POHATCONG TOWNSHIP COUNCIL
REGULAR MEETING

Tuesday May 19, 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 7:09 pm with the following members present: Councilman Luzzetti, Councilman Melvin, and Councilman Stillo. Administrator Robb and Acting Clerk Moeller were also present. Councilman Babinsky was excused for the evening the attend a funeral in Connecticut. Engineer Ingram, and Attorney Benbrook were absent.

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

APPROVAL OF MINUTES

Councilman Stillo motioned to approve the April 21, 2026 Regular Session minutes. The motion was seconded by Mayor Slack and carried 3-0 with the following roll call vote:

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

APPROVAL OF BILLS

Councilman Melvin 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 Councilman Stillo and carried 4-0 with the following roll call vote:

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

PUBLIC COMMENT ON AGENDA ITEMS

None

BUDGET DISCUSSION

CFO, Ann Cucci and Auditor, Man Lee were in attendance.

Ms. Cucci advised that we had a very good year last year, which helped out with the budget. The biggest concern, or effect, was the reduction of our overall assessed value due to tax appeals of over $8.5 million. That ended up causing the average rate to go higher for the average household. We're looking at about $157 per average house.

Some things that were done was a new capital lease for the dump truck, $25,000 was added to the road repair budget, and they also started investing. The bank increased the interest rate for us and we were able to recognize a little under $100,000 last year. The pension went down a little bit, everyone is affected by the health insurance, but we did very well because we are self-insured partially.

We started at a 9% increase, insurance was reduced a little bit and they found something in salary and wage that brought it down to 5%, then the new PILOT brought it down to a 2.9% increase overall in the tax levy.

She will be presenting when budget is up for adoption, but just highlighted a few things for now.

Mayor Slack asked if the $8.5 million in assessed value that we lost was commercial? And once we get our reevaluation done township wide, will that correct some of that?

Ms. Cucci advised that yes, it was commercial tax appeal and the reevaluation will help a lot.

Administrator Robb noted that when they were doing tax appeals, most of the appeals were asked for multiple years, until they were informed that we were going to be doing reevals; then they backed off and took only the one-year deal because they knew it was going to catch back up to them after the reeval.

Councilman Stillo asked when the earliest we can start to go out for the reeval?

Ms. Cucci replied that we are just waiting to hear from Wayne (Ingram) and Jenn (Carabelli) and then we can go out to bid. Robb stated that Jenn already has all the information for the bid packet drawn up. Once the tax maps are approved, she is ready to go out to bid.

Councilman Melvin thanked her and Scott for creative solution finding

ATTORNEY'S REPORT

Attorney Benbrook circulated a written report prior to the meeting. Highlighted by Administrator Robb.

The Cubes

They are looking at the end of summer to break ground. Robb attended a meeting with all sides and their engineers and attorneys and discussed permitting and fees.

Ingerman

Project is underway.

Affordable Housing Litigation

There is a resolution on tonight's agenda endorsing the amended housing element and fair share plan. The amended plan removes the Shimer School from the affordable housing development. The developer will pay the fee as recommended by fair share as part of the agreement.

Councilman Melvin advised that the plan was well received by the Land Use Board. There was only one thing in the plan itself that he could see a potential edit for with the parking spots. There are 80 spots for 39 units which is more than 2, but the plan said 1.75.

Robb advised that we have an agreement from the developer that says they're doing 80 spaces. Melvin noted that maybe it's not necessary to amend if the developer's agreement is binding.

Municipal Prosecutor

An RFP for municipal prosecutor has been drafted, which we can discuss in executive session.

R-4 Zoning Changes

There is an ordinance on the agenda for changes to R-4 zoning to make it easier for residents in not having to always get a variance. Wayne, Andrew (Melendez) Kevin (Benbrook) and Scott went through and came up with what they thought was fair and what was okay with Andrew for his inspections. It will be easier for people to put things on their property without having to come to the land use board every time and pay those additional fees.

ENGINEER'S REPORT

Engineer Ingram circulated report prior to meeting. Highlighted by Robb.

Local Freight Grant

We did not get the freight grant for River Road. Less than 50% of the grants submitted were approved this year.

Local Aid Grant

For the guardrails, plans have been submitted to DOT for review. Work will be performed through the Morris County Co-op likely in the spring.

Silver Hill Road

Survey work is complete, as is the pavement restoration plan. Easement and dedication descriptions have been prepared and submitted. Should be able to have on the agenda for July to have dedicated to the town.

