POHATCONG TOWNSHIP COUNCIL
REGULAR MEETING

Tuesday September 15, 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 7:06 pm with the following members present: Councilman Babinsky, Councilman Luzzetti, Councilman Melvin and Councilman Stillo. Attorney Benbrook, Engineer Ingram, Administrator Robb, and Acting Clerk Moeller were also present.

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

APPROVAL OF MINUTES

Councilman Melvin motioned to approve the August 18, 2026 Regular Session minutes. The motion was seconded by Councilman Luzzetti. All were in favor.

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 Councilman Stillo and carried 5-0 with the following roll call vote:

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

PUBLIC COMMENT ON AGENDA ITEMS

None

ZONING VIOLATION APPEAL- Scott & Laura Krieder, 211 March Boulevard

Laura Krieder approached the dais.

Ms. Krieder advised that the zoning complaint was made by her neighbor the day after there was an altercation about branches being thrown in the street. This is an ongoing issue with the neighbors; and it is more of a neighbor issue rather than a bamboo issue. She also noted that she looked in e-code and did not see anything specific to bamboo.

Attorney Benbrook advised he also checked the code himself. He believes he had drafted an ordinance years ago for invasive species and bamboo but does not believe it was ever adopted.

Ms. Krieder continued, advising that the bamboo originated decades ago. It has always been there and they take care of it. The neighbors have a problem with maintaining their property, and they

think that this is a way to get back at them. She had read the neighbors' complaint, and they were never spoken to at all about the bamboo. The only contact they have had with them was regarding a barking dog.

She passed around a picture of a branch hanging over their yard that was there for weeks and it was removed by the neighbors behind them the day before zoning officer came.

Ms. Krieder advised that they take a lot pride in their property and they maintain it. They have lilacs and a cherry tree that have gotten a fungus so were recently taken down.

Attorney Benbrook inquired if zoning officer's letter indicated he wanted it taken down or just trimmed?

Ms. Krieder replied that the options given were aerial removal, subterranean eradication, and subsurface containment. They did the aerial removal and circulated updated pictures of that.

The Krieders did not plant the bamboo. She stated that it showed up right around the time the neighbors' arborvitaes were put in. This particular type of bamboo appears to be some kind of grass; in decades it hasn't risen to where normal bamboo should have.

Attorney Benbrook advised that the ordinance does provide for them to come here to appeal to council with just a warning being issued. Just looking at the updated pictures; if the zoning officer takes another look at the situation, he thinks they'll be fine. We do not have an invasive species or bamboo ordinance; and there is no mandate to tear it out or anything. It's a normal maintenance issue, just like an arborvitae. He would advise mayor and council to take no action unless and until some formal summons is issued.

Administrator Robb advised that at this point, the residents have taken some course of action to rectify some of the things that the zoning officer has asked for. He thinks the best course of action is for them to communicate directly with Andrew (Melendez); send him an email with the photos and tell him what has been done to date, because ultimately, its's a neighbor dispute. He does not want to issue a summons, but he was called and needs to follow through on a complaint.

Attorney Benbrook wanted to make sure that Andrew is aware that they have no obligation to do anything on the other side of the fence.

Administrator Robb mentioned that we adopted a property maintenance book, and Attorney Benbrook advised that in his opinion we would have the ability to instruct the zoning officer that we are not interested in imposing that portion of that book on any of our residents. It is up to the council, but he thinks we should adopt our own specific invasive species standards.

Attorney Benbrook continued, advising that we have a resident here; we have a fact specific issue; she's asking us whether we want to impose the ordinance. The ordinance makes appeals come to council. We've seen the pictures and at this point in time it's up to council.

Administrator Robb thinks we should let zoning and our day-to-day operations deal with the situation with some common sense first.

Councilman Melvin advised that he thinks that's fair; but if for some reason the zoning officer insists on eradication, they're more than welcome to come back here. They've heard some of the thinking of the council with that regard. So, hopefully they can deal with the zoning officer and

he'll be in alignment with this body. From his side, he feels that it's a preexisting condition and he thinks that there is definitely a body of evidence that shows that they shouldn't have to dig it up and have this containment system put in or anything like that.

