

BOROUGH OF OGDENSBURG LAND USE BOARD MINUTES

MEETING DATE: September 25, 2018

CALL TO ORDER: The meeting of the Ogdensburg Land Use Board was called to order at 7:11 P.M.

PLEDGE OF ALLEGIANCE

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 25, 2017.

1. **ROLL-CALL:** **Present:** Armstrong, Andrews, Fierro, Fitzgibbons*, Hart, Honig, Kibildis, McGuire and Nasisi**
Absent: Telischak and Slater
Professionals Present: Gene Buczynski, P.P. and Michelle Corbett-Rivielle, Esq.
*Mr. Fitzgibbons arrived at 7:50 P.M.
**Mr. Nasisi arrived at 7:20 P.M.

2. **OLD BUSINESS/ NEW BUSINESS:**

a. Municipal Budget

Chairman Armstrong said that there was an article in the Advertiser News accusing the Board of not supplying the dollars needed for the Municipal Budget, and therefore, we had an overrun. The paper misrepresented it. We had \$4,000 in the CFO account for the Re-Examination Report. We needed an additional \$3,500 and was told by the Council and CFO that a special emergency allocation can be made in November.

The codification of the ordinances was a big ticket item. It was bigger on the Municipal side than the Land Use side. The program started in the year 2000. When we got Robin, she started to resurface all this pending stuff and clean out the files and get the things that were laying around done. Therefore, the codification was getting done. The Land Use Board never had the responsibility to identify codification monies. That was a Municipal item. Our item was the two professionals and this year was the Master Plan. The Master Plan was on the books for the last three (3) years and left the \$4,000 in the budget. The \$3,500 was not budgeted but will be allocated in November through a special emergency appropriation.

Mr. Kibildis said that amount should not cause a Borough freeze of spending that might be generated from the Land Use Board. The article stated that there were numerous overruns: \$22,000 for police overtime and \$25,000 in legal fees.

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b. Master Plan

The Board did a lot of work on the Master Plan Re-Examination last month and met with Angela Knowles, Planner. We were going to have a preliminary report at this meeting but will have the report available for next month's meeting.

c. Driveway Ordinance

In previous meetings, we had the driveway ordinance revision and now we have a preliminary ordinance that was written up by the Engineer and sent to Legal at Dolan & Dolan and they put it in legal form. Now we have the ordinance and need to agree that this is what we want and recommend it to Council. Then the Council will have a first and second reading and publish it in the newspaper.

Previous proposed ordinances were never approved by Council and/or published. There were a few ordinances that were approved such as the ones for the Swimming Pools and Tele-Communication Towers. Chairman Armstrong said that Eric Wood tabled it because it was too expensive to go to the paper and codification was in the wind.

The reason for the driveway change is safety so someone will look at entrance and exit of a property in the mind of safety and sight view. Residents are allowed to install a driveway but need to adhere to certain criteria. Engineer Buczynski noted that the fee for a new driveway will be \$25.00 and all driveways wouldn't need to be reviewed by the Engineer. The ordinance does not prohibit second driveways. Chairman Armstrong said that someone on Kennedy Avenue wanted to put in a forty (40) foot driveway with the vehicles backing out onto the road. Mr. Andrews remarked that in the State of New Jersey you are not allowed to back into the street and if someone hits you while you are backing out of your driveway, you are liable.

Mr. McGuire questioned the 15% grade and there was a brief discussion. A variance would be required for a steeper grade. Mr. Kibildis asked Mr. Honig his thoughts on the changes since he did a lot of work on it and he was fine with most of the changes. A lot of it was based on fees and didn't want to nickel and dime residents who wanted to do a slight modification. We wanted to make it affordable hence the \$25.00 fee. It is easy to read and I'm not sure about the 15%. Engineer Buczynski agreed with all the changes. Mr. McGuire asked if he modifies the top of his driveway, will he need to obtain a variance because his driveway is not within the 15% grade. The ordinance will be changed to indicate all "new" driveways under B. 2.

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The impervious coverage of a lot was discussed and the difference in parking lots and driveways. Chairman Armstrong noted that Edison Avenue is 18 feet wide and Arch Street is probably 16 feet wide. In a nutshell, this ordinance states that the opening cannot be more than 24 feet wide. The ordinance states that it pertains to single family residences.

Chairman Armstrong asked the Board Members if this ordinance addresses the safety of entrances and exits off the main roads, gives us a standard and is reasonable. Attorney Corbett-Rivielle stated that her office will send a letter and the ordinance to the Borough Council.

A motion to recommend the driveway ordinance to the Borough Council with the modification in B.2. to read all “new” driveways was made by Elliott Honig, second by John Fierro with Armstrong, Kibildis, Nasisi, Andrews, McGuire and Hart also in favor. Mr. Kibildis acknowledged Mr. Honig’s effort in this endeavor.

3. INTERSTATE INDUSTRIAL MANAGEMENT

Engineer Buczynski said that Interstate owners signed the Developer’s Agreement with the Governing Body. They are supposed to advise us when they are going back to the site. We had a problem in the past when they call and say would you like to inspect the curbing. It’s all done. We are trying to correct that. They are digging footings now and that is the Building Department’s responsibility.

4. CHAIRMAN’S AGENDA

a. Invoice Tracking

Chairman Armstrong remarked that we keep track of all of our invoices and costs year-to-date. Engineer Buczynski stated that the total is around \$5,000 to \$5,500.

5. BILLS/VOUCHERS:

Dated 8/31/18 from Weiner Law Group re: Interstate Industrial Mgmt.	\$224.00
Dated 9/6/18 from Van Cleef Engineering re: Interstate Industrial Mgmt.	\$ 62.50
Dated 8/31/18 from Dolan & Dolan, Esqs. re: General	\$488.54

A motion to approve the bills and vouchers was made by John Kibildis, second by Councilman Nasisi with Armstrong, Andrews, Fierro, Honig, McGuire and Hart also in favor.

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6. OPEN AND CLOSE TO THE PUBLIC

No members of the public were in attendance.

7. ADJOURNMENT

A motion to adjourn was made by Elliott Honig, second by John Kibildis with all in favor.
Meeting adjourned at 8:12 P.M.

Blanche Stuckey
Land Use Board Secretary

Date of Approval