NJDOT Local Aid

Can have up to two applications submitted. Recommended Mount Joy Road.

Edge Road

Water drainage and runoff is fine; hasn't had any issues with that.

COUNCIL REPORTS

ADMINISTRATOR ROBB

Cannabis Dispensaries

The second license will be on the agenda for next meeting. That will be the final one and all other applications will be denied and returned.

Councilman Stillo inquired about growing.

Robb advised that we will need to amend the ordinance, and will speak with Kevin about it.

Municipal Court

There were 138 new cases for Pohatcong, 133 disposed, with a $5,732.33 municipal deposit.
There were 175 new cases for Greenwich, 193 disposed, with a $11,330.38 municipal deposit. The total for the year so far is $28,629.36.
There were 187 new cases for Lopatcong, 226 disposed, with a $10,049.96 municipal deposit. Total of $27,621.99 for the year so far.

Fire Department

The fire department had 12 calls for the month and members drilled on pump operations and driver training.

Police Department

The police department had 1001 incidents for the month. 33 MVAs, 9 arrests, 229 traffic stops, and 120 summonses.

Road Department

The road department ran the town clean up this month. They also assisted with the water line and putting the conduit in at the sports fields, which was an entire weekend project and they did a phenomenal job. Street sweeping has been completed and the chipper was brought in as well. They are now working on repairing the catch basins.

Tax Assessor

The Tax Assessor is working with Wayne for the reeval. The audit for Larken's PILOT was finalized. Total payments owed to the town this year are $320,069.79. We received the first check already, which was due May 1, for $162,478.60. Then there will be two additional payments: one in August and one in November.

Councilman Melvin went back to The Cubes- when do we get any money from that?

Robb advised when the permits are issued, the fee is 2.5%, that is for the affordable. With a ballpark amount of over a million.

Zoning

Zoning had 9 applications for the month. Two were denied: One was a dispensary and the other was a 1200-foot garage with a front porch on Silver Hill Road. A total of $225 was collected for the month, and $575 for the year so far. There were 15 zoning complaints for the month; 5 were initial, 8 were reinspections, and 2 were first time inspections.

Councilman Melvin inquired about the guy on Mountain Road with the trailer. Robb replied that the last he talked with Andrew, he was advised that he needs to be summoned.

Sewer

There is a resolution on the agenda tonight for sewer rates. Unfortunately, we have to follow the suit of Phillipsburg, or else it's going to deplete our funds for sewer. Phillipsburg went up 22% this year, then it's 5%, 2%, 2%, 2% until 2030. So, we had to increase our rates as well in order to keep our budget and our numbers the same for what we use for sewer.

He added that we will need an executive session later to discuss personnel.

JOHN STILLO

Councilman Stillo advised that the rec board did not meet this month. Up at the new fields, they will be starting the concession stand at the end of the month and the press box. The scoreboard should be going up soon; they need to go in 2 feet deeper. He expects everything to be ready to go this fall.

KEVIN MELVIN

Councilman Melvin advised that the Land Use Board approved, with one slight amendment, the amended fourth round housing element and fair share plan. He had made a comment to Jim (Kyle) that it didn't really address why we were doing the fourth round, so he added in a one sentence explanation about taking Shimer out because the requirement was being met by other affordable projects.

NELSON LUZZETTI

Councilman Luzzetti signed up to go to the Musconetcong Watershed Association meeting in June to catch up on grants and various projects. He also advised that he needs to catch up with the historical society and the projects they are working on.

STEVE BABINSKY

Absent.

MAYOR SLACK

Mayor Slack advised that he had one complaint on River Road, which was forwarded to Scott and Andrew. Other than that, email and phone have been fairly quiet.

MAYOR'S APPOINTMENT- PENDING TOWNSHIP COUNCIL APPROVAL

Holly Thomas- Historic Preservation Commission Member, Class C, Four (4) Year Term – exp. 1/14/2030

Motion

Councilman Stillo motioned to approve the appointment. The motion was seconded by Councilman Melvin. All present were in favor.

RESOLUTIONS

RESOLUTION

DEFERRED LOCAL DISTRICT SCHOOL TAX

WHEREAS, the local district school tax for the fiscal year July 1, 2025 to June 30, 2026 was raised in the 2025 tax levy in the amount of $6,936,105.00, and

WHEREAS, the statutes permit the deferral of the cash liability of such school tax up to 50% of the school tax levy or $3,468,052.50;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Committee of the Township of Pohatcong, that the deferred school tax for the local school district be increased from $3,329,834.03 to $3,468,051.53 as of December 31, 2025; and

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of the Division of Local Government Services.