Attorney Benbrook noted that the council's decision is not to impose that requirement.

ATTORNEY'S REPORT

Silver Hill

There is an ordinance on for first reading tonight to accept the road. He has received the easements, and Councilman Stillo advised that it should be paved by next month's meeting.

Ballfields

He drafted an easement and got a description from Wayne for the water and electric lines. They had a question as to whether there was some type of water test done. He thinks they thought that we were tied into their water, which we are not. Probably by next month we should have that easement.

Hampton Ridge Redevelopment

Second reading of the ordinance is on the agenda this evening. By next meeting we should start to see redevelopment agreements, PILOT agreements, and the like.

Contiguous Properties

No offers received from contiguous property owners.

Airbnb

Jim Kyle and the Land Use Board have a reasonably comprehensive ordinance on the books already. Amendments should start at the Land Use Board if they want to beef that up. He sent Jim some suggested revisions that have been used elsewhere to kind of strengthen it up a bit.

Councilman Melvin asked if the complaints have been elevated to reaching police and fire? Both Chief Barsony and Chief Ozgar advised that they have not received any complaints since the situation came up at the previous council meetings.

ENGINEER'S REPORT

Guiderail Grant

The only thing holding this up right now is Historic Preservation. There's apparently one section of guiderail that meets the criteria for their review.

Tax Maps

Their part has been done since August. Waiting on Jenn (Carabelli) to do her books on her end for the resubmission. Administrator Robb advised that Jenn is done with her part. She is getting things ready for the bid for the reevaluation.

Attorney Benbrook inquired about Zellars Alley, and Wayne advised that they already put it on the maps. Benbrook wants to make sure the maps are approved by the state then we can do the ordinance; but it is changed on the maps so it is effective now for 911 purposes.

Road Work

Road work for the water lines is going pretty well; they just have a little more to do. There will be a little bit of a lag period while they wait to make sure everything settles out, then we'll get the final repaving done this year.

Willows

Moving along pretty well. He is still doing inspections, but the utility work is done.

Sewer Study

Should be starting the sewer investigations in October. They are just contacting the subcontractor who operates the machine, and then we're on their schedule.

Highlands Grant

Work has been completed under our Highlands Grant for the MS4 compliance. Bills should be paid and then submitted to Highlands for reimbursement.

Snyders Road

At council's request, he followed up with county about the Snyder's Road project. The county has had everything ready to go for a while now, but there is a resident on a corner over there that is making it difficult for them and not giving them what they need to do the project.

COUNCIL REPORTS

ADMINISTRATOR ROBB

Court

Pohatcong had 269 new cases and 1,751 disposed, with a $4,543.94 municipal deposit.
Greenwich had 264 new cases and 2,160 disposed, with a $5,862.60 municipal deposit.
Lopatcong had 328 new cases and 306 disposed, with a $5,348.38 municipal deposit.

The disposed numbers for Pohatcong and Greenwich were so high due to the AOC purging records every 10 years.

Fire Department

Had a drill where they were able to utilize the building that was the massage parlor to do training for vertical ventilation and wanted to give their thanks for that.

Police Department

There were 983 incidents, 17 accidents, 14 arrests, 243 traffic stops, and 109 summonses issued.

Zoning

There were 3 zoning applications for the month, and all were approved. Took in a total of $1,409 in fees, bringing the year-to-date total to $2,434. The reason fees were so high this month is due to a Mountain Road property having a driveway permit and soil disturbance fee.

There was a total of 15 zoning complaints; 5 were initial complaints and 10 were reinspections/follow-ups. 18 violations were issued for the month.

Winters Road

Wayne estimated the traffic study to be about $3,500 including revisions, and Ann (Cucci) has said we have that money. That would allow us to have the evidence to be able to go to the county and state to get the no truck traffic signs.

There was discussion as to whether to do the study and/or do an ordinance. Will add a motion to authorize Wayne to do the traffic study for Winters Road.

Chief Barsony advised that in the past, he has sent letters to all the businesses accepting trucks; he has no problem doing that again and advising them that we are getting complaints.

