POHATCONG TOWNSHIP COUNCIL
REGULAR MEETING

Tuesday April 21, 2026

NOTICE

In accordance with NJSA 10:4, adequate notice of this meeting has been provided to the Star Ledger and the Express Times, as well as posted on the township's website and on the bulletin board in the municipal building; satisfying the requirements of the Open Public Meetings Act.

The meeting was called to order by Mayor Slack at 7:03 pm with the following members present: Councilman Babinsky, and Councilman Stillo. Engineer Ingram and Acting Clerk Moeller were also present. Councilman Luzzetti, Councilman Melvin, Administrator Robb, and Attorney Benbrook were absent.

The meeting opened with a moment of silence followed by the flag salute.

APPROVAL OF MINUTES

Mayor Slack motioned to approve the March 17, 2026 Regular Session minutes. The motion was seconded by Councilman Babinsky and carried 2-0 with the following roll call vote:

Ayes: Babinsky, Slack
Nays: None
Abstentions: Stillo
Absent: Luzzetti, Melvin

Mayor Slack motioned to approve the March 17, 2026 Executive Session minutes. The motion was seconded by Councilman Babinsky and carried 2-0 with the following roll call vote:

Ayes: Babinsky, Slack
Nays: None
Abstentions: Stillo
Absent: Luzzetti, Melvin

APPROVAL OF BILLS

Councilman Babinsky moved that the payment of all bills presented in proper form, signed by the Director of each department, approved by the majority of members, and listed on the bill list be approved. The motion was seconded by Mayor Slack and carried 3-0 with the following roll call vote:

Ayes: Babinsky, Stillo, Slack
Nays: None
Absent: Luzzetti, Melvin

PUBLIC COMMENT ON AGENDA ITEMS

None

ATTORNEY'S REPORT

Attorney Benbrook did not circulate a written report. Mayor Slack had spoken to him briefly prior to the meeting about the Shimer Redevelopment Plan and a couple miscellaneous items.

ENGINEER'S REPORT

Local Aid Grant

Engineer Ingram advised that we submitted our last two public aid grants for the guiderail work. As soon as we get the approval, we can go to the co-op to get that done.

Local Freight Grant

Still no decision for the work on River Road by the quarry. Should have an answer by next meeting.

Park & Recreation Grant

No money was awarded this year. Funding was cut to about a third, and in turn the funding for municipalities was cut by about 35%. Only three municipalities in Warren County received funding this year.

NJDOT Local Aid

The due date is coming up in July. We will need to have a resolution and pick what projects we would like to apply for. Wayne has spoken with Jeff (Loveatz) about it, and they would like to apply for a mill and pave of Mount Joy Road from Route 627 down to the bridge.

We can select up to two jobs, so he welcomes suggestions from council, and advised that their requests should be on the agenda for the next meeting in order to get everything submitted in time.

Councilman Luzzetti arrived at 7:09pm

Tax Maps

All of his office's revisions are complete at this point. They are working with Jenn (Carabelli) now, and she has to do certain things on her end to basically rectify the maps with her records.

Aqua

Getting our alleys repaved from the lead line replacements should be forthcoming.

Willows

They are going to be doing blasting soon in case any calls or complaints come in. They have provided all the proper documentation and permits.

Sewer Capacity Testing

Still waiting on approvals and authorizations from the county engineer's office in order to begin work.

MS4 Permit

MS4 compliance will be turned in by the end of this month.

COUNCIL REPORTS

ADMINISTRATOR ROBB

Absent

JOHN STILLO

Advised he had attended the last recreation meeting, and it was the first time they had met in quite a while. It was a little contentious, with softball moving to league. There was a really big turnout and good conversation. Everything was resolved as well as it could be.

For updates on the community fields; in the back of the school, the electric has been dug and put down, the water lines have been put down, and at the end of May they should be starting the concession stand and the press box. Scoreboards should be up very soon. The other half of the field has been seeded and grass is starting to grow there. Hopefully there will be practices there soon and have first games come September. Down the road, they are hoping to add a pavilion and walking path and make it a big community gathering place.

KEVIN MELVIN

Absent

NELSON LUZZETTI

Nothing to report.

STEVE BABINSKY

Nothing to report. Jeff advised that the new dump truck has arrived and is currently down in Edison for the DPW show and will be back by the end of the week.

MAYOR SLACK

Mayor Slack advised he had a couple things come across email wise. Had a complaint on River Road about speeders; they stated there was a near miss and somebody almost got hit. He passed the complaint onto Chief Barsony, who mentioned possibly getting the speed sign/billboard put down there. Lieutenant Wojcik advised that one of them needs new batteries, and the other needs a software update.

