Adams. Nay: None. Abstain: None.

BILLS/VOUCHERS:

Tempe motioned to approve payment of the following bills/vouchers. Seconded by Hall. Aye: Hall, Harby, Tempe, Villagomez, Watts and Chairman Adams.

- a. Bruce A. Eisenstein, PhD, PE – \$1,000.00 – Diamond Communications (E)
- b. Morris Downing & Sherred LLP – \$1,698.61 – Diamond Communications (E)
- c. Hatch Mott MacDonald - \$995.50 – Diamond Communications (E)
- d. Hatch Mott MacDonald - \$54.00 – Bluffs at Ballyowen (E)
- e. Hatch Mott MacDonald - \$137.00 – Land Use Board General
- f. Morris Downing & Sherred LLP - \$716.21 – Land Use Board General

CORRESPONDENCE:

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

- a. 6/23/16 Correspondence to Fairweather re: Diamond Communications escrow.
- b. 6/22/16 Correspondence from Fairweather re: Diamond Communications escrow.

Watts questions whether the escrow account of Diamond Communications remains in arrears. Board Secretary confirms that the account is in arrears and a follow up call will be made.

Chairman Adams and Attorney Kienz suggest suspending the agenda to the resolution for Hamburg Farms. A motion is made by Chairman Adams second by Harby suspend the agenda with all others in favor.

A motion is made by Hall, second by Tempe to approve the resolution of move the order of the agenda to approve the resolution approving the Extension of Time for Minor Subdivision Approval. Aye: Hall, Harby, Tempe, Villagomez, Watts and Chairman Adams. Nay: None. Abstain: None.

At 7:10 p.m. the agenda is suspended to open the meeting to the public. No public is present. The meeting is closed to the public.

There are no professional reports to discuss.

Brief discussion started by Ms. Tempe about flag signs and whether or not the ordinance addresses flag signs.

At 7:12 p.m., Mayor Marino and Mr. Krasnomowitz take their seats at the dais.

New Business – Board of Education - Hamburg School (LU 16-02)

Review of Plans for Renovation of Front Entry pursuant to N.J.S.A 40:55D-31, 30 Linwood Avenue (Block 25, Lot 3)

At 7:13 p.m., Bill Sabo, Board of Education Business Administrator introduces himself and discusses the scope of the renovations proposed at the entry of Hamburg School. The plans entitled "Front Entry Renovations at Hamburg School" were prepared by Joshua D. Thompson, A.I.A. and dated February 19, 2016. The site improvements are concentrated at the entry and include replacing the sidewalk, replacing some walls, adding drainage and replacing the existing sign with an electronic sign. The sign will be located close to the school and will be used to provide information to parents. Information will be updated as needed but not with any frequency.

Ken Nelson makes mention to his report specifically that the improvements and sign are in compliance with the Borough's Master Plan and ordinances.

Chairman Adams informs the Board that Mr. Ruschke agreed with Mr. Nelson's assessment of the Board of Education's plan.

Attorney Kienz discusses the Board's review of the Board of Education's plan which is a capital facilities review to determine whether the proposed renovations are in compliance with the Borough's Master Plan. Mr. Nelson clarifies that the information and messages posted on the electronic board should not be commercial in nature. The information should be relevant to the school and the community and should not change but once every three (3) minutes. A final copy of the plan including the electronic sign should be submitted to Mr. Nelson for his review.

Mayor Marino questions whether the Board has provided escrow for professional fees for this review. Mr. Sabo confirms an escrow payment was provided.

Watts questions the size of the sign and whether or not the size should be specified.

Attorney Kienz discusses the process for this review. Correspondence should be provided to the governing body with the findings of the Land Use Board's review and any recommendations for the plan.

A motion is made by Mayor Marino to provide a letter to the Governing Body with the Land Use Board's recommendations, second by Adams. Ayes: Hall, Harby, Krasnomowitz, Mayor Marino, Tempe, Villagomez, Watts and Chairman Adams.

Mr. Sabo requests that the correspondence be addressed to the Hamburg Board of Education President Robert Jones.

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)

At 7:20 p.m., Mr. Nelson discusses the Board's review of the Housing Plan at the September meeting and noticing for a public hearing for October.

Attorney Kienz and Mr. Nelson discuss the recent decision as it relates to the gap period (1999-2005). The Consortium is requiring additional funds from municipalities. Mayor Marino reiterates the Borough will not provide any additional funds.

CHAIRMAN'S AGENDA:

A motion was made to adjourn by Mayor Marino, second by Chairman Adams at 7:23 PM with all others in favor.

Respectfully submitted,



Wendy Brick

Secretary to the Land Use Board