

**REGULAR MEETING MINUTES OF THEBOROUGH OF OGDENSBURG  
LAND USE BOARD FOR  
August 25, 2020, AT THE OGDENSBURG  
MUNICIPAL BUILDING, 14 HIGHLAND AVE.  
OGDENSBURG, AT 7:00pm**

Chairman Elliott Honig called the meeting to order.

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:** Andrews (via zoom), Fierro (via zoom), Fitzgibbons, Honig, Mayor Hutnick, Kervatt, Kibildis, Nasisi, Telischak (via zoom)

Absent: None

Also present: Roger Thomas, Land Use Board Attorney (via zoom), Angela Knowles Land Use Board Planner (via zoom)

**APPROVAL OF THE MINUTES** – August 04, 2020

Mr. Kibildis made a motion to approve the meeting minutes for August 4, 2020. Seconded by Mayor Hutnick.

**Upon Roll call Vote:**

Yeas: Andrews, Honig, Hutnick, Kervatt, Kibildis, Telischak

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

**RESOLUTION**

There were no resolutions to approve.

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**OLD BUSINESS/NEW BUSINESS**

**Parking for Main Street – Paper Road**

Chairman Honig asked if there was any update on the paper road Orchard Street; they were working on title issues.

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Mr. Thomas commented he received a call from Mr. McBriar (Borough Attorney) the other day. They are in the process of the title search, hopefully we will have some answers to that.

Mr. Fitzgibbons asked Mr. Thomas if he talked to Mr. Morgenstein.

Mr. Thomas commented he did but Mr. Morgenstein didn't really have any information that was helpful.

**Interstate Industrial "List"**

Chairman Honig commented he doesn't have any major updates on this except Robin requested on August 17 to send the soil conservation and insurance. We did get an update from them so that is taken care of. The only thing we are waiting on from Interstate from that list prior is the snow fencing and the stabilizing of the slope.

Mr. Thomas commented he wanted to let you know even though the Borough does not have affordable housing there is a statute that we talked about last month. There will be a 2.5 percent fee for this development, since the borough doesn't have an affordable housing trust fund it will go to the State. That will be taken in account and doesn't know who actually will collect that.

Chairman Honig commented to clarify we don't have an ordinance or anything on the books of the borough for affordable housing. The money goes to the State.

Mr. Thomas commented the zoning officer or building official somebody has to be aware that this money has to be paid to the State and explained.

Chairman Honig commented that has to be done prior to the CO.

Mr. Thomas commented yes.

Councilman Nasisi commented he has something to share information on this.

Chairman Honig asked Mr. Thomas before Councilman Nasisi continues he is technically involved with this is he allowed to [talk about it]. He has a conflict of interest his property is adjacent to Interstate Industrial and he was mentioned directly by them should he not speak.

Mr. Thomas said correct.

Chairman Honig instructed Councilman Nasisi at this time he is asking you not to say anything on Interstate.

Chairman Honig commented he is going to move things around a little bit, move to the budget 2020 and turn this over to Angela Knowles, Planner. Chairman Honig commented this whole process it came up after the last meeting; he was talking with Robin and he asked were the Land

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Use Board was budget wise. We have had more meetings this year than the last years combined. He wanted to make sure we weren't stretching ourselves especially trying to take on the economic plan. In the end the CFO came back with a full budget for the Land Use Board of \$8,268.92. that is what he said. That wasn't what we had originally thought.

Mr. Thomas commented on the feed back and four or five guys in the municipal building maybe we should adjourn rather than try to do this with five people on one computer we are having a tough time with what is being said.

Chairman Honig went outside to try and help the audio with his phone.

The audio was better.

Chairman Honig commented as of right now the budget which the CFO gave him two or three weeks ago is \$8,268.92 for the year; that actually puts us with half of what we expected it to be based on previous conversations. We were expecting at least \$10,000 and our normal operating costs for the year were in the range of five to six-thousand-dollar range. Especially if we are meeting every month. Chairman Honig asked Mayor Hutnick if there was an update on the budget.