Mayor Slack requested to set up a radar detail on Manor Road due to a citizen requesting speed bumps to be down in that area.

He had another inquiry about parking issues on Maple Avenue, which was given to Chief Barsony as well and he was going to look into it.

There was another complaint about an unregistered pickup truck on Creek Road. Lieutenant Wojcik advised that he believes they rent the house there. As far they can see, there is no ordinance in place that would prohibit them from parking there. It is passable and the truck is insured.

Mayor Slack went to the annual Huntington Volunteer Fire Company dinner the previous Saturday. Their firefighters were honored, and it was a well-attended good time with good food. He was disappointed that he was the only member of council in attendance.

PROCLAMATION

Proclamation

DESIGNATING MAY AS "OLDER AMERICANS MONTH"

Whereas, May is Older Americans Month, a time for us to recognize and honor the Township of Pohatcong's older adults and their immense influence on every facet of American society; and

Whereas, through their wealth of life experience and wisdom, older adults guide our younger generations and carry forward abundant cultural and historical knowledge; and

Whereas, older Americans improve our communities through intergenerational relationships, community service, civic engagement, and many other activities; and

Whereas, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and

Whereas, the Township of Pohatcong must ensure that older Americans have the resources and support needed to stay involved in their communities – reflecting our commitment to inclusivity and connectedness; and

Now, therefore, I, Mayor, David S. Slack and the Township Council of the Township of Pohatcong, do hereby proclaim May 2026 as Older Americans Month. This year's theme, "Champion Your Health" focuses prevention, wellness, and personal responsibility as cornerstones of healthy aging. It encourages taking an active role in managing your own health, advocating for yourself, accessing preventative care, and making informed decisions that support independence.

We call upon all residents to join us in recognizing the contributions of our older citizens and promoting programs and activities that foster connection, inclusion, and support for older adults.

RESOLUTIONS

RESOLUTION
ACCEPTING A GRANT FROM THE
HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, Pohatcong Township has applied for and has been awarded a grant in the amount of up to $22,815.65 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority for Remedial Investigation of the Finesville Motors property;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Pohatcong Township that the above referenced grant is hereby accepted and the mayor is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Pohatcong Township.

BE IT FURTHER RESOLVED that a comprehensive plan exists specifically for the development or redevelopment of suspected or confirmed discharge of a hazardous substance or hazardous waste in the host municipality or can otherwise demonstrate its commitment to the Authority that the Project Site will be developed or redeveloped within a three-year period from the completion of the remediation.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

RESOLUTION
AUTHORIZING CANCELLATION
OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, Certificate of Sale #25000017 was issued to the Township of Pohatcong, 50 Municipal Drive, Phillipsburg, NJ, for delinquent 2024 property taxes on Block 96, Lot 16, assessed to TRST, LLC AS TRSTEE 504 RIVER
REV T at a tax sale held on October 22, 2025; and

WHEREAS, this certificate has been fully satisfied;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Municipal Clerk of the Township of Pohatcong are hereby authorized to endorse Certificate of Sale #25000017 for cancellation.

RESOLUTION
AUTHORIZING THE SUBMISSION
OF A GRANT APPLICATION TO THE ASSOCIATION OF NEW JERSEY ENVIRONMENTAL COMMISSIONS (ANJEC) FOR OPEN SPACE STEWARDSHIP GRANT FUNDING FOR
A RAIN GARDEN PROJECT

WHEREAS, the Pohatcong Township Environmental Commission (hereinafter "Environmental Commission") has been established by ordinance pursuant to N.J.S.A. 40:56A-1 et seq. to advise the governing body on matters relating to the natural environment; and

WHEREAS, the Association of New Jersey Environmental Commissions (ANJEC) has announced the 2026 ANJEC Open Space Stewardship Grants for Environmental Commissions program, which provides grants of up to $1,500 to New Jersey environmental commissions for projects that advance local open space stewardship and raise the profile of the environmental commission in the community; and

WHEREAS, the Environmental Commission desires to apply for funding under the 2026 ANJEC Open Space Stewardship Grant program for the construction and installation of a rain garden on municipal or other preserved open space within Pohatcong Township (hereinafter the "Project"); and

WHEREAS, a rain garden is an educational stormwater management practice consistent with eligible project types under the ANJEC grant program, and will serve to enhance the Township's open space, benefit water quality, and provide an opportunity for community engagement, public education, and environmental awareness; and

