

**REGULAR MEETING MINUTES OF THE BOROUGH OF OGDENSBURG
LAND USE BOARD FOR
April 26, 2022, AT THE OGDENSBURG
MUNICIPAL BUILDING, 14 HIGHLAND AVE.
OGDENSBURG, AT 7:00pm**

Chairman Elliott Honig called the meeting to order at 7:03pm.

Chairman Honig led the 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 26, 2022.

ROLL CALL: Andrews, Fierro, Fitzgibbons, Honig, Mayor Hutnick, Kibildis, Marceau, Nasisi, Telischak (via phone)

Absent: Kibildis, Nasisi

Also present: Roger Thomas, Board Attorney

APPROVAL OF THE MINUTES

Mayor Hutnick made a motion to approve the meeting minutes for March 22, 2022. Seconded by Mr. Fitzgibbons.

Upon Roll call Vote:

Yeas: Andrews, Fierro, Fitzgibbons, Honig, Hutnick, Marceau, Telischak

Nays: None Absent: Kibildis, Nasisi 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 commented we are still waiting on an ordinance [resolution] from the town. Ms. Hough commented we are waiting for a sample resolution from Mr. Tessier; then we were going to send it over to the Borough attorney to review.

Chairman Honig commented Mr. Fitzgibbons has found a bunch of material from way before he was here. A lot of that is 2010 to 2011; there is a lot of material to look through and put a time line in place and have discussions in place. We really need to sit down and get an understanding

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of this. Chairman Honig commented he is bringing this up because our goal is to do the Local Planning Services grant we have to have a subcommittee that is going to met with them. Maybe it is a good idea for us to consider a subcommittee now to also go through all the old paper work so we can get on board with that and say this is what we have so we can get off the ground running a little bit faster.

Ms. Hough asked Mr. Thomas there was a public hearing in 2010; from what I can piece together the Mayor and Council came to a Land Use Board meeting and have not been able to locate the minutes from that meeting.

Mr. Thomas commented so this was a public hearing on a redevelopment plan as far as you can tell. Ms. Hough asked how long is that good for once it is passed; it doesn't look like it went any further.

Mr. Thomas commented the way to works the council says we want to make this section of town a redevelopment area, so the we are going to authorize the Land Use Board to due a study. Therefore, they charge the Land Use Board with a study. The study is presented to the Board at a public hearing and at that point there is a determination as to whether or not the area itself meets the requirement for an area in need of redevelopment and that was done. So therefore, what this board did was we have found that an area meets the requirements and send that back to the Council. Then Council is then supposed to establish a redevelopment plan, because the redevelopment study is just saying it meets the standards. The plan is a separate document that has to be approved and ultimately gets in an ordinance form then come back to Land Use like any land use ordinance. That is the process; if you only found the redevelopment study.

Ms. Hough asked what about a conceptional plan.

Mr. Thomas commented he has a feeling that it never got to a public hearing, a conceptional plan is just that; when you do a redevelopment, you have to do certain notices and explained.

Mr. Fitzgibbons commented his concern was we were going to have Mr. Tessier come in and do this work all over again.

There was a discussion on redevelopment work that was previously done and having a subcommittee to sort through documents previously done,

Chairman Honig commented a subcommittee of three, do we have other than Mr. Kibilidis who is already on the committee is there anyone else interested in helping sorting through this.

Mr. Fitzgibbons and Mr. Marceau volunteered to be on the subcommittee.

Chairman Honig asked if everyone was in favor of Mr. Kibildis [being on the subcommittee]. All were in favor.

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International Maintenance Code [review of chapters 1-3]

Chairman Honig apologized to the Board for not getting his copies of Chapters 1-3 to the Board for the discussion this meeting.

Mr. Thomas commented he wanted the Board members to be aware section 304.2 it talks about protected treatment. Mr. Thomas read that section and explained.

There was a discussion on 304 sections of the code, some sections in the chapter are business vs. homes, inspections in the homes and inspection every time there is a change in tenant.

Interstate Industrial Update

Chairman Honig explained after the last meeting he spoke to Mike Vreeland regarding Interstate Industrial; Mr. Vreeland wants to talk to the Soil Conservation District first because they are going to be the ones to dictate this and work with Interstate on it. It is in our best interest at this point because what he can see happening is this will hold up everything completely. It's out of our control.

Park Grant

Chairman Honig explained he asked Mike Vreeland about the budget numbers for this; the update this morning was Franklin is looking to reduce their basketball courts and in order to do so they had to get the contracting bids already. They have that information that one basketball court no milling or anything just going right on top was just under the twenty-thousand-dollar mark give or take. Chairman Honig commented his response to him was we have two basketball courts and a tennis court, fencing and everything else. Chairman Honig asked Mr. Vreeland if we could do all that under the seventy-five mark; Mr. Vreeland's response was yes, he thinks it would come around forty-eight thousand and as long as we are sticking with micro milling a resurface, basic lines not fancy patterns that they would be able to keep it under that amount.

There was a discussion on the grant, redoing the basketball and tennis courts with the grant.

Borough owned properties.

There was no update.

Chairman Honig asked if we were including any other notices to the Town regarding the driveway ordinance.

Ms. Hough explained the ordinance is on the website, it is under our code under new legislation.

Mr. Thomas commented he wouldn't go any further than that if its on the website. Do what you normally do for all ordinances.

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CORRESPONDENCE

- Memo dated March 30, 2022 from Robin Hough to the Land Use Board and professionals re: Ordinance 02-2022.
- Letter dated March 29, 2022 to Sussex County Planning Board from Robin Hough, RMC/CMR Re: Ordinance 02-2022.
- CCO and Zoning permit report.
- Letter dated April 18, 2022 from Robin Hough, RMC/CMR to T-Mobile Northeast LLC. re: T-Mobile Northeast Streamline Site Acquisitions Services LLC. re: escrow account shortage.
- Letter dated April 8, 2022 from Roger Thomas, Board Attorney to Ms. Hough Re: ordinance 02-2022.
- Letter dated April 5, 2022 to Sussex County Planning Board from Doreen Schott, Borough of Hamburg Clerk Re: Borough of Hamburg Ordinance 05-2022.

BILLS/VOUCHERS

Mr. Fitzgibbons made a motion to pay the bills. Seconded by Mr. Fierro.

- Statement #943989 from Dolan and Dolan Roger Thomas, Board Attorney for Land Use Board General in the amount of \$573.92.
- Statement #943990 from Dolan and Dolan Roger Thomas, Board Attorney in the amount of \$471.55 from escrow account Interstate Industrial.
- Invoice #6290002-20 from Van Cleef Engineering Associates Mike Vreeland, Board Engineer in the amount of \$130.00 from escrow account Interstate Industrial.

Upon Roll call Vote:

Yeas: Andrews, Fierro, Fitzgibbons, Honig, Hutnick, Marceau

Nays: None Absent: Kibildis, Nasisi Abstain: None Telichak [no answer via phone]

PUBLIC PORTION

There was no one present in the public.

ADJOURN

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

Chairman Honig adjourned the meeting approximately 7:42pm.

Prepared by
Robin Hough, RMC/CMR