Mayor Hutnick commented his understanding is back in 2019 virtually nothing was done and there was so much money left over in the Land Use Board his understanding is that if it was discussed with previous board members and people that if there was a proposal submitted in 2019 for proposed expenditures of the economic Plan in 2020 that we could have paid the bill in 2020 the majority of it at the 2019 budget at that time. But apparently it wasn't submitted or allocated or told because the CFO has no record of anything being submitted for 2020 work in 2019 so therefore that money went away and the budget for 2020 was created based off of that. From what he was told.

Ms. Knowles commented back in January or February Bob Armstrong asked her to prepare a budget which she did and he sent it to him. Mr. Armstrong was going to represent us at the Council meeting to propose that budget. It was her understanding that he did and he came back saying the council had awarded us the ten thousand dollars we requested. But what you are saying it actually never got allocated.

Mayor Hutnick commented there were no Land Use members were present at a budget meeting for 2020.

Mr. Fierro commented our liaison didn't present any budgetary numbers either.

Mayor Hutnick commented we didn't have that information to present. If Angela gave everything to the chairman as she was directed to it never was disseminated to the rest of us.

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Mayor Hutnick commented we did the budget back in January or February we didn't receive any new information about this stuff.

Mr. Thomas commented he has no doubt Angela did what she says she did but is it possible with Bob's health problems in that time frame [there was miscommunication].

Chairman Honig commented he has gone back through the minutes the fifteen thousand dollars was talked about a number of times in January/February time frame. But as you say Rodger it may have been a lack of communication in between and he doesn't have an answer. Except for the fact that Angela has spent [time] with given the go ahead by Bob to do some work and she has already done that work; we have all technically been a part off. She has probably close to four thousand dollars' worth of work already. The questions he has for the Council, Land Use Board all of us is what direction do we go in from here.

Chairman Honig commented Mayor if you are saying there is no more money for us the question he has for the Council, Land Use Board all of us is what direction do we go from here. Is there money the Council can move around to accommodate this.

There was a discussion on transferring money as of November, what money that will be left in November is unknown, expenses have been different with Covid, one member thought the \$15,000 was approved in a meeting and the Land Use Board made its plans but plans/budget amounts never made it to the council.

Ms. Knowles asked the Mayor what is the recommendation what she should do now; she has things planned out for the next few months, should she hold off.

Mayor Hutnick commented it would appear that we need to hold off and not create any billing at this moment until we get a handle on this, where do we stand and is there a projection for November. Will we have any pots of money that we can transfer from.

Mr. Thomas commented that is sound advice, this Board doesn't have control over the budget the Council does. Since there is no money it makes no sense to continue on.

Councilman Nasisi commented he does recall what happened there was a little bit of give and take that was supposed to go on, there was a conversation before former Chairman Armstrong had to step down and we had actually met him after the meeting and spoke about partial work. Chairman Armstrong was supposed to go back to Angela and talk about this but he thinks due to his health issues he just didn't and then he was not here any longer. It did seem to get lost in the transfer of power within the land use. We were looking at possible splitting that in half; he thinks the cost and discussion at that time was that \$15,000 was extra above and beyond. What the regular budget amount was \$8,500 somewhere in there. At first it was misinterpreted as ok

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\$15,000 total and there was no way of asking the board for \$15,000 on top of the \$8,600. That was one of the last meetings we had we weren't saying fully no to that because you see the value that Angela can bring to our town. After the conversation Chairman Armstrong was supposed to take it back to Angela and discuss maybe we do it a little more ala carte as the year went along.

Ms. Knowles commented she remembers Bob calling her after a council meeting she thought he attended and he said he has the go ahead; he has \$10,000 and she was prepared for that and she had contacted him sometime in the spring and that was when he told her he was stepping down and that was the last he heard.

