

# **BOROUGH OF OGDENSBURG LAND USE BOARD MINUTES**

**MEETING DATE:**                    **January 22, 2019**

**CALL TO ORDER:**                The meeting of the Ogdensburg Land Use Board was called to order at 7:05 PM.

## **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 25, 2017.

### **1.    OATHS OF OFFICE:**

The following members were sworn in by Attorney Thomas:

<i>Mayor George Hutnick</i>	-	<i>Class I Member</i>
<i>John Kibildis</i>	-	<i>Class II Member</i>
<i>Vito Telischak</i>	-	<i>Class IV Member</i>
<i>Elliott Honig</i>	-	<i>Class IV Member</i>

### **2.    ROLL-CALL:**

**Present:** Armstrong, Andrews, Fierro, Fitzgibbons, Honig, Hutnick, Kibildis and Telischak

**Absent:** Hart, McGuire and Nasisi

**Professionals Present:** Gene Buczynski, PE and Roger Thomas, Esq.

### **3.    OFFICES AND APPOINTMENTS:**

A motion to appoint Robert Armstrong as Chairman was made by John Kibildis, second by John Fierro with Fitzgibbons, Hutnick, Honig, Telischak, Andrews and Armstrong also in favor.

A motion to appoint Patrick Fitzgibbons as Vice Chairman was made by John Kibildis, second by John Fierro with Fitzgibbons, Hutnick, Honig, Telischak, Andrews and Armstrong also in favor.

A motion to appoint Dolan and Dolan, P.A. as Attorneys was made by John Fierro, second by Elliott Honig with Fitzgibbons, Hutnick, Kibildis, Telischak, Andrews and Armstrong also in favor.

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A motion to appoint Eugene Buczynski of Van Cleef Engineering as Engineer was made by John Kibildis, second by John Fierro with Fitzgibbons, Hutnick, Honig, Telischak, Andrews and Armstrong also in favor.

A motion to appoint Angela Knowles of Van Cleef Engineering as Planner was made by Patrick Fitzgibbons, second by John Kibildis with Hutnick, Fierro, Honig, Telischak, Andrews and Armstrong also in favor.

A motion to appoint Blanche Stuckey as Secretary to the Land Use Board was made by Vito Telischak, second by John Fierro with Fitzgibbons, Hutnick, Kibildis, Honig, Andrews and Armstrong also in favor.

Chairman Armstrong stated that the appointments to the Completeness Committee will remain the same: John Fierro, Bill Andrews and Chairman Armstrong. The purpose of this Committee is to review documentation for proper submission on large applications. A motion to approve the Committee was made by John Kibildis, second by Elliott Honig with Fitzgibbons, Hutnick, Fierro, Telischak, Andrews and Armstrong also in favor.

A motion to designate the New Jersey Herald and the Sunday Herald as the official publications for legal notices was made by Vito Telischak, second by John Fierro with all in favor.

A motion to approve the Meeting Dates for 2019 was made by Patrick Fitzgibbons, second by Elliott Honig with all in favor. Chairman Armstrong stated that all of the meetings will be held on the fourth Tuesday of the month except for May and June when the meetings are scheduled on Wednesdays.

The Board is in receipt of a contract from Dolan and Dolan for legal services and Van Cleef Engineering Associates for the Engineering and Planning services.

#### **4. APPROVAL OF MINUTES:**

A motion to approve the minutes from the November 27, 2018 meeting was made by Vice Chairman Fitzgibbons, second by Elliott Honig with Armstrong, Fierro, Kibildis, Telischak and Andrews also in favor.

#### **5. BILLS/VOUCHERS**

A motion to approve the bills and vouchers was made by Vice Chairman Fitzgibbons, seconded by John Kibildis with Fierro, Honig, Hutnick, Andrews, Telischak and Armstrong also in favor.

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Dated 12/10/18 from Van Cleef Engineering re: General	\$312.50
Dated 12/10/18 from Van Cleef Engineering re: Re-Examination Report	\$531.25

### 6. OLD BUSINESS/NEW BUSINESS

- a. Memorialization of the Resolution for Approval of Reexamination Report and Land Development Ordinance

Chairman Armstrong explained that the Borough has a Master Plan and the Board does a Reexamination every ten (10) years so this year we worked with Angela Knowles for quite a few months on the Report. This report is also sent to the State and the County. Mr. Honig stated that the resolution sites “Green” Street instead of “Main” Street.

A motion to memorialize the resolution with the correction was made by Elliott Honig, second by John Fierro with Fitzgibbons, Kibildis, Telischak, Andrews and Armstrong also in favor.

### 7. CHAIRMAN’S AGENDA

Chairman Armstrong will be making a change to the Invoice Tracking Report in order to distinguish the escrow accounts from the general account. The Board Secretary has supplied the 2018 Year In Review Report.

