

**REGULAR MEETING MINUTES OF THEBOROUGH OF OGDENSBURG  
LAND USE BOARD FOR  
March 23 2021, 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. Notice of this remote meeting has also been published in accordance with N.J.A.C. 5:39-1.1 through 1.7 which establishes standard protocols for remote public meeting governed by OPMA during a Governor-declared state of emergency. Said notice contains instruction and information for (i) accessing the remote public meeting using the Zoom web-based platform via internet web address or teleconferencing number, (ii) making or submitting public comments, and (iii) accessing relevant documents, if any, for the public view.

This meeting was held via zoom/audio. Participation/public access to the meeting was available at <https://us02web.zoom.us/j/83269131715> and entering Meeting ID: 832 6913 1715 or via teleconferencing/audio conferencing using a traditional phone by calling 1-646-876-9923 and entering Meeting ID: 832 6913 1715 followed by the # sign.

**OATH OF OFFICE TO THE FOLLOWING LAND USE BOARD MEMBERS:**

Anthony Nasisi                                      Class III Member                                      Term Expires 12-31-2021

At this time Borough Clerk aka Land Use Secretary gave the oath of office to Anthony Nasisi for Class III member.

**ROLL CALL:** Andrews (via zoom), Fierro (via zoom), Honig, Mayor Hutnick, Kibildis (via zoom), Nasisi (via zoom), Telischak (via zoom)

Absent: Fitzgibbons (arrived 7:40pm), Kervatt

Also present: Mike Marceau, CFO

**APPROVAL OF THE MINUTES** –

Mayor Hutnick made a motion to approve the meeting minutes for February 23, 2021. Seconded by Mr. Kibildis.

Mr. Honig asked if there was any discussion on the minutes from February 23, 2021.

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Mr. Telischak commented on the page with the development plan and zoning analysis we have a thing here that says “Mr. Telischak commented there isn’t a lot of room the curve there isn’t big enough.” Mr. Telischak commented it is the road it wouldn’t be the curve. It would be the road isn’t wide enough there.

Ms. Hough asked do you want me to change curve to road.

Mr. Telischak commented yes and explained.

Ms. Hough commented she will change curve to road.

Mr. Honig commented if there is no other further discussion roll call to approve the motions as is striking out curve and changing it to road.

**Upon Roll call Vote:**

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

Nays: None Absent: Fitzgibbons, Kervatt Abstain: Nasisi

**APPLICATIONS FOR COMPLETENESS**

There were no applications for completeness

**APPLICATIONS TO BE HEARD**

There were no applications to be heard

**OLD BUSINESS/NEW BUSINESS**

Mr. Honig commented tonight we have done our best to have this meeting with no professionals on hand; the nice part about this is it is going to save us a little bit of money. This meeting is mainly for us to discuss some of the things that were brought up at the last meeting by the planner in addition to some of the other things that have come up between then and now he wants to bring to everyone attention.

Parking for Main Street – Paper Road (Orchard Street) Mr. Honig commented still no update on titles for Orchard Street.

Interstate Industrial “List”- Mr. Honig commented Interstate Industrial is actively working on it still [the building].

Economic Development Plan – Main Street Zoning Analysis; Mr. Honig commented we are going to combine these into one; prior to that we are going to talk about the 2021 budget which he is going to address the economic development plan as part of that.

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Mr. Honig commented if you notice in your bills and vouchers for this month; we have close to four thousand dollars' worth that is going towards Van Cleef Engineering. There was a concern that came up prior to last month meeting but it wasn't in on time to put the bills and vouchers on for last months meeting he is only bringing it up now because it is part of the budget. Mr. Honig commented we have a lot of money being paid out to Van Cleef Planner; we asked for a little bit more of a detail analysis; because that seemed like a lot of money for the report that we received and explained. Mr. Honig commented he is estimating around January we had asked the Council for an additional four thousand dollars to go through phase one. We were happy to get that and we were moving forward with that. Angela did the work to review our ordinances and after reviewing our ordinance made recommendations based on that review to the Economic Development Plan. It only ended up costing approximately two thousand dollars to do that work. It than came up that according to her office we didn't finish paying for work that was started on the original Economic Development Plan and that is including all of the GIS work, the Stake Holder meetings that original report which is not dated from 2020. It is something we had received much earlier in that year. So, that was added in which [caused us] to go through money we were able to procure for that.

