

**REGULAR MEETING MINUTES OF THE BOROUGH OF OGDENSBURG  
LAND USE BOARD FOR  
October 26, 2021, AT THE OGDENSBURG  
MUNICIPAL BUILDING, 14 HIGHLAND AVE.  
OGDENSBURG, AT 7:00pm**

Chairman Elliott Honig called the meeting to order at 7:05pm.

Chairman Honig led the Pledge of Allegiance.

Meeting was held via zoom/audio.

**STATEMENT OF COMPLIANCE**

The notice requirement of P.L. 1975, Chapter 231, Sections 4 and 13 have been satisfied with a schedule of all meetings together with the time, location and agenda of same being sent to the NEW JERSEY HERALD and the NEW JERSEY SUNDAY HERALD and posted on the bulletin board at the Borough Hall on January 29, 2020.

**ROLL CALL:** Honig, Mayor Hutnick, Kibildis, Nasisi, Telischak

Absent: Andrews, Fierro, Fitzgibbons

Also present: Roger Thomas, Land Use Board Attorney

**APPROVAL OF THE MINUTES**

Mr. Kibildis made a motion to approve the meeting minutes for September 28, 2021. Seconded by Mayor Hutnick.

**Upon Roll call Vote:**

Yeas: Honig, Hutnick, Kibildis, Nasisi, Telischak

Nays: None Absent: Andrews, Fierro, Fitzgibbons Abstain: None

**APPLICATIONS FOR COMPLETENESS**

There are no applications for completeness.

**APPLICATIONS TO BE HEARD**

There are no applications to be heard.

**OLD BUSINESS/NEW BUSINESS**

**Local Planning Services Grant**

Chairman Honig explained he reached out to Mr. Tessie after the last meeting in regards to the grant application and the letter Local Planning Services had sent to us dated September 23. Chairman Honig commented he did ask him for a lot further update to find out what would be included and detail; his response was very brief he will meet with us in the spring. With that being said he didn't get any additional comments however, he did touch base with Angela and asked her if she was going to be around this evening to touch base with her regarding all of this. She

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was not able to attend tonight's meeting however, she did let me know that she has worked with the local planning services before and they put out a very good product and she is really excited to work with them regarding the stuff she has done which is also in line with what they are going to do. Angela in a very small way can work with them just to make sure it aligns properly, which is a good thing. It will be nice to see the work that we did and authorize to go towards what this grant is going to be applied towards. The final product based off of the letter it's an economic development strategy for the Ogdensburg Central Business District. This is all good news and explained. Chairman Honig asked if anyone had any comments or questions.

Redevelopment studies from 2010

Chairman Honig commented the redevelopment studies is all part of this [grant].

Chairman Honig commented at the last meeting we talked about the zoning officer coming to the meeting. Ms. Hough explained she wasn't sure if she was supposed to ask him; maybe have him attend next month's meeting. Chairman Honig commented at the very least we should meet him as a Board; it worked out since the whole board isn't here tonight.

Chairman Honig commented he still wants to talk to him [zoning officer] about the IMC which we are holding off because he doesn't want to purchase anything or go forward with it unless we talk to him.

Mr. Telechak explained he met the State Fire Marshal and he inspected the day care.

International Maintenance Code/Stakeholder meeting

Board Member Vacancy

Chairman Honig asked to please get a Board member. We lost two alternates and never filled Kevin spot when he retired. Chairman Honig asked Mr. Thomas how long can we go without filling [the class II position].

Mr. Thomas commented it is a requirement in the Municipal Land Use Law he would suggest that you don't go to long. He would like to think you should have a class II filled before you have an application. You can have someone assigned to that position it can be short or long term.

There was a discussion on the Class II position and other positions on the board.

Budget

Chairman Honig commented we were hoping that Mike or Angela would be here for the discussion on the budget; he did ask Mike for an update the Council submitted a grant for parks and recreation we discussed last meeting to see if there was something we [the board] can do prior to that grant. Mayor Hutnick gave an update on the Grant.

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Chairman Honig commented in the grant application engineering fees were budgeted for \$32,000 for all of that, what can we do. Mike was going to discuss this with his office. We have up until December to utilize the funds we have set aside; the funds we were to go towards a special project. At this point the special project we originally were going to do got off set by the Local Planning Grant. The money is there; we don't want to lose it to the general funds.

Ms. Hough explained you would have to encumber the funds, get a proposal for the work.

Councilman Nasisi commented we didn't have the engineering done; but the cost of the engineering is included in what was submitted for the grant.

Mayor Hutnick commented right we don't owe any money.