### 8. ATTORNEY’S ANNUAL REPORT

Attorney Thomas stated that the Land Use Law says that every year the Zoning Board of Adjustment must provide an annual report of its variance activities during the year and to send it to the governing body. There really was no variance activity. Therefore, I am going to recommend that I think the Secretary did an excellent job in terms of this annual review; and I would suggest that if you are in agreement, you could use this as your annual report that satisfies the requirements of the Municipal Land Use Law and forward it to the governing body to satisfy that statutory requirement. If you agree, the Board Members need to have a motion to adopt it and vote upon it and then the Secretary could send it to the governing body. The cover letter would indicate that this Year In Review is being forwarded to the governing body as the statutory requirement for the Annual Report and the letter could also report that there were no variance applications during the year.

Chairman Armstrong said he was surprised at the number of CCO’s issued – ninety (90) during the year. Board members didn’t realize that there were so many OPRA requests for information. The receipts for the CCO’s and Zoning Permits go into the Borough’s General

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Account. Board Members requested that they receive copies of the OPRA requests every month to see what type of information people are asking for.

A motion to submit the Year In Review Report to the Council as the year end report to comply with the Land Use Law was made by Vice Chairman Fitzgibbons, second by John Kibildis with all in favor.

### 9. OPEN TO THE PUBLIC AND CLOSE TO THE PUBLIC

No members of the public were in attendance.

### 10. MEETINGS

Chairman Armstrong commented that he is glad that Mayor Hutnick is in attendance and that we missed the representation from the Mayor. We do not always meet and there is no requirement to meet. If there is no business, the meeting can be cancelled and Board Members receive an email. Mayor Hutnick asked if Robin can be notified in advance in order for the cancellation to be placed on the Borough website. Attorney Thomas stated that an applicant's attorney might call the Board Secretary and notify her that they are not ready and would like to be carried to the next meeting.

### 11. BUDGET

The budget for our Department has not been firmed up as yet and Chairman Armstrong stated that he will be attending the Council meeting on February 4<sup>th</sup> to present the Land Use budget for 2019. Robin, Blanche and I worked on a budget for the year totaling \$25,700 before the list of projects from the Planner. Last year's budget totaled \$8,905.00. It was determined that the OE–Operating Expense amount was for projects and \$4,000 was allocated for the Reexamination. The budget submitted this year totals \$25,350 and the \$15,000 will be utilized for future projects. The Department spent \$8,679 last year.

Mayor Hutnick informed the Board that the February 4<sup>th</sup> meeting will be for a presentation and numbers but it is not the final budget and there will be time for changes. Attorney Thomas stated the Board needs to determine the amount for projects and expenses. Chairman Armstrong stated that these proposed budget numbers were prepared on November 28<sup>th</sup> before the Planner's proposal was submitted in December.

Vice Chairman Fitzgibbons stated that he knows the Council wants to pursue economic development and suggested a meeting with the Mayor and Council so we can prioritize the projects. Mayor Hutnick remarked that he doesn't have an Economic Development Plan but has some ideas and is looking forward to working with the Land Use Board on a plan.

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Attorney Thomas said the reason the Board ended up doing the Reexamination of the Master Plan is two-fold: one you have to but I think there was some effort made through Angela with an awful lot of assistance by the Board Members to try to get some direction as to where the town may be going during the next ten (10) years. It is clear to me that even though the Council doesn't have any authority over the Master Plan but it is, in my opinion, critical that the Council needs to know what that Master Plan entails and all the Council Members should have a copy of it. There should be a coordinated meeting between the Council and the Land Use Board to start a coordinated vision of what economic development may mean. That includes the Master Plan and includes what if any of these projects are started in 2019. Then you will get a better idea of what your budget will be.

Mayor Hutnick stated that a joint meeting would be a Special Meeting. Engineer Buczynski told the Board that number 1. in the Planner's proposal is just to get everyone's ideas in order to develop the plans. Several members gave opinions on a number of the projects. Chairman Armstrong commented that some items can be done under budget. Before we do these steps, Mr. Fierro said that it would be so strong if we had the governing body and this Board, the new administration, our new Mayor, everybody together in one room throwing it all against the wall and seeing what sticks, see what people are for and what they are not for, eliminate, add, subtract and then walk out of that meeting knowing we have a direction that we can now have our Network Visionary Workshop with XYZ on the agenda. Then no one can say they didn't know about it and the Mayor is comfortable with where we are going.

Chairman Armstrong said that we have two (2) weeks to recommend a budget and asked Elliott Honig, John Fierro and Patrick Fitzgibbons if they would be on the Steering Committee with him to work up a budget. Mr. Fierro suggested that we develop a plan for three and/or five years. The Steering Committee will meet on January 28<sup>th</sup> Monday night at the Fire Museum at 7:00 P.M.

**12. ADJOURNMENT**

A motion to adjourn was made by John Kibildis, second by Vice Chairman Fitzgibbons with all in favor. Meeting adjourned at 8:31 P.M.

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Blanche Stuckey  
Land Use Board Secretary

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Date of Approval

