

REGULAR MEETING MINUTES OF THE BOROUGH OF OGDENSBURG
LAND USE BOARD FOR
April 22, 2025, AT THE OGDENSBURG
MUNICIPAL BUILDING, 14 HIGHLAND AVE.
OGDENSBURG, AT 7:00pm

Chairman Elliott Honig called the meeting to order at 7:01pm.

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 29, 2025.

ROLL CALL: Cahill, Connolly, Fierro, Honig, Mayor Hutnick, Ruitenberg

Absent: Andrews, Fitzgibbons, Marceau, Nasisi, Poyer

Also present: Mike Vreeland, Board Engineer and Mathew Lynch, Attorney

APPROVAL OF THE MINUTES

Mr. Cahill made a motion to approve the meeting minutes for March 25, 2025. Seconded by Mr. Fierro.

Upon Roll call Vote:

Yeas: Cahill, Connolly, Fierro, Honig, Hutnick, Ruitenberg

Nays: None Absent: Andrews, Marceau, Nasisi, Poyer Abstain: None

APPLICATIONS FOR COMPLETENESS

There are no applications for completeness.

APPLICATIONS TO BE HEARD

There are no applications to be heard.

APPROVALS OF RESOLUTIONS

There are no resolutions for approval.

OLD BUSINESS/NEW BUSINESS

Local Planning Grant- No update.

Zoning map & zoning ordinances

Mr. Vreeland commented his plan is; if we are good to go forward with updating the zoning map; he will email Robin a PDF copy of what we have on file so far and drop off some paper copies. Robin can distribute the PDF copy. His thought was to review the existing one, mark it up and when we get together next time compile note, dates and revisions as necessary.

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Chairman Honig commented that sounds perfect; do you think you would be able to have the PDF up copied by around the middle of May.

Mr. Vreeland commented he is thinking next week.

Chairman Honig commented we will discuss this at our June meeting.

Chairman Honig commented as far as the zoning ordinance; he started putting some of the stuff together, but is taking a little longer than he thought to go through a year and a half of his notes.

Updated Land Use Board Application.

Ms. Hough explained we have Roger's comments and Chairman Honig's comments incorporated in the application. We are waiting on Mike comments then we should have it finished.

Chairman Honig commented that will also be for our June/July meeting.

Annual Report

Mr. Lynch, Esq. explained the annual report; reviewing the report and going over the applications that were before the board in 2024. [A copy of the annual report is on file with the Land Use Board Secretary]. There was a correction in the annual report regarding application 04-2024 Mulcahy the application was for a shed in the front yard not rear yard. Mr. Lynch commented he and Mr. Thomas consulted and none of the actions taken last year reflect any modification to the Master Plan.

Chairman Honig commented so at this point we are in good standing and nothing needs to be reviewed or looked at based off of everything. Correct?

Mr. Lynch commented yes, Mr. Thomas hasn't brought anything else to his attention.

Chairman Honig asked if there were any questions comments or concerns regarding the annual report. There were no questions.

Chairman Honig asked for a motion to accept the annual report.

Mayor Hutnick made the motion. Seconded by Mr. Fierro.

Upon Roll call Vote:

Yeas: Cahill, Connolly, Fierro, Honig, Hutnick, Ruitenberg

Nays: None Absent: Andrews, Marceau, Nasisi, Poyer Abstain: None

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Cross Acceptance Plan Process committee meeting update.

Chairman Honig explained a committee consisting of himself, Mr. Fierro, Mr. Marceau, Mr. Vuich and Ms. Hough sat and went through the CART form.

Mr. Fierro explained with the help from our Planner we went through each step to discuss where we landed with each of these questions. Whether it was about the preliminary State Plan or consistency with the County and State goals. We gave our opinions and ideas as to where we thought the Borough stood; what we felt was good or bad about a particular plan or agenda from the State. He thinks we did a good job.

Chairman Honig commented at this point this is more for your information as this was a separate committee meeting. Since our committee Chair Mr. Fierro gave a report we do want to make a motion to send this up to the Council for them to look at and approve.

Mr. Cahill made the motion. Seconded by Mr. Fierro.

Upon Roll call Vote:

Yeas: Cahill, Connolly, Fierro, Honig, Hutnick, Ruitenberg

Nays: None Absent: Andrews, Marceau, Nasisi, Poyer Abstain: None

Mr. Vreeland commented in addition to the State Plan; the affordable housing is moving along. The DCA came out with the numbers; Municipalities had a certain date to either adopt a resolution accepting the numbers or develop their own numbers. That resolution got filed; this program which is basically replacing council on affordable housing. The Governing Body adopted a resolution accepting the DCA numbers and technically the next step in the process now is the municipality general through the Land Use Board prepares a Fair Share Housing Plan that outlines what you are going to utilize and how you are going to provide for that need. That plan technically has to go through the Land Use Board then it goes to the Governing Body for approval. Then it needs to be filed with the program to stay on schedule by June 30. He hasn't come across any prior plans the Borough had put together.