Mr. Honig commented his is giving you a somewhat summary of what we have been trying over the past month for clarification. We have paid out in total ten thousand dollars to the planner since the end of 2019 if we approve these bills today. That is what we were originally suppose to spend on the report is ten thousand dollars and that is not including approximately eight thousand dollars which is what it is going to take to complete said work. At this point we are beyond whatever budget we had it is gone because we have to pay bills. The problem he has is even though we asked for outstanding bills to be given to us they were not given to us. We were not aware that we still owed money; we thought we were squared away which is why we were moving forward as we were.

Mayor Hutnick asked does it bother anybody besides him that we are paying ten/twelve thousand dollars for paper and we are not actually getting anything accomplished. We really don't have anything to slap on the table and say we are good to go we have this done. We are still doing reports and analysis. Mayor Hutnick commented correct me if I'm wrong but we don't have anything in hand that we can actually start a project; we are paying thousands of dollars for paper work. If I'm wrong tell me.

There was a discussion on the professional bills and the budget for this year, the need to have define goals and timelines, having the professionals at every meeting, stopping this project due to funding, we need to pay the bills but not continue due to the budget, this project is important to the town, the need to building in funding yearly and the report on Main Street.

Mayor Hutnick commented at the Council meeting last night we had the Highlands and nobody attended except for Council and Mr. Honig. The discussion with Highlands was similar to this, to modify our Main Street and make improvements. Some of the discussion after the meeting was what can we do to Main Street to increase people coming in when we are extremely limited

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on space, extremely limited on parking and explained. How do we draw people in to town and how do we keep people in town? We want to fill the spaces but we can't control who comes in; we have two historic landmarks in town which is more than most towns have but that is an historic thing you come in see the historic landmarks and leave. There is nothing to stay.

Mr. Marceau, CFO commented he thinks Angela or the Highlands would say you designate down town a redevelopment zone and then you do control what goes in there that is your answer.

Mr. Honig commented based off of last night meeting which he asked a lot of questions; he wished we had more people in attendance because he thinks it would be good for you the hear. Mr. Honig commented Highlands sounds like it has drastically changed since when all of you had any kind of discussion with them. The key that came out of what he heard last night was flexibility; we let them know what our priorities are. Mr. Honig commented he doesn't think he knows where our priorities are right now and he thinks some of that lies in the report we have seen. Mr. Honig commented almost a year ago he [asked] what is our dream what is our vision and he doesn't know if we clearly defined that enough to move forward with at least an Economic Development plan without clearly defining that vision. In combination with the Highlands at the very least they are offering us two things which requires zero from us other than say please do it.

There was a discussion on the Board as a whole to define what their goals are.

At this time Pat Fitzgibbons joined the meeting at 7:40PM.

Mr. Honig commented we can get a feasibility study from the Highlands all we have to do is go through the process, it doesn't cost us anything, it is the first step to see something happen. Mr. Honig commented they [Highlands] also talked about an Assessment Grant to get other stuff done with zero commitment to us and explained. Mr. Honig commented the Council at any point of time can say we are going to withdraw from the highlands.

Mr. Fierro asked if they fund the project after they come up with [plan]. Mr. Honig explained we need more than a 50-page report and they can't commit to saying [we] are going to get the money but they say at least they have the resources and they have the resources to get grants.

Mr. Fitzgibbons commented if the Federal Government comes through and puts one of these big improvement deals through at some point in time if you don't have something ready to go; forget it we will be so far behind in the process we will never see it or part of it.

Mr. Marceau commented if you are worried about funding and also worried about conformance with Highlands we already met with Highlands why not met with Local Planning Services and see what they are willing to provide you for free services.

Mr. Marceau commented last year in the State of New Jersey in their questionnaire to the towns every year they ask if towns would be interested in getting free assistance; one of them was local

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planning services and they just started this local planning services but basically what they are doing is offering planning assistance. So, he thinks if you already spoken to the Highlands Council you might as well talk to local planning service. We just contacted them in Sussex recently and they are actually going to do the master plan for us for free. If you are nervous about the conformance with Highlands this is another State agency I'm sure they also have contacts as far as getting grants. The only difference he can see is it sounds like the Highlands might be willing to pay for some of our engineering expenses but he doesn't know if local planning service would do that without meeting with them we really don't know.