RESOLUTION

TO AUTHORIZE SELF-EXAMINATION OF THE 2026 BUDGET

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Pohatcong has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2026 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Pohatcong that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

    a. Payment of interest and debt redemption charges

    b. Deferred charges and statutory expenditures

    c. Cash deficit of preceding year

    d. Reserve for uncollected taxes

    e. Other reserves and non-disbursement items

    f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

    a. All estimates of revenue are reasonable, accurate and correctly stated,

    b. Items of appropriation are properly set forth

    c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

RESOLUTION

AMENDING SCHEDULE OF SEWER SERVICE CHARGES

WHEREAS, the Township Council of the Township of Pohatcong operates its sanitary

sewers as a self-liquidating utility and charges for persons and entities utilizing said sewers, and

WHEREAS, Chapter 220, Section 7 of the Code of the Township of Pohatcong provides that the Township Council of the Township of Pohatcong may establish a schedule of quarterly sewer service charges and the formula for computation thereof by Resolution, and

WHEREAS, it is necessary for the Township Council of the Township of Pohatcong to amend and establish said quarterly sewer service charges in connection with its Sewer Services Agreement with adjoining municipalities:

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Pohatcong, that the following quarterly sewer service charges for persons and entities utilizing the sanitary sewers of the Township of Pohatcong are hereby established to take effect immediately to be incorporated into the sewer bills issued by the tax collector:

1. Every user connected, directly or indirectly, to the sanitary sewerage system of the Township of Pohatcong or to any part thereof shall pay, as hereinafter specified, to the Tax Collector of the Township a quarterly sewer use charge hereby established, at the rates and in the manner herein below specified.

2. The rate and charge per unit user shall be as follows:

   (a) Unit charges for church, nonprofit and volunteer civil associations and single-family residential users shall be $50.00 per quarter plus $0.0108 for 2026 (effective third quarter of 2026), $0.01134 for 2027, $0.0119 for 2028, $0.0125 for 2029 and $0.0132 for 2030 per gallon of metered water usage.

   (b) Unit charges for apartments and multiple dwelling units shall be $50.00 per quarter per apartment or unit plus $0.0108 for 2026 (effective third quarter of 2026), $0.01134 for 2027, $0.0119 for 2028, $0.0125 for 2029 and $0.0132 for 2030 per gallon of metered water usage.

   (c) Volume charges for metered commercial, institutional, industrial, and non-residential users with up to 5 certificates of occupancy: $50.00 per quarter plus $0.0205 for 2026 (effective third quarter of 2026), $0.0215 for 2027, $0.0226 for 2028, $0.0237 for 2029 and $0.0249 for 2030 per gallon of metered water usage. For those properties with 6 or more certificates of occupancy, there shall be an additional $50.00 annual fee for each additional certificate of occupancy above 5.

3. Minimum classifications. No rate shall be billed on the basis of less than a minimum of one full unit. Multi-use buildings and properties will be billed for each separate and distinct use and minimum billing shall be applied to each use.

RESOLUTION

PREMIUM RETURN
OF TAX CERTIFICATE #2023-006

WHEREAS, the Tax Collector of the Township of Pohatcong has advised Mayor and Council that tax sale certificate #2023-006 for Block 26.02, Lot 18 has been redeemed;

WHEREAS, a premium of $20,000 was paid at the tax sale and has been redeemed within five (5) years;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Pohatcong this 19th day of May 2026 that the premium of $20,000 be returned to the following lien holder:

Pro Cap 8 FBO Firstrust Bank
PO Box 774
Fort Washington, PA 19034

RESOLUTION

PREMIUM RETURN
OF TAX CERTIFICATE #25000003

WHEREAS, the Tax Collector of the Township of Pohatcong has advised Mayor and Council that tax sale certificate #25000003 for Block 32.02, Lot 8 has been redeemed;

WHEREAS, a premium of $1,100 was paid at the tax sale and has been redeemed within five (5) years;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Pohatcong this 19th day of May 2026 that the premium of $1,100 be returned to the following lien holder:

