

**REGULAR MEETING MINUTES OF THEBOROUGH OF OGDENSBURG
LAND USE BOARD FOR
August 23, 2022, AT THE OGDENSBURG
MUNICIPAL BUILDING, 14 HIGHLAND AVE.
OGDENSBURG, AT 7:00pm**

Chairman Elliott Honig called the meeting to order at 7:02pm.

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: Fierro, Honig, Mayor Hutnick, Kibildis, Marceau, Telischak (via phone)

Absent: Andrews, Fitzgibbons, Nasisi

Also present: Mike Vreeland, Board Engineer

APPROVAL OF THE MINUTES

Mr. Kibildis made a motion to approve the meeting minutes for July 26, 2022. Seconded by Mr. Fierro.

Upon Roll call Vote:

Yeas: Fierro Honig, Hutnick, Kibildis, Marceau,

Nays: None Absent: Andrews, Fitzgibbons, Nasisi Abstain: Telischak

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 did meet with Mr. Tessier it was a phone meeting on the 26th. It was a good meeting he thought it was beneficial. At this point we are waiting to here from them to get anymore information. We did bring up the issues we had. The council has to pass a resolution before we can move forward. A lot of this will fall under the Council but some will also come to us.

Mr. Marceau commented he agrees he thought the meeting went well; we will see the scope they want to give us.

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Chairman Honig asked did he give any time frame on this. Ms. Hough commented no.

Interstate Industrial Update

Chairman Honig commented the parking lot is paved which means they have hit the last thing. Chairman Honig asked Mr. Vreeland did they do the inspection through you.

Mr. Vreeland commented we were out there when they did the paving; he did meet them out there when they were grading the slope, they are the closest they have been to completion. When they think everything is done we will go out and do a final inspection.

Chairman Honig asked Mr. Vreeland from this point to do see any issues proceeding from what you see.

Mr. Vreeland commented no. When they tell me, everything is done he will go out and do a final inspection.

Chairman Honig commented the slope was a big one and lot of that was happening without us.

Mr. Vreeland commented for whatever reason they gave up the fight and they graded the slope and he thinks it is a much better situation.

Chairman Honig commented so at this point you don't see any issues proceeding from what you were able to see.

Mr. Vreeland commented no.

Chairman Honig commented the last time they were here with us they said the last thing they were going to do was the driveway; the last thing they were going to do was pave. He could be wrong with that but they should be pretty much done. Technically their date was the end of September [to have everything complete].

Ms. Hough commented she thinks they are supposed to come back to our September meeting.

Chairman Honig commented he keeps saying they still have to pay the fee to the State before the final CO.

Ms. Hough explained the building department can't issue the CO until all fees are paid including the non-residential development fee to the State.

Chairman Honig commented again they have done a great job.

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Chairman Honig asked Mayor Hutnick would our zoning officer also need to go out to make sure they are in compliance.

Mayor Hutnick commented he would say if Mr. Vreeland gives the Ok, Tom can go out and look at the property. It is premature at this point until Mr. Vreeland give us the ok.

Park Grant

Chairman Honig asked Mike Vreeland for any updated figures as far as the basketball courts/recreation court area. We were trying to keep it under the \$75,000.

Mr. Vreeland explain he had conversations with some other Municipalities who got price quotes to redo basketball courts, in one other town they used sport surfaces. He didn't bring the numbers with him tonight. We did tell our survey group to go ahead and do the survey. He is waiting to get that back. He will put that on the list of things to get numbers for you.

Chairman Honig asked if you can get them to us for the next meeting.

Mayor Hutnick asked Mr. Vreeland if they had any other means for additional grants for the park area.

Mr. Vreeland commented there is a gentleman in his office that spends a lot of time applying for different grants. He can see what grants may be out there.

Mayor Hutnick commented can you let Robin know what the process is to utilize that service. At some point we are going to look for grants for anything and everything. Parks grants/Street grants.