Police Department

The police department is requesting to purchase two new patrol vehicles. Currently, 2 of their cars have over 100,000 miles and are having firing issues. Ford can not find the issue to fix it, so those cars are unable to do patrol any longer. The total cost for the new vehicles is $149,000 for two cars completely upfitted. They would like to use the DEA funds, which currently have over $400,000. The old cars would then be road job cars. Will add a motion to authorize the purchase of two new patrol cars.

Councilman Melvin inquired about the disposal of the Honda CRV listed on the motions. Chief Barsony advised that it was turned over to us during an investigation. Originally, they wanted to utilize it, but they couldn't get an original title for it so it had to be retitled with a salvage title. That does not cover the warranty for the batteries, and the battery was $18,000 because it's a hybrid. The windshield was replaced by whoever stole it, so the vehicle is full of mold and mildew and is not worth anything for the department. It's not worth sitting in the parking lot anymore.

JOHN STILLO

This Sunday is going to be opening day for the new field.

KEVIN MELVIN

Nothing to report.

STEVE BABINSKY

Nothing to report.

NELSON LUZZETTI

He is planning to catch up with Michael Margulies of the Historic Preservation Commission. He was not able to attend their meeting August, but will be attending their meetings henceforth.

MAYOR SLACK

He had received a complaint about trees hanging on communication cables on Route 519; and has already spoken with Chief Barsony about it and will follow-up with the county tomorrow.

The Environmental Commission meeting last night was rather quiet and there was no correspondence.

Has a meeting tomorrow with Commissioner Ciesla to accept a plaque for the county's 200th and the nation's 250th.

TOM SHARKO- ALBA VINEYARDS HELICOPTER TOURS

Mr. Sharko is requesting permission to do their helicopter tours again this year from 1p-5p. Councilman Melvin advised that he heard from people after last year's event that they were thankful for the adjustments that were made.

Motion

Councilman Stillo motioned to authorize Chief Barsony to approve Alba Vineyards request for a temporary helicopter landing zone for their event to be held: October 17-18 rain date: October 24-25 hours 1pm-5pm. The motion was seconded by Councilman Melvin. All were in favor.

RESOLUTIONS

2026
SAFE AND SECURE COMMUNITIES PROGRAM
RESOLUTION OF PARTICIPATION

A resolution approving participation with the State of New Jersey State Grant Program administered by the New Jersey Department of Law and Public Safety, Office of the Attorney General.

WHEREAS, the Township of Pohatcong wishes to apply for funding of approximately $22,575 with a match of $117,180.84 for an approximate project total cost of $139,755.84 for a project under the State of New Jersey Safe and Secure Communities Grant Program, (Grant Number 25-2120– Subaward Period January 1, 2026 – December 31, 2026), and

WHEREAS, the Mayor and Township Council of the Township of Pohatcong has reviewed the accompanying application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Township of Pohatcong Police Department for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Township Council of the Township of Pohatcong that:

1. As a matter of public policy, the Township Council of the Township of Pohatcong wishes to participate to the fullest extent possible with the Department of Law and Public Safety.

2. The Attorney General of New Jersey will receive funds on behalf of the applicant.

3. The New Jersey Department of Law and Public Safety, Office of the Attorney General, shall be responsible for the receipt and review of the applications for said funds.

4. The New Jersey Department of Law and Public Safety, Office of the Attorney General shall initiate allocations to each applicant as authorized by law.

5. The Township of Pohatcong is authorized to accept the Sub-Award.

RESOLUTION
TO AUTHORIZE THE REFUND OF ESCROW BALANCES

WHEREAS, the Township of Pohatcong collects escrow fees to reimburse municipal professionals for engineering and legal services performed on behalf of applicants; and

WHEREAS, these collected fees are deposited and held in dedicated escrow accounts on behalf of the depositors; and

WHEREAS, the Land Use Board has determined that all professional services for the accounts listed below have been completed, and that the remaining balance should be refunded to the depositors.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Pohatcong, County of Warren, State of New Jersey, that the Chief Financial Officer is hereby authorized and directed to refund the remaining escrow balance and close the following accounts:

Account #	Name & