

**REGULAR MEETING MINUTES OF THE BOROUGH OF OGDENSBURG  
LAND USE BOARD FOR  
November 22, 2022, AT THE OGDENSBURG  
MUNICIPAL BUILDING, 14 HIGHLAND AVE.  
OGDENSBURG, AT 7:00pm**

Chairman Elliott Honig called the meeting to order at 7:00pm.

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

Absent: Fitzgibbons, Nasisi

Also present: Mike Vreeland, Board Engineer and Roger Thomas, Board Attorney

**APPROVAL OF THE MINUTES**

Mr. Fierro made a motion to approve the meeting minutes for October 25, 2022. Seconded by Mr. Kibildis.

There was no discussion on the minutes.

**Upon Roll call Vote:**

Yeas: Fierro, Honig, Hutnick, Kibildis, Marceau

Nays: None Absent: Fitzgibbons, Nasisi Abstain: None

**APPLICATIONS FOR COMPLETENESS**

There were no applications for completeness.

**APPLICATIONS TO BE HEARD**

There were no applications to be heard.

**OLD BUSINESS/NEW BUSINESS**

Chairman Honig commented we are going to move things around we have the gentlemen here from Interstate Industrial. Chairman Honig asked Mr. Vreeland about the site visit and asked him for an update.

**Interstate Industrial update**

Mr. Vreeland commented we went out and visited the site on October 27, 2022 with the zoning official and based on our observations it appeared to be done in in conformance with the approved plans. We did note four items that were deviated from the plans. We didn't have any

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issues with those items we pointed them out for the Board information. [Mr. Vreeland was referring to his memo dated November 13, 2022 Interstate Industrial status update].

Mr. Vreeland commented we also noted as far as we are aware there were three outstanding items that should be addressed as the Borough processes the CO request. The three items are receipt of Upper Delaware Conservation District Report of Compliance, receipt of recorded Sight Triangle Easement and Resolution of affordable housing obligation.

Chairman Honig commented you have conformance on a, b, c and d which includes the lights, storage, fuel storage facility, gate and access driveway; other than those there were no major things that is a deviation.

Mr. Vreeland commented they were deviations from the plan; again, we didn't observe anything else that seemed to deviate from the approved plans. These were the four items that were visually obvious.

Chairman Honig asked Mr. Dixon was with you at the time and he didn't have any objections?

Mr. Vreeland commented no and Mr. Dixon received a copy of the memo and didn't receive any additional comments from him.

Chairman Honig asked if anyone had any questions on those. Chairman Honig commented we do appreciate everything that was done to make this look nice.

Mr. Fierro asked if the fuel storage tank was approved by the State?

Mr. Fisher commented our safety guy was there and he approved everything. The state fire marshal came in and did an inspection.

Mr. Kibildis asked about the affordable housing obligation.

Chairman Honig explained basically we are required to collect an affordable housing fee that gets sent to the State. At this point seems the only thing we are waiting on to issue that CO. We did hear that the tax assessor is trying to get an updated number. As far as we are concerned this will be the last time you need to attend a meeting unless you do more work that would need an approval.

Mr. Thomas explained the COAH obligation that has been around a long time.

Chairman Honig thanked William Fisher and Pete Fisher; we are happy to see your business looking the way that it does.

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Board members and professionals also thank them for their efforts.

Chairman Honig commented this will officially be removed [from the agenda].

**Local Planning Services Grant**

No update on the Grant.

**International Maintenance Code [Ordinance review]**

Chairman Honig commented this was referred to Council.

Mayor Hutnick commented Council received it at the last meeting he asked them to review it all; they needed some more time hopefully by Monday's meeting. He will send out a reminder.

Mr. Thomas explained the ordinance process so this probably will be reviewed next year.

A resident in the public asked what was the maintenance code. Chairman Honig explained. Chairman Honig asked the resident to wait until public section and he would be more than happy to answer all questions.

**Park Grant**

Mr. Marceau explained the new application for recreation grant that just became available.

There was a discussion on the funds, additional funds to apply for and to try for the same improvements.

Borough owned properties.

Chairman Honig commented at this point we will table that is a work in progress. This can come off the agenda at this point.

Antoinette Erb, 26 Edison Ave., Ogdensburg asked about charging fees at the pond to help cover costs for the pond up keep.

Chairman Honig commented a lot of that falls under Council and suggested attending a Council meeting.

**Redevelopment**

Chairman Honig commented there are no updates at this point.

**Zoning Map & zoning ordinance review**

Chairman Honig explained a higher quality of the zoning map Mike Vreeland prepared for the Board. Chairman Honig commented he asked Mr. Vreeland here tonight; at the last meeting we realized this is the latest map which is out of date; some things missing, some things weren't labeled and still aren't.

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Mr. Vreeland commented we just reproduced the best we could with what was sent to them using GIS and explained.

Chairman Honig asked what would it take to make sure the map is accurate.

Mr. Vreeland explained we need to get a list and they can figure out how many hours it would take to update the zoning map.

There was a discussion on updating the map for current zones and property lines and overlays that were never incorporated in the map, property record cards should have the correct zones, zoning boundaries, 2018 Master Plan Reexamination and current code book and a new map has to be approved my Mayor and Council. The zoning map should have been adopted with the ordinance with changes.

Ms. Hough explained what she is thinks happened is back in 2010 they did the ordinance with changes but when they made the changes the zoning map was never updated.

Mr. Thomas commented the zoning map has to be in fact part of the ordinance and needs to be adopted just like the ordinance does. Ms. Hough commented that would be a separate ordinance so what they probably did was past the ordinance changing these things but never did an ordinance to update the zoning map.

Mr. Thomas commented that is very probable as to what happened; now you have to reconstruct what it was that was approved and translated it into a graphic or map form.

Chairman Honig asked would the tax records be up to date based on all that being done. If I pull a tax record from something in the lot that says R30/CCR would that be up to date.

Mr. Fierro commented he is going to say no probably and the reason why the last time the town had a reval and the tax maps were probably updated was prior to when we did this. If the maps were codified down in Trenton prior to this they wouldn't be updated.

Mr. Thomas commented he isn't sure when the tax assessor gets his or her information and gave an example.

Chairman Honig explained he doesn't know how to correct all this.

Mr. Thomas commented in his opinion the way to correct it is you have somebody go through the ordinances and find out when they were approved and what lots and blocks are contained within those ordinance sections. That is a lot of work.

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Chairman Honig commented we would like to requisition the funds to get an updated zoning map.

Roger Thomas and Mike Vreeland left the meeting at this time.

**CORRESPONDENCE**

Chairman Honig explained the correspondence and asked if there was any discussion from the Board members.

- Memo dated November 13, 2022 from Mike Vreeland, Board Engineer, to Land Use Board Re: Interstate Industrial Management Site Plan Status Update.
- CCO and Zoning Report

**BILLS/VOUCHERS**

Mr. Fierro made a motion to approve the bills and vouchers. Seconded by Mr. Kibildis.

- Statement #945773 from Dolan & Dolan Roger Thomas, Esq. in the amount of \$178.56.

**Upon Roll call Vote:**

Yeas: Fierro, Honig, Hutnick, Kibildis, Marceau

Nays: None    Absent: Fitzgibbons, Nasisi    Abstain: None

**PUBLIC PORTION**

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

Antoinette Erb, 26 Edison Ave commented her biggest concern is to ask people to maintain their properties and gave an example.

Chairman Honig explained how they made the changes to a draft property ordinance [which is currently at Council]. Chairman Honig explained to Ms. Erb is there is an issue or problem with a certain property to email the zoning officer.

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

**EXECUTIVE SESSION**

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Chairman Honig commented we are going to be entering into executive session to discuss the RFP for professional services for 2023.

**Executive Session Resolution**

The Open public meetings act allows the Land Use Board to exclude the public from a portion of a meeting in certain circumstances;

Be it resolved by the Land Use Board of the Borough of Ogdensburg, that the public shall be excluded from discussion of the following matters.

2023 Professional Services Contracts.

At 7:54pm Mr. Fierro made a motion to go into executive session. Seconded by Mr. Kibildis.

**Upon Roll call Vote:**

Yeas: Fierro, Honig, Hutnick, Kibildis, Marceau

Nays: None Absent: Fitzgibbons, Nasisi Abstain: None

The Land Use Board returned from executive session at 8:34pm

Chairman Honig commented we returned from executive session no decisions were made we had discussion regarding the RFP for professional services. We reviewed the applications [proposals] at this point. Decisions will be discussed and finalized at our January reorg meeting.

**ADJOURN**

Chairman Honig commented before we adjourn he wished everyone a Happy Thanksgiving. Mr. Fierro made a motion to adjourn. Seconded by Mr. Kibildis. All were in favor.

Chairman Honig adjourned the meeting approximately 8:35pm.

Prepared by  
Robin Hough, RMC/CMR