Mr. Vreeland explained the time table for the program. Once you participate and you get into the program, follow all the steps, your plans get approved and adopted you are protected from builders' remedies in the fourth round. Whether that is a legitimate concern, if the borough needs to be protected from that; he can't answer that for you. But if you want that protection; now that the Governing Body adopted the resolution setting forth the obligation numbers the next step to continue that protection would be to adopt a fair share housing plan by this board then it goes to the Governing Body to get adopted.

Mr. Fierro asked what is involved in a municipal fair sharing house plan?

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Mr. Vreeland explained what would be involve.

There was a discussion regarding the process, this plan offering the protection which is very expensive if we don't have the protection, not having enough properties in the borough to have 40 units, whether or not the Board should do a fair share housing plan with it being so close to the deadline and if we don't meet the June 30 deadline we are not protected.

Chairman Honig commented he wants to clarify if we don't get this done by June 30, we are going to figure out a way whether it takes 2, 5 or 30 years to get this done financially or in anyway its not going to harm us if we don't get it done by June 30 unless somebody comes in.

Mr. Fierro asked are you saying it is necessary?

Mr. Vreeland commented he is saying in order to be protected in the fourth round, these are the steps and the time table to be protected in the fourth round. You haven't satisfied prior rounds. There is still the same liability from previous rounds.

Chairman Honig commented he thinks we are going to have to have more discussions on this; he doesn't see the Borough meeting the June 30th deadline regardless of what we want to do. At this point in time we will have to table this for a discussion at later point.

CORRESPONDENCE

Chairman Honig explained the correspondence.
CCO and Zoning report

BILLS/VOUCHERS

Mr. Fierro made a motion to approve the bills/vouchers. Seconded by Mayor Hutnick.

Upon Roll call Vote:

Yeas: Cahill, Connolly, Fierro, Honig, Hutnick, Ruitenberg

Nays: None Absent: Andrews, Marceau, Nasisi, Poyer Abstain: None

- Dolan and Dolan statement number 952538 in the amount of \$1,852.75 to be charged to escrow account for LUB 05-2024 Stanislawczyk.
- Dolan and Dolan statement number 952739 in the amount of \$163.56 to be charged to escrow account for LUB 05-2024 Stanislawczyk.
- Dolan and Dolan statement number 952536 in the amount of \$112.38 to be charged to escrow account for LUB 01-2024 Yassin.
- Van Cleef Engineering invoice number 6290022-3 in the amount of \$76.00 to be charged to escrow account for LUB 03-2024 Anderson.

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- Van Cleef Engineering invoice number 6290026-3 in the amount of \$304.00 to be charged to escrow account for LUB 07-2024 Lame.
- Dolan and Dolan statement number 952738 in the amount of \$388.00 for Land Use Board General.
- Dolan and Dolan statement number 952741 in the amount of \$163.56 for Land Use Board matter.
- Dolan and Dolan statement number 952537 in the amount of \$163.56 to be charged to escrow account for LUB 04-2024 Mulcahey,
- Van Cleef Engineering invoice number 6202-59 in the amount of \$304.00 for Land Use Board General.

PUBLIC PORTION

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

No one from the public had any comments.

Mr. Cahill made a motion to close to the public. Seconded by Councilwoman Ruitenbergh. All were in favor.

EXECUTIVE SESSION

Mayor Hutnick made a motion to go into executive session for litigation, Mr. Fierro seconded motion to adopt the following resolution.

Upon Roll call Vote:

Yeas: Cahill, Connolly, Fierro, Honig, Hutnick, Ruitenbergh

Nays: None Absent: Andrews, Marceau, Nasisi, Poyer Abstain: None

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L., 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Ogdensburg, County of Sussex, State of New Jersey, as follows;

Litigation

At 7:35pm the Land Use Board went into executive session.

At 7:43 the Land Use Board returned from executive session.

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Chairman Honig commented as a reminder no decisions or anything was made it was just for information.

ADJOURN

Mr. Cahill made a motion to adjourn the meeting. Seconded by Councilwoman Ruitenbergh. All were in favor.

Chairman Honig adjourned the meeting approximately 7:44pm.

Prepared by
Robin Hough, RMC/CMR