Councilman Nasisi commented they wanted us to prioritize [items listed in the grant]. Councilman Nasisi commented what if we as land use take care of the planning portion or actual construction of the walking path.

There was a discussion on the walking path, getting the planning aspect done, getting a risk management assessment, getting an estimated cost from Mike Vreeland, getting outside service for some of the work, Mike knowing the Borough and really knows what is going on, the basketball and tennis courts vs. the walking path, the walking path would be a safe place to walk, not everyone plays pickleball and the walking path would be for everyone not one specific group

Chairman Honig commented we can get a proposal from Mike Vreeland for engineer costs.

Chairman Honig commented he received an email from our CFO regarding the budget for next year; at some point we will need to have that discussion of what we are going to be looking for as far as the budget is concerned. Knowing we are going forward regardless of what is coming. We know Angela is going to be involved, we need to ask for special funds. Maybe base the budget off of last years budget and have that wonderful discussion with Council from that point. Are there any comments on the budget for next year?

Mr. Teliskak asked would these improvements come out of our [Land Use Board] budget or the Municipal [budget].

Mayor Hutnick commented if we don't get the grant it isn't coming out of anything. It is all based on the Grant.

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Councilman Nasisi commented until we find out about the grant we can get the proposal from Mike to do the planning services but put in on hold so hopefully CFO Mike will allow this. Maybe move forward with other things we have tried to do in the past for example the bike path was a good idea too and the bike trails interconnecting.

**Interstate Industrial Update**

Chairman Honig commented he did get an update from Interstate Industrial Management; it seems to be along the same lines it was after the packet went out. The update is direct from Interstate Industrial which is the building is totally enclosed at this point we are waiting for an electrical box, septic pump and controller. They gave us no delivery dates for either; we can't do the sidewalks or landscaping until all this is done. It is still a work in progress they are still within their deadlines.

They have made progress they have officially four months from today.

Chairman Honig commented that is it for old business now on to new business.

Mr. Thomas commented he received a phone call about two weeks ago from a Mr. Ferraro he is the attorney for T-Mobile. He also had a conversation before that with Tom Dixon your new zoning officer asking me what he should do with their request to put up new antennas on the existing pole/existing structure by the Zinc Company. They might end up replacing and putting in a new box.

Mr. Thomas commented he told Mr. Dixon we need to look at that and based on their discussion he ended up giving them a denial. That was based on his advice for him. Mr. Thomas explained he then received a call from Mr. Ferrero, Esq. he wanted me to be aware about Federal Statues he gave the information which I'm aware of. Mr. Thomas commented he indicated to Mr. Ferrero he thought the best process for us to use is the applicant would end up putting up an escrow in this case \$1,000.00. Mr. Ferraro was fine with that. Mr. Thomas commented what would happen is one of two things. There is a prevision in the Federal Statue that really exempts cell towers from going through the regular Planning Board process; in an effort to try and have telecommunications throughout the country. So, there is a policy behind it whether you agree with it or not everyone wants a cell phone put not a cell tower. Mr. Thomas commented he agrees with him but there is also a prevision that the regulations. If Mr. Dixon is comfortable to make sure they are within the standards and they are substantially compliant. Mr. Thomas explained substantially compliant is a term there are six different things they need to establish. They are simple and gave an example.

There was a discussion on the cell tower upgrade.

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**CORRESPONDENCE**

Chairman Honig explained we just discussed the correspondence.

- Letter dated October 4, 2021 from Thomas Dixon, Zoning Officer to T-Mobile  
Re: Zoning Denial for upgrade of existing telecommunication facility 230 Passaic  
Avenue, block 30 lot 11.08, I/C Zone.
- September, 2021 CCO and Zoning Permit report.

**BILLS/VOUCHERS**

Councilman Nasisi made a motion to approve the bills and vouchers. Seconded by Mr. Kibildis.

**Upon Roll call Vote:**

Yeas: Honig, Hutnick, Kibildis, Nasisi, Telischak

Nays: None Absent: Andrews, Fierro, Fitzgibbons Abstain: None

- Invoice dated September 23, 2021 from Dolan and Dolan, P.A., Board Attorney  
Statement number 942657 in the amount of \$199.50.

**PUBLIC PORTION**

Councilman Nasisi made a motion to open the meeting to the public. Seconded by Mr. Kibildis.  
All were in favor.

No one present in the public.

Councilman Nasisi made a motion to close the meeting to the public. Seconded by Mr. Kibildis.  
All were in favor.

**ADJOURN**

Mr. Kibildis made a motion to adjourn. Seconded by Mr. Telischak. All were in favor.

Chairman Honig adjourned the meeting approximately 7:46pm.

Prepared by  
Robin Hough, RMC/CMR