Bala Partners, LLC
PO Box 303
Pottersville, NJ 07979

RESOLUTION

REDEMPTION OF TAX
CERTIFICATE #2023-006

WHEREAS, the Tax Collector of the Township of Pohatcong advised Mayor and Council that the following property has been redeemed and the money due thereon paid to the Township of Pohatcong Tax Collector;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Pohatcong this 19th day of May 2026 that refunds are made to the certificate holder as noted:

CERTIFICATE HOLDER	BLK/LOT	CERT#	AMOUNT
Pro Cap 8 FBO Firstrust Bank PO Box 774 Fort Washington, PA 19034	26.02/18	2023-006	$31,564.63

RESOLUTION

REDEMPTION OF TAX
CERTIFICATE #25000003

WHEREAS, the Tax Collector of the Township of Pohatcong advised Mayor and Council that the following property has been redeemed and the money due thereon paid to the Township of Pohatcong Tax Collector;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Township of Pohatcong this 19th day of May 2026 that refunds are made to the certificate holder as noted:

CERTIFICATE HOLDER	BLK/LOT	CERT#	AMOUNT
Bala Partners, LLC PO Box 303 Pottersville, NJ 07979	32.02/8	25000003	$845.78

RESOLUTION

AUTHORIZING CANCELLATION
OF MUNICIPAL CERTIFICATE OF SALE

WHEREAS, Certificate of Sale #2024-015 was issued to the Township of Pohatcong, 50 Municipal Drive, Phillipsburg, NJ, for delinquent 2023 property taxes on Block 118, Lot 15, assessed to Warren Glen Inv., LLC C/O IPPE at a tax sale held on October 16, 2024; 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 #2024-015 for cancellation.

RESOLUTION

OF THE TOWNSHIP OF POHATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY, ENDORSING THE AMENDED HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY TOWNSHIP OF POHATCONG LAND USE BOARD ON MAY 12, 2026

WHEREAS, in 2024 the New Jersey Legislature amended the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. through the adoption of P.L. 2024, c.2 ("FHA" or "FHA-2"); and

WHEREAS, P.L. 2024, c. 2 abolished the Council on Affordable Housing (COAH), created the Affordable Housing Dispute Resolution Program (Program), and established new procedures and deadlines for municipalities to come into compliance with the FHA and the Mount Laurel doctrine for each future ten-year affordable housing round beginning with the Fourth Round, which starts on July 1, 2025, and ends on June 30, 2035; and

WHEREAS, in compliance with P.L. 2024, c. 2 and Directive #14-2, the Township of Pohatcong timely adopted a resolution setting forth the Township's pre-credited/unadjusted Fourth Round affordable housing obligations on January 21, 2025 and on January 23, 2025 the Township uploaded same to the Program and filed a declaratory judgment action with the Program, which is entitled: In the Matter of the Application of the Township of Pohatcong, County of Warren, State of New Jersey, Docket No.: WRN-L-000037-25 (Township's "2025 Action"); and

WHEREAS, on March 25, 2025 Hunterdon County Mount Laurel Judge, the Honorable William G. Mennen, J.S.C., issued an Order in the Township's 2025 Action fixing the Township's Fourth Round pre-credited/unadjusted Present Need Obligation at zero (0) and the Township's Fourth Round gross Prospective Need Obligation at sixty-five (65) and which Order further directs the Township to adopt is Fourth Round Housing Element and Fair Share Plan and upload same to the Program on or before June 30, 2025. This June 30, 2025 deadline was

extended to July 2, 2025 by virtue of a Motion filed by the Township and granted by the Honorable William G. Mennen, J.S.C.; and

WHEREAS, on timely prior notice to the public, on June 30, 2025, the Township of Pohatcong Land Use Board adopted the Township's 2025 Housing Element and Fair Share Plan following a public hearing thereon, all in accordance with the requirements of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., N.J.S.A. 40:49-2.1 of the Home Rule Act and the applicable provisions of the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., and the Fair Housing Act, N.J.S.A. 52:27D-301 et seq.; and

WHEREAS, the Township Committee of the Township of Pohatcong endorsed and approved the adopted 2025 Housing Element and Fair Share Plan, by Resolution dated July 15, 2025; and

WHEREAS, the Housing Element and Fair Share Plan was amended and the Amended Plan dated April 9, 2026 was approved by the Pohatcong Township Land Use Board on May 12, 2026.

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

1. The Township does hereby endorse and approve the April 9, 2026 Amended Housing Element and Fair Share Plan adopted by the Township of Pohatcong Land Use Board on May 12, 2026.