WHEREAS, the Environmental Commission and local volunteers will contribute a minimum of 80 hours of labor toward the Project as required by the grant program, and no cash match is required; and

WHEREAS, the Environmental Commission is prepared to submit a complete application including a full project description, schedule, itemized budget, and documentation of community partners; and

WHEREAS, the Township Council finds that authorizing submission of this grant application is in the best interests of the residents of Pohatcong Township and supports the Township's environmental stewardship goals;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Pohatcong, County of Warren, State of New Jersey, as follows:

Section 1. The Township Council hereby authorizes the Pohatcong Township Environmental Commission to submit a grant application to the Association of New Jersey Environmental Commissions (ANJEC) for the 2026 Open Space Stewardship Grant for the purpose of funding a rain garden project on municipal or preserved open space within Pohatcong Township.

Section 2. The grant amount requested shall not exceed $1,500, and any grant funds received shall be used solely for eligible expenses as defined under the ANJEC grant program, including materials, professional services, printing, advertising, and related project costs.

Section 3. The Environmental Commission is authorized to execute all documents, certifications, and agreements necessary in connection with the submission and administration of said grant application.

Section 4. The Environmental Commission shall provide the Township Council with periodic updates on the progress of the Project and shall submit all required reports, photographs, and documentation to ANJEC within the one-year grant period as required.

Section 5. This Resolution shall take effect immediately upon adoption.

Motion

Mayor Slack motioned to approve the foregoing resolutions. The motion was seconded by Councilman Stillo and carried 4-0 with the following roll call vote:

Ayes: Babinsky, Luzzetti, Stillo, Slack
Nays: None
Absent: Melvin

RESOLUTION
A RESOLUTION OF THE MAYOR AND COUNCIL OF POHATCONG TOWNSHIP, COUNTY OF WARREN AND STATE OF NEW JERSEY, APPROVING THE CANNABIS DISPENSARY LICENSE OF MINDSET CANNABIS SHOP, LLC LOCATED AT 603 SAINT JAMES AVENUE, BLOCK 3, LOT 2
AND
SUPPORTING THE ISSUANCE OF A CLASS 5 CANNABIS RETAIL LICENSE

WHEREAS, Mindset Cannabis Shop, LLC (“Applicant”) has made application to the Township of Pohatcong for a license to permit the retail sale of cannabis at premises located at 603 Saint James Avenue, identified on the Pohatcong Township Tax Map as Block 3, Lot 2; and

WHEREAS, the Applicant has submitted a complete application consisting of the following:

1. Complete Cannabis Application;
2. Letter of Intent from Landlord for Lease of Premises;
3. Affidavit of Compliance;
4. Proof of Financial Capability;
5. Application Fee;
6. Proof of Zoning Compliance; and

WHEREAS, the Applicant has obtained preliminary and final major site plan approval from the Pohatcong Township Land Use Board for the conduct of a retail cannabis business at the proposed licensed property, memorialized by a Resolution dated December 29, 2025, the terms of conditions of which are incorporated herein by reference; and

WHEREAS, based upon the information submitted by the Applicant, the Mayor and Township Council have determined that this application meets the requirements of the Township Code.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Pohatcong, in the County of Warren and State of New Jersey, that the Retail Cannabis License Application of Mindset Cannabis Shop, LLC be and hereby is approved with an additional condition that the hours of operation shall be limited to 8:30 a.m. to 10:00 p.m. during all days of operation.

BE IT FURTHER RESOLVED that the Mayor and Township Council express their support for this issuance of a Class 5 retail cannabis license from the State of New Jersey pursuant to the rules and regulations of the NJ CREAMMA Act.

BE IT FURTHER RESOLVED this Resolution shall take effect immediately upon adoption.

Motion

Councilman Stillo motioned to approve the foregoing resolution. The motion was seconded by Councilman Babinsky, and carried 2-1 with the following roll call vote:

Ayes: Babinsky, Stillo
Nays: Luzzetti
Abstentions: Slack
Absent: Melvin

ORDINANCE- FIRST READING

26-05

ORDINANCE
OF THE TOWNSHIP OF POHATCONG
ADOPTING AN AMENDED REDEVELOPMENT PLAN FOR THE SHIMER SCHOOL REDEVELOPMENT AREA, BLOCK 44, LOT 1

Motion

Councilman Babinsky motioned to move the foregoing ordinance forward. The motion was seconded by Mayor Slack and carried 4-0 with the following roll call vote:

Ayes: Babinsky, Luzzetti, Stillo, Slack
Nays: None
Absent: Melvin

Mayor Slack mentioned there was an email that had went out if anybody wants anything from the Shimer School before the demolition. Councilman Babinsky had some inquiries about the cupola but he doesn't know how they're going to get it off or where it would be put if it was to be removed. Mayor Slack advised there may be a bronze plaque on the side entrance when you walk in and a fallout shelter sign that would nice to retrieve.