Mr. Vreeland explained how his office works with Municipalities regarding grants. Mr. Vreeland suggested to put together a list of grants the Borough is looking for and he would talk with his office to see what they can do.

Mayor Hutnick explained to look for grants for the roads up by Roosevelt and additional recreation grants for the park area.

Mr. Telischak commented he would like to add to the list that someday he would like to see the walking path around the park.

Chairman Honig commented it is still there Vito. It is technically a want it is on potentially for a hopeful and we are going to survey for it.

Mr. Telischak commented the only reason he mentions it is because if your walking with a walker it is a lot easier on a walkway then it is on the grass and ground.

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Chairman Honig commented that is very true even without a walker it is much easier.

International Maintenance Code [Ordinance review]

Chairman Honig commented what is before you is the combination of everything we put together and we went from a one-and-a-half-page document to nearly 20 something pages. Hopefully everyone has had a chance to review everything if there are any comments questions or concerns. Tom Dixon [zoning officer] is here to give us his input.

Tom Dixon Borough zoning/code enforcement officer was present for the discussion. Mr. Dixon commented he would prefer to come here and talk. It is a big ordinance and there are a lot of items on here that really don't apply to the types of things that he does. There are lot of things that are [for] the construction official and it wasn't clear to him if the intention was to break that out in any way. He doesn't know how that would actually work what the agreement is with the construction official here if he would go out and do this. Maybe the UCC code have their own requirement that may or may not conflict with what is in here.

Mayor Hutnick commented he is pretty sure Leigh [construction official] is not going to go out and do this.

Mr. Dixon commented his concern is are you expecting me to inspect for things that he is not qualified to do.

Chairman Honig commented that has actually come up in the process. A lot of this is from the international maintenance code; this is standard it is adopted from the Country in several jurisdictions some in New Jersey have adopted this as a whole. We have decided not adopt it as a whole we wanted to pick pieces out and we left out a lot and explained why.

Mr. Dixon referred to all the definitions.

Chairman Honig commented definitions is exactly a definition it may not even be referenced. A lot of what we did with definition is we just pulled everything that was part of it and included it just to make sure there were definitions. He is big fan of having definitions. He didn't want vagueness this time around so he combined a lot.

Mr. Dixon commented extra definition doesn't hurt.

Mayor Hutnick commented definitions helps us when we find an issue referring to 14.33.

There was a lengthy discussion on the draft ordinance, the zoning officer bring up concerns, interior structures, exterior structures, multifamily housing, driveway ordinance, parking on lawns, commercial equipment, zoning, vehicles having to be properly insured and registered,

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definition of basements, Air B and B short term rentals, outdoor storage, garbage on property, Sussex and Lafayette ordinances and assessor structures.

Chairman Honig commented he would like to push this to Council now. We had a lot of great points and thanked Tom and if you see changes please bring them to the Board. That is the only way we are going to make progress. The only change he has is the violations and penalties. 14-5.2 **change** to the fine not to exceed \$2,000 **remove** \$250.00 for the initial violation, not to exceed \$500 for the second violation and not to exceed \$1,000 for the third violation committed hereunder.

Mayor Hutnick asked to give him a month before this is pushed to Council. Ms. Hough explained what will happen once it goes to Council.

Chairman Honig commented he will fix this and get the final copy to the Board for next month.

Chairman Honig commented everyone knows what is going on in Sparta regarding the warehouse. The reason they are getting into this is because they didn't button up what was allowed in their zones. He would like the Board to go through [our zoning] just to make sure we are ok. If we see something that is a red flag and explained changing it. To make sure it is acceptable uses.

CORRESPONDENCE

Chairman Honig commented the CCO/Zoning report is for your reference.

- CCO/Zoning report

BILLS/VOUCHERS

Chairman Honig commented there are no bills or vouchers.

PUBLIC PORTION

Chairman Honig commented there is no one here from the public.

ADJOURN

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

Chairman Honig adjourned the meeting approximately 8:36pm.

Prepared by
Robin Hough, RMC/CMR