Chairman Honig commented at this point he doesn't want to go back, he can only work with what is in front of him right now. At this point we can't move backwards; I really don't know what to say I'm sorry that we are in this situation I wish we weren't in this situation but he has to deal with what the numbers are in front of him. It doesn't mean we are not moving forward with this, it doesn't mean we are not going to have any type of economic development plan already based on the work that was already. Based on the email there was about \$3,700 worth of work is what you have done up to this point give or take.

Ms. Knowles commented yes.

Chairman Honig commented that was billed and unbilled if he remembers correctly with that being said after that \$3,700 number that gives him approximately \$4,500 for the rest of the year and that is running normal operations. At this point with the stakeholder's meetings that have occurred is it possible to use this information put the project on pause until we get a little bit more clarity on the front to take it to the next level.

Ms. Knowles asked if it was just possible for her next step which was to prepare a summary memo of the stakeholder meetings that we had at least provide the board of a summary of what we learned so far and provide a next step but hold off on the next step until she has the go ahead.

Chairman Honig commented this is an important project to move on but we just don't have the money in our pockets now to do that. Even if it is only delayed a few months it is still a valuable thing we can move on.

Chairman Honig commented at this point if we can get billed up to date of what we have, to make sure you get paid for the services you have done. In the mean time move forward with the summary of what you have up to date. He won't be able to pay anymore we need money for the rest of the year to function.

Ms. Knowles commented she understands we will just wait. Chairman Honig commented what is the cost of the summary. Ms. Knowles commented for the summary she had about five hundred dollars and she can probably do it for less than that.

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Mr. Andrews commented he doesn't like the fact that fingers are being pointed at Bob or his health. He doesn't think it was that at all. Mr. Andrews commented he thinks she (Ms. Knowles) was told in a meeting to go ahead with this and there were other people present in the same meeting and she didn't hear the go on a phone conversation or anything else it happened in a meeting. He thinks the minutes have to be reviewed and find out exactly what went wrong before we point any fingers.

Chairman Honig commented he is trying to not point fingers because he doesn't have those facts. He will say that he did go through the minutes to double check and try and find those numbers when he found this out a few weeks ago and he didn't see anything definitive but without going back to listen to the tapes he won't have that answer either. It was in January or February.

Mr. Thomas asked about the budget number that was approved.

There was a brief discussion on what was approved.

Mr. Telischak commented he believes what Mr. Andrews said is true; it was in an in-house meeting at the Borough Hall and he believed you where taken notes that night. Ms. Knowles commented she will take a look at her notes.

**Economic Development Plan**

Ms. Knowles commented a couple of things have surfaced from this; what do you think makes Ogdensburg unique. We got a variety of topics; the historic element, that was probably the most prominent and then recreation there is existing and potential; she explained potential biking trails. Ms. Knowles commented she did speak to the Highlands and there were some funding issues with the State right not. Ms. Knowles explained the economic partnership with other towns and county. How to get the word out. Do a survey of the residents? What they would like to see on Main Street. If anyone has any thought on any of this feel free to send her an email.

Mr. Kibildis commented he concurred with what Mr. Andrews said he thought there was a consent that we were going to move forward with this plan.

**Livestock Ordinance**

Chairman Honig commented he is going to table this to the next meeting. He knows Mr. Kervatt has done some leg work on this.

**CORRESPONDENCE**

Chairman Honig explained the correspondence.

- a. Letter dated August 14, 2020 to Interstate Industrial Re: Escrow Activity Report

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- b. Zoning and CCO permit report
- c. Denial of Zoning Permit for 4 Ave. B. Ogdensburg.
- d. Letter from Davis S. Hansen, PE to property owner within 200 feet of 27 Glenbrook Road Block 26.06 Lot 23

**BILLS/VOUCHERS**

There were no bills/vouchers to approved.

**PUBLIC PORTION**

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

No one from the public had any comments.

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

**ADJOURN**

Councilman Nasisi made a motion to adjourn. Seconded by Mr. Kervatt. All were in favor.

Chairman Honig adjourned the meeting approximately 7:32pm.

Prepared by  
Robin Hough, RMC/CMR