ORDINANCE- SECOND READING

26-04

ORDINANCE
TO AUTHORIZE THE SALE OF REAL PROPERTY TO CONTIGUOUS PROPERTY OWNERS

SECTION I.

BE IT ORDAINED by the Township Council of the Township of Pohatcong, County of Warren, State of New Jersey, that, pursuant to N.J.S.A. 40A:12-13(b)(5), the following real property has been determined to be not needed for public use, is less than the minimum lot size required for development under the current Municipal Zoning Ordinance, and unimproved, and shall be offered for sale to all contiguous property owners, as determined by the Township's Tax Assessor:

Block 45.01, Lot 1

Block 72, Lot 5

Block 97, Lot 21

Block 109, Lot 12

Block 109, Lot 64

Block 109, Lot 66

Block 109, Lot 67

Block 118, Lot 2.01

BE IT FURTHER ORDAINED, that each property shall be sold to the highest bidder from among all such owners who shall submit sealed letter offers of purchase to the Municipal Clerk clearly marked as Offers of Purchase for the property for which an offer is being made Offers shall be opened at its next regularly-scheduled meeting on March 17, 2026 at the Township of Pohatcong Municipal Building. Closing of title shall be accomplished within thirty (30) days, and each property shall be merged with the property of the contiguous property owner that submits the highest bid. The Township shall convey title by way of Quitclaim Deed; and

BE IT FURTHER ORDAINED, that the property shall not be sold for less than its fair market value, which may be established in consultation with the Township's Tax Assessor. No minimum bid shall be established for any lot to be included in the offering letter to contiguous property owners. The Township shall reserve the right to reject all bids; and

BE IT FURTHER ORDAINED, that pursuant to statutory requirement, a copy of this Ordinance shall upon second reading, public hearing and approval, be posted on the bulletin board or other conspicuous space, in the Township of Pohatcong municipal building, and the Ordinance shall be published in the Township's official legal notice webpage within five (5) days following adoption of the Ordinance.

SECTION III. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent

jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency. Specifically, by way of example, but not by way of limitation, §285-8(A)(4) is repealed to the extent said Section is inconsistent with this Ordinance.

SECTION V. Codification. This Ordinance shall be a part of the Code of the Township of Pohatcong as though codified and fully set forth therein. The Township Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Township Clerk and the Township Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Township of Pohatcong in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

SECTION VI. This ordinance shall take effect twenty (20) days upon passage and publication as required by law.

Mayor Slack opened the ordinance up to public hearing.

There was no comment from the public.

Motion

Councilman Babinsky motioned to close public hearing and adopt Ordinance 26-04. The motion was seconded by Councilman Stillo and carried 4-0 with the following roll call vote:

Ayes: Babinsky, Luzzetti, Stillo, Slack
Nays: None
Absent: Melvin

OLD BUSINESS

Councilman Babinsky advised he had heard from Mike King, who had sent him an angry email and that he feels everything they do is wrong.

NEW BUSINESS

None

MOTIONS

Motion: (To hire Casella/LMR Disposal to provide dumpsters and hauling for Spring Clean Up on Friday May 8th and Saturday May 9th)

Motion: (To approve Anthony R. Bickel's application for membership with the Junior Fireman's Auxiliary of Pohatcong Township Fire Department)

Motion: (To approve Jack Cooper's application for a Blue Light Permit)

Motion: (To approve Marvin Shuler's application for a Blue Light Permit)

Motion: (To approve Rodney Miller's application for a Blue Light Permit)

Motion: (To authorize the mayor and clerk to execute agreement with The Land Conservancy of New Jersey to update the Open Space and Recreation Plan)

Motion

Councilman Stillo motioned to approve the foregoing motions. The motion was seconded by Mayor Slack and carried 4-0 with the following roll call vote:

Ayes: Babinsky, Luzzetti, Stillo, Slack
Nays: None
Absent: Melvin

PUBLIC COMMENT

None

EXECUTIVE SESSION

None

ADJOURNMENT

Motion

Councilman Babinsky motioned to adjourn the meeting at 7:29pm. Seconded by Councilman Stillo the motion carried- all were in favor.

Noelle Moeller
Acting Township Clerk