2. The Township Municipal Attorney, Municipal Planner and all other appropriate officials. employees and other professionals of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution such that the Township maintains its immunity from exclusionary zoning and builder's remedy.

3. A certified copy of this Resolution and the Township's Amended Housing Element and Fair Share Plan shall remain on file with the Township for the purpose of public inspection, and the Township Municipal Clerk is directed to upload this Resolution and the Amended Housing Element and Fair Share Plan to the Township's website in accordance with the requirements of the FHA and Directive #14-24.

4. Notice of this action shall be published in the official newspapers for the Township of Pohatcong.

5. This Resolution shall take effect immediately.

RESOLUTION

APPROVING THE 2026 SUMMER PLAYGROUND PROGRAM PROPOSAL SUBMITTED BY THE JOSEPH H. FIRTH YOUTH CENTER AND AUTHORIZING A SHARED COST AGREEMENT WITH THE BOROUGH OF ALPHA

WHEREAS, the Township of Pohatcong is committed to promoting the health, safety, and well-being of its youth and residents; and

WHEREAS, the Joseph H. Firth Youth Center (hereinafter "FYC"), a 501(c)(3) non-profit recreational facility, has submitted a proposal for the 2026 Summer Playground Program at the Alpha Park and Pavilion; and

WHEREAS, the FYC has successfully operated the Summer Playground Program in collaboration with the Borough of Alpha during Summers 2023 and 2024, and expanded the program to include Pohatcong Township in 2025, serving youth from both municipalities; and

WHEREAS, the proposed 2026 Summer Playground Program will run from June 22, 2026 through July 23, 2026, Monday through Thursday, from 9:00 a.m. to 12:00 p.m., and will be open to youth ages 6–11 residing in the Township of Pohatcong and the Borough of Alpha; and

WHEREAS, the daily program schedule will include athletics, crafts, socialization, educational enrichment, and special program visitors, serving the recreational and developmental needs of area youth; and

WHEREAS, the total cost of the 2026 Summer Playground Program is $9,900, and the Township of Pohatcong and the Borough of Alpha have agreed to share said cost equally, with each municipality contributing $4,950; and

WHEREAS, payment to the Joseph H. Firth Youth Center shall be made on or before June 10, 2026, and a receipt and reporting analysis will be provided to both municipalities by September 30, 2026; and

WHEREAS, the Township Committee finds that participation in the 2026 Summer Playground Program is in the best interests of the residents and youth of the Township of Pohatcong;

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

1. The Township Council hereby approves the 2026 Summer Playground Program Proposal submitted by the Joseph H. Firth Youth Center for the period of June 22, 2026 through July 23, 2026, at the Alpha Park and Pavilion.

2. The Township Committee hereby authorizes a cost-sharing arrangement with the Borough of Alpha whereby the total program cost of $9,900 shall be

divided equally, with the Township of Pohatcong contributing $4,950 and the Borough of Alpha contributing $4,950.

3. The Mayor and Township Clerk are hereby authorized to execute any and all documents necessary to effectuate this Resolution on behalf of the Township of Pohatcong.

4. This Resolution shall take effect immediately upon adoption

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the Joseph H. Firth Youth Center and the Borough of Alpha.

ADOPTED at a meeting of the Township Council of the Township of Pohatcong held on the 19th day of May, 2026.

RESOLUTION

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO MOUNT JOY ROAD FROM COUNTY ROUTE 627 TO THE MUSCONETCONG RIVER BRIDGE

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of Pohatcong formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as LA-2027 MA Pohatcong Township Mount Joy Road Project 21 to the New Jersey Department of Transportation on behalf of Township of Pohatcong.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Township of Pohatcong and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION

AUTHORIZING A REQUEST FOR PROPOSALS AND QUALIFICATIONS FOR THE 2026 MUNICIPAL COURT PROSECUTOR CONTRACT PURSUANT TO A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ.

