

BOROUGH OF OGDENSBURG LAND USE BOARD MINUTES

MEETING DATE: **January 13, 2009**

CALL TO ORDER: 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 5, 2009. The meeting of the Ogdensburg Land Use Board was called to order at 7:00 PM.

ROLL-CALL: **Present:** Andrews, Armstrong, Dolan, Fahrenfeld, Fierro, Mayor Sekelsky, Sund, Telischak, Wood, Fitzgibbons, Kibildis and McGuire.
Professionals: Buczynski, Leo and Suljic*
*Mr. Suljic arrived immediately after Roll Call.

PLEDGE OF ALLEGIANCE

Chairman Armstrong stated that no applications are before the Board tonight. We have three Alternates who were appointed to the Board at the Council meeting last night. They are Rob McGuire who resides in the Foothills and is a home appraiser and wants to be involved in our town. His wife is a teacher at the Ogdensburg School. John Kibildis is a lifelong resident here and was a teacher in our school, a member of the Historical Society, previous Mayor and previous member and Chair of the Planning Board. Pat Fitzgibbons is also a lifelong resident and retired CEO of Ames Rubber. He was the sitting mayor when the Planning and Zoning Boards were originally formed. He is also a member of the Board of Education.

Also, we have three professionals who work with the Board. Fred Suljic is a Professional Planner with years of planning experience. He was previously the Sussex County Planner. He is a consultant planner for a number of towns. He is the Chief of the Fire Department, an EMS, a member of the National Ski Patrol and our Planner for Ogdensburg.

Gene Buczynski is a Professional Engineer, Professional Planner and a Certified Municipal Engineer. Gene works with CMX and has been our engineer, is very respected and everybody that works with Gene has a favorable comment. This Board has a very high opinion of Gene and he is a pleasure to work with.

Ursula Leo is a Land Use Attorney with Laddey, Clark and Ryan in Sparta. She has a great deal of experience in representing municipalities and boards in land use and land use litigation. Ursula is licensed to practice law in both NJ and PA and she has successfully represented clients in both the State and Federal courts. She graduated with honors both in graduate and undergraduate, summa cum laude. Not too long ago, she was Miss Sussex County. Her work for the Board has been outstanding. She makes sure that what we do in this Board is for the people of the town and it is legal.

Chairman Armstrong introduced Kevin Kervatt, our Subcode and Zoning Officer. Kevin participates a lot with the Board and insures that what is out there is correct.

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1. OATHS OF OFFICE

Attorney Leo administered an Oath of Office to the following members:

John Fierro – Class IV Member
Steven Sund – Class IV Member
William Andrews – Class IV Member
Kenneth Fahrenfeld – Class IV Member
Eric Wood – Class III Member
John Kibildis – Alternate #1
Patrick Fitzgibbons – Alternate #2
John McGuire – Alternate #3

Chairman Armstrong introduced Blanche Stuckey who is our Secretary and Land Use Administrative Assistant. Blanche joined us in August and she has been going to school and acing all of her courses. She works here. Our office is downstairs.

2. APPOINTMENTS

A motion was made by Mayor Sekelsky to appoint the following professionals for 2009:

Ursula Leo – Laddey, Clark & Ryan as Attorney
Gene Buczynski – CMX Engineering as Engineer
Fred Suljic – Dykstra Associates as Planner

Motion was seconded by John Fierro with all in favor.

Bill Andrews made a motion to appoint Robert Armstrong for Chairman. Andrews said that Armstrong devotes a lot of his time working for the town. Patricia Dolan seconded with all in favor.

A motion was made by Vito Telischak, second by John Fierro to appoint Bill Andrews as Vice Chairman with all in favor.

A motion was made by Robert Armstrong, second by Ken Fahrenfeld to appoint Blanche Stuckey as Secretary with all in favor.

The following members volunteered to serve on the Completeness Review Committee:

John Fierro
Steve Sund
Ken Fahrenfeld
Robert Armstrong

The following members volunteered to serve on the Master Plan Subcommittee:

Eric Wood
Robert Armstrong
Bill Andrews
Vito Telischak

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3. ADVERTISING AND MEETING DATES

A motion was made by Eric Wood, second by John Fierro to appoint the New Jersey Herald and The Sunday Herald for advertising and approve the meeting dates for 2009 with all in favor. There was a discussion regarding the meeting dates since Mayor Sekelsky will not be able to attend all of the meetings. It was agreed that the Mayor will send someone to act as the Mayor's Designee as allowed by the Municipal Land Use Law and most likely Councilman Blahut will fill in. Chairman Armstrong remarked that Mike is an asset to the Council and the town. Meeting Dates are as follows:

1/13/09	7/14/09
2/10/09	8/11/09
3/10/09	9/08/09
4/14/09	10/20/09
5/12/09	11/10/09
6/09/09	12/08/09
Reorganization Meeting	01/12/10

4. APPROVAL OF MINUTES

Chairman Armstrong asked if the Council was given a copy of the Resolution of the Master Plan Re-Examination and the Final Report. They received both items. Also, John Ursin is coordinating with Ursula regarding the ordinances, etc. A motion was made by John Fierro, second by Eric Wood to approve the minutes of December 9, 2008 with all in favor.

Chairman Armstrong had a question regarding an invoice from Fred Suljic which was approved at last month's meeting. Fred stated that he attended a Highlands Workshop in Chester. He was only given a few days notice and spoke to the Municipal Clerk. Mayor Sekelsky said that he thought the amount could be charged to the forthcoming grant. Chairman Armstrong said we are going to look closely at the budget this year. We need to know of any expenses coming up.