Mr. Honig commented all we can do is make recommendations to the Council; we need as much information as we can get. We need to move forward in some form; we need a definitive goal we want to see in a month or in the next six months.

The Board discussed their goals and where to go from this point, the highlands said you could pick a specific area in town and they will stay in that area, assessment grant, funding, budget concerns and grants.

Mr. Kibildis commented in addition to highlands we are also going to pursue as you mentioned the local planning services as soon as we can.

Mr. Honig commented he is going to clarify the recommendation for the record. Mr. Honig commented we are recommending to Council that we pursue through the Highlands both the Feasibility Study and the Assessment Grant that was offered in an effort to both look at the entire town as a whole to include in addition to more specifically the Main Street Corridor from end to end. To see what the benefits would be for us to be part of the Highlands and the goal of this is to met what we originally said a year ago to bring more economic development, more recreational things to the wonderful Borough of Ogdensburg. Mr. Honig commented he needs somebody to make that motion.

Mr. Fitzgibbons made the motion. Seconded by Mr. Kibildis.

**Upon Roll call Vote:**

Yeas: Andrews then said commented reluctantly. Mayor Hutnick asked him to explain why. Mr. Andrews comment he doesn't believe that we can back out any time we want.

Councilman Nasisi commented they are a little more forgiven then what they used to be so it is a little bit more customized. We don't have anything to lose by just looking at it.

Mr. Fierro asked are you reiterating what we are asking for now has no strings attached.

Councilman Nasisi commented it absolutely has no strings attached; they are going to bring something to us it was a very pleasant conversation where they admitted that in the past they

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wanted to much; as if every town was black and white. They are willing to work with the town and if we decide this particular phase there is nothing that we are risking.

Mr. Honig commented so based off the current motion that was placed all it is going to require us to do is say please give us this information for the Council to make a better-informed decision on if they would like to conform or if they would like to join the Highland and things like that. If we make this recommendation and they provide this information to us we are at a zero commitment to do anything other then to say thank you and that is the extent of it. Mr. Honig commented he understands what you are saying Bill [Mr. Andrews] in regards to everything else I hope that clarifies it a little for you.

Mr. Honig commented again the motion he is going to ask to start again to clarify based off this discussion one more time. Pervious motion and second still apply.

**Upon Roll call Vote:**

Yeas: Andrews [reluctantly], Fierro, Fitzgibbons Honig, Hutnick, Kibildis, Nasisi, Telischak [with a foot note he agrees with Bill and explained with their previous experience with the Highlands]

Nays: None Absent: Kervatt Abstain: None

Mr. Honig asked Mayor Hutnick and Councilman Nasisi to relay that to the Council.

**2021 Budget**

Mr. Honig commented at this point we are at a stand still with Ms. Knowles; there are no funds available; there has been a lot that was put in the table tonight that was important.

Mr. Honig asked for all board members to think about what they want to see again. When Highlands comes back we are going to need to tell them. We have some great ideas and that is part of it but at some point, we need to go through the Main Street Analysis that Ms. Knowles has provided us which was technically our goal tonight to figure things out.

**Walking Track/Path**

Councilman Nasisi asked who said we need ten thousand dollars in engineering to do this.

Mr. Honig commented when it comes to working with a piece of property if you want to do this you need to make sure especially along 517 we conform to what the County is going to ask for. They are going to ask for site plans, what type of material that is going to be used and things along those lines. All of that is going to cost money. Ten thousand dollars was not a real number it was just a rough estimate.

There was a discussion on the walking track/path.

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Mr. Honig gave the following updates from Kevin Kervatt who was not able to attend tonight meeting.

Mr. Honig commented number one is the Manor and the structure. We had talked about that in great detail at the last meeting. Mr. Kervatt had called him and said he spoke to the building official and the owner and what it comes down to is regardless of what material it is made out of it is considered a necessity or allowed under the State mandates for Covid restrictions. Which means it has been approved to be built in the said manner however, he has a one-year restriction on it based off of the approval date. In one year, it has to come down or the owner has to come back and go through the process if he wants to make it into a permanent structure. Mr. Honig commented he just wanted to make it clear based off the State department that has been approved to continue as is.