WHEREAS, the Township of Pohatcong is required to appoint a Municipal Court Prosecutor to serve the Pohatcong Shared Municipal Court, a shared court serving

the Townships of Pohatcong, Greenwich, and Lopatcong, in accordance with N.J.S.A. 2B:25-1 et seq.; and

WHEREAS, the Municipal Court Prosecutor serves as the chief legal representative of the State of New Jersey and the Pohatcong Shared Municipal Court and is responsible for the prosecution of motor vehicle violations, disorderly persons offenses, petty disorderly persons offenses, and municipal ordinance violations before the Municipal Court; and

WHEREAS, the Township wishes to solicit proposals and qualifications for the 2026 Municipal Court Prosecutor contract through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, a Request for Proposals and Qualifications (RFP/RFQ) has been prepared establishing minimum qualifications, standardized submission requirements, and selection criteria; and

WHEREAS, proposals will be evaluated on the basis of qualifications and experience of individuals performing services, references and record of success, ability to perform services in a timely fashion, and cost considerations; and

WHEREAS, the Township Council finds it to be in the best interests of the Township to authorize the issuance of the RFP/RFQ for the 2026 Municipal Court Prosecutor contract;

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

1. The Township Committee hereby authorizes the issuance of a Request for Proposals and Qualifications for the 2026 Municipal Court Prosecutor contract, as prepared by the Township Administrator substantially in the form on file with the Township Clerk.

2. The RFP/RFQ shall be publicly advertised and made available through the Township Administrator at 50 Municipal Drive, Phillipsburg, New Jersey 08865, and on the Township website.

3. Sealed proposals shall be submitted to the Township Administrator, or designated representative, at Pohatcong Township Municipal Building, 50 Municipal Drive, Phillipsburg, New Jersey, by June 16, 2026 at 3:00 p.m. as specified in the public notice. Each proposal shall be enclosed in a sealed envelope clearly labeled “Municipal Court Prosecutor” and bearing the name and address of the submitting entity.

4. The RFP/RFQ process shall be conducted through a fair and open public solicitation process pursuant to N.J.S.A. 19:44A-20.4 et seq. All submissions received shall be publicly opened and read aloud at the time and place designated in the public notice.

5. All respondents must comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq. (EEO/Affirmative Action), and must be registered with the

New Jersey Division of Revenue for a Business Registration Certificate at the time of contract award.

6. The Township Administrator is hereby authorized and directed to take all actions necessary to advertise, issue, and administer the RFP/RFQ process in accordance with applicable law and this Resolution.

7. The Township Council reserves the right to waive any informality or to reject any and all submissions in accordance with the fair and open public solicitation process pursuant to N.J.S.A. 19:44A-20.4 et seq.

8. This Resolution shall take effect immediately upon adoption.

ADOPTED at a meeting of the Township Committee of the Township of Pohatcong held on the 19th day of May, 2026.

Motion

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

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

RESOLUTION

INTRODUCTION OF THE 2026 MUNICIPAL BUDGET OF THE TOWNSHIP OF POHATCONG

BE IT RESOLVED that the statements of revenue and appropriations attached hereto shall constitute the local budget of the Township of Pohatcong, County of Warren, State of New Jersey, for the year 2026, as introduced and approved by the Township Council of the Township of Pohatcong; and,

BE IT FURTHER RESOLVED, that said budget be published on the Township of Pohatcong website at http://www.pohatcongtwp.org and posted on the bulletin board on May 20, 2026 as required by law together with a notice fixing June 16th, 2026 at 7:00 p.m. as the date and time when the budget will be considered for final adoption at the Pohatcong Township Municipal Building, 50 Municipal Drive, Phillipsburg, New Jersey; which is the opportunity for interested persons to make comments at the public hearing.

Motion

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

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

ORDINANCE- FIRST READING

26-06
ORDINANCE

TO AMEND CHAPTER 285 ENTITLED, "ZONING," TO RECODIFY DEFINITIONS, REVISE R-4 PERFORMANCE REGULATIONS AND AMEND NONCONFORMING USE REGULATIONS

26-07
ORDINANCE

AMENDING CHAPTER 271
OF THE CODE OF THE TOWNSHIP OF POHATCONG ENTITLED,
"VEHICLES AND TRAFFIC"

Motion

Mayor Slack motioned to move the foregoing ordinances forward with second reading at next meeting. The motion was seconded by Councilman Stillo and carried 4-0 with the following roll call vote:

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

ORDINANCE- SECOND READING

26-05

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

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., permits municipalities to adopt and amend regulations dealing with areas declared to be "in need of redevelopment" and "in need of rehabilitation'; and

WHEREAS, the Mayor and Council adopted a Resolution dated September 17, 2019 declaring Block 44, Lot 1 in the Township of Pohatcong as a non-condemnation area in need of redevelopment, which said Resolution was approved by the Department of Community Affairs by letter dated September 12, 2023; and