5. APPROVAL OF BILLS/VOUCHERS

1. Dated 11/30/08 from CMX re: Re-Examination Report	\$687.50
2. Dated 11/30/08 from CMX re: Morse-Cork Hill Road	\$ 62.50
3. Dated 12/23/08 from Laddey, Clark & Ryan re: New Cingular Wireless	\$ 62.40
4. Dated 12/23/08 from Laddey, Clark & Ryan re: COAH	\$ 75.00
5. Dated 12/23/08 from Laddey, Clark & Ryan re: General	\$2,322.45
6. Dated 11/16/08 from NJ Planning Officials re: Dues Notice	\$305.00

Vito Telischak made a motion to approve the bills, second by Eric Wood with all in favor.

The Mayor announced that John Hann has been appointed to Finance and Tax. He is a Councilman and CPA and he will be working with the CFO to insure a smooth flow. Attorney Leo said she has a positive comment since her firm has received payment in the last month for bills that were two years old. Gene Buczynski stated that his account is pretty much up to date.

Eric Wood mentioned that he had an opportunity to meet with John Hann, Monica, our CFO and Blanche regarding old escrow balances and a procedure should be implemented to close those accounts. The secretary can contact the professionals to inquire if any further work and/or billing are required. If they respond in the negative, then the applicant can be contacted, the account can be closed and the balance

released to the applicant. Gene Buczynski said that it would be helpful to have the Trail Balance Report every month.

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6. CORRESPONDENCE

Fred Suljic pointed out that there is a letter from the New Jersey Farm Bureau that was of particular interest because they are challenging the DEP rules for the Highlands Preservation Area.

7. OLD BUSINESS/NEW BUSINESS

Cingular will be coming in again next month. Their escrow balance should be enough to cover expenses. Their application requires seven votes with five affirmative votes to pass.

Verizon's balance is for a proposed cell tower at the First Aid Squad. Applicant was given the wrong Block and Lot numbers. They gave us \$13,000. Monica will call them. The accounts appear to be in chronological order on the Trial Balance Report.

There is a balance of \$6,000 for Omnipoint. The Secretary informed the Board that Omnipoint applied for their Construction permit. She will call the Construction Office for the status of the permit.

Per the resolution, JBL-RAL, LLC was required to contact the State Historic Preservation Office to request any sites of historical significance on and around Block 35, Lot 15. There were two sites: the Sterling Mine and the Backwards Tunnel. Someone asked if it stipulated how much of the mine. The portion is indicated on the legal-size map.

8. ANNUAL UPDATE REPORT AND RECOMMENDATIONS

The report is based on the activity we saw in 2008. Attorney Leo informed everyone that according to the Municipal Land Use Law, the Zoning Board must report to the Planning Board and the governing body at the end of the year. Chairman Armstrong also submitted a Year End Report and noted that there are a potential 24 residences to be built. Every month last year, we were tied up in subdivisions which was quite unique because for years we had no meetings since we had no applications. John Fierro made a motion to accept the Resolution of the Annual Report, second by Patricia Dolan with Armstrong, Andrews, Fahrenfeld, Sund, Telischak, Fitzgibbons and McGuire in favor and John Kibildis abstaining.

9. CHAIRMAN'S AGENDA

There was a lengthy discussion about setting priorities and what the Board and the Professionals will be working on in 2009. Some of the tasks will be performed simultaneously. The Road Map for 2009 depicts four major projects: Re-Examination Report, COAH, Plan Endorsement and the Highlands Act. Everyone agreed on the Goals and Objectives as follows:

1. Protect the environmentally sensitive portions of the Borough;
2. Meet the housing needs of the community;
3. Ensure that the infrastructure needs of the community are met;
4. Maintain the small town character of the Borough;
5. Strengthen the ratable base of the community.

Board members also agreed that the first priority will be to revise the land use ordinances. Further discussion included ideas and comments on the following:

Revitalization of Main Street

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Working with the Historical Society	Setting Priorities
Safe Passage to Schools	Finances
Meeting with Business Owners	Work by Volunteers
Town Center Designation	Sewer Allocation
Tax Ratables	
Chamber of Commerce and/or Business Owners' Association	
Economic Development Committee	
Plan Endorsement and CDBG Funds	

10. PUBLIC SESSION

A motion to open the meeting to the public was made by Fierro, second by Telischak with all in favor.

Mr. Wasco Hadowanetz remarked that this has been a very enlightening evening. He applauded Chairman Armstrong for getting everyone revved up about this Road Map. You mentioned interfacing with the Historical Society. We have four members here: Pat Dolan, Jean, John and myself and I am sure they agree with me in looking forward to working with the Board.

Jean Castimore reminded the Board that she made a comment last month that she considers a portion of Main Street historical. She doesn't know how much can be preserved or how much is financially feasible. With the revitalization, she would like the Board to keep in mind the homeowners and apartment dwellers. Please put in the sewers before the sidewalks. Don't give us any gingerbread. A plain sidewalk is four feet of concrete. She questioned what is happening with the parking lot. Are any plans being made up by the professionals? There are no plans.

A motion to close the meeting to the public was made by Fahrenfeld, second by Dolan with all in favor.

11. OTHER

Chairman Armstrong informed the new members, Rob, Pat and John that they need to take the Mandatory Training course within the year. Existing members can take the Advanced Training course. Both courses are scheduled at Sussex County Community College on Saturday, March 21st, 2009.

12. ADJOURN

A motion to adjourn the meeting was made by Wood, second by Andrews with all in favor.

Respectfully Submitted by:

Blanche Stuckey
Land Use Board Secretary

Date of Approval