Mr. Honig commented the Delta Station was the next point. Apparently, there is a new owner that has just taken possession of it. Mr. Kervatt went to him and told him the bus, van and all those things back there must be removed as soon as possible. There was a sink that was put inside for various reasons; that must be removed for health purposes. The new owner is apparently working to file a CCO and all the zoning approvals to get approved for everything in which case when it comes in front of the Board we can discuss this further.

There was a brief discussion on the Delta Station.

Mr. Honig commented the CKO Kickboxing that was brought into Blue Ridge; when this was originally brought up by Mr. Kervatt he had denied it based on the concept of parking purposes, it has come to Mr. Kervatt attention that parking has become a problem. At this point this is more for the Board's information.

There was a brief discussion on the parking.

Mr. Honig commented the chicken ordinance has passed. Are we in agreeance; our goal is now he [Mr. Kervatt] has to go around and enforce said chicken ordinance; not just wait for complaints. Mr. Honig commented he will make sure Mr. Kervatt is aware of this.

Mr. Honig commented Robin sent out an addendum to the Board; the Ogdensburg Hazard Mitigation Annex. Mr. Honig commented he believes it was sent out to all of us yesterday.

Ms. Hough explained basically there is one section on planning; if the board can review it and get back to her she can forward this to the attorney and explained.

Mr. Honig commented to look at this and get back to Robin.

**Borough Property/subdivision/sales**

Councilman Nasisi asked why this topic gets pushed aside. Mr. Honig commented this isn't pushed aside we just don't have any updates regarding this until we get updates it is out of our

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hands. We keep it on the radar as a point of interest. Mr. Honig commented we [Land Use Board] have nothing to do with this; it is all for the Council.

Councilman Nasisi asked Mayor Hutnick if he is not mistaken didn't we have to bring this up to Land Use. We had this on Council agenda for awhile and it was something that had to get kicked to Land Use so now it is on Land Use. Councilman Nasisi commented on selling these properties to get taxes on the property and explained.

Mr. Fierro commented if someone is interested they have to approach the town and it has to go to the highest bidder.

Mr. Honig commented what it sounds like is that it should come off our agenda unless it comes in front of us by the land owner. If someone is interested in buying borough property he needs to come to the town and ask how do I buy it and put that proposal forward. The Land Use goal is to have ratables we have nothing in front of us.

There was a discussion on town owned property behind Borough Hall.

**CORRESPONDENCE**

Mr. Honig explained the below correspondence.

Memo dated March 9, 2021 to the Land Use Board from Borough Clerk re: Ordinance 01-2021 and Ordinance 03-2021.

Letter dated March 9, 2021 to Sussex County Planning Board from Borough Clerk regarding Ordinance 01-2021 and Ordinance 03-2021.

**BILLS/VOUCHERS**

Mr. Honig asked if there was any discussion on the bills/voucher. There were no comments. Mr. Honig commented at this point he asked for a motion to approve the bills.

- Invoice dated February 16, 2021 from Van Cleef Engineering Board Planner invoice number 6230002-2 in the amount of \$1975.00
- Invoice dated February 16, 2021 from Van Cleef Engineering Board Planner invoice number 6230-11 in the amount of \$1,875.00.
- Invoice dated November 4, 2020 received February 26, 2021 from Van Cleef Engineering Board Engineer invoice number 6202-42 in the amount of \$195.00.
- Invoice dated February 23, 2021 from Van Cleef Engineering Board Engineer invoice number 6202-45 in the amount of \$130.00.

Councilman Nasisi made a motion to approve the bills/vouchers. Seconded by Mr. Fierro.



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**Upon Roll call Vote:**

Yeas: Andrews, Fierro, Fitzgibbons, Kibildis, Telischak

Nays: Honig, Hutnick, Nasisi Absent: Kervatt Abstain: None

[Please note all the bills passed but the Nays were for Van Cleef invoice 623002-2]

**PUBLIC PORTION**

No one from the public was present.

**ADJOURN**

Mr. Fitzgibbons made a motion to adjourn. Seconded by Mr. Fierro. All were in favor.

Chairman Honig adjourned the meeting approximately 8:50pm.

Prepared by  
Robin Hough, RMC/CMR