WHEREAS, Samna Real Estate Management, LLC ("Samna") was designated as the conditional Redeveloper for Block 44, Lot 1 (the "Shimer School Redevelopment Area") by Resolution dated October 17, 2023; and

WHEREAS, the Township's Planner, James T. Kyle, P.P., working in conjunction with SAMNA and the Mayor and Township Council of the Township of Pohatcong has developed an Amended Redevelopment Plan for a residential affordable housing project, said Amended Plan dated April 9, 2026; and

WHEREAS, the Township Council now desires to introduce the Amended Redevelopment Plan and refer same to the Land Use Board of the Township of Pohatcong for its review and recommendation prior to final adoption; and

NOW, THEREFORE BE IT ORDAINED, by the Township Council of the Township of Pohatcong, as follows:

Section 1.
The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2.
The Zoning Map of the Township of Pohatcong is hereby amended to incorporate the provisions of the Amended Shimer School Redevelopment Plan and delineate the boundaries of the Property.

Section 3.
The Amended Redevelopment Plan for the Shimer School Redevelopment Area located at Block 44, Lot 1, a copy of which is attached hereto as Exhibit "A" and is on file with the Township Clerk and incorporated herein by reference, is hereby referred to the Pohatcong Township Land Use Board for its review and recommendation pursuant to N.J.S.A. 40A:12A-1, et seq.

Section 3A.
Upon receipt of the Land Use Board's recommendation, the Township Council shall take up the Amended Redevelopment Plan for final consideration and adoption pursuant to N.J.S.A. 40A:12A-1, et seq.

Section 4.

Should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable.

Section 5.
All ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

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

Motion

Councilman Stillo motioned to open the foregoing ordinance to public hearing. The motion was seconded by Councilman Melvin. All present were in favor.

There was no comment from the public.

Motion

Mayor Slack motioned to close public hearing and adopt Ordinance 26-05. The motion was seconded by Councilman Melvin and carried 4-0 with the following roll call vote:

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

OLD BUSINESS

None

NEW BUSINESS

Discussion- Siting of Data Centers

Mayor Slack advised that he has had a lot of people reach out to him lately about data centers. We do not have a lot of land left for a data center, but his fear is that something could happen, plans could change, and this could come to us as a request for a variance. He had already spoken with Scott, Kevin, and Wayne and wanted to see what everyone's thoughts were on data centers and if anybody had any issues if we were to make it a nonuse. Instead of making a new ordinance, just adding to our existing ordinance that it is not a permitted use. All members present were in agreement.

Robb will speak with Wayne and Kevin to get that in the works for next meeting.

MOTIONS

Motion: (To approve two (2) raffle applications for the Huntington Volunteer Fire Department (Super Raffle & Duck Race))

Motion: (To approve Rileigh E. Trembler's application for membership with the Huntington Volunteer Fire Department)

Motion

Councilman Melvin motioned to approve the foregoing motions. The motion was seconded by Councilman Stillo. All present were in favor.

PUBLIC COMMENT

None

EXECUTIVE SESSION

RESOLUTION
AUTHORIZING EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meeting 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. The public shall be excluded from the discussion of any action upon the hereinafter specific subject matter.

The general nature of the subject matter to be discussed is:
a.) Personnel

It is anticipated at this time that the above stated subject matter will be made public at the conclusion of the hiring process. Action may be taken.

Motion

Councilman Melvin moved to adjourn to Executive Session at 7:57 pm. Seconded by Councilman Stillo. All were in favor.

Motion

Mayor Slack made the motion to adjourn Executive Session and return to the regular meeting at 8:22 pm. Seconded by Councilman Stillo the motion carried- all were in favor.

SUMMARY EXECUTIVE SESSION

Administrator Robb advised that there are upcoming positions that need to be filled. One is for the municipal court judge, and then summer help for the DPW.

Motion

Councilman Melvin moved to authorize the Business Administrator to conduct interviews, and he is authorized to make a hire which will then be memorialized at the next council meeting. Seconded by Mayor Slack. All were in favor.

Motion

Councilman Melvin moved to authorize the Business Administrator to conduct a job search for summer help employment for the DPW for up to 2 individuals. Seconded by Councilman Stillo. All were in favor.

ADJOURNMENT

Motion

Mayor Slack motioned to adjourn the meeting at 8:25pm. Seconded by Councilman Melvin the motion carried- all were in favor.

Noelle Moeller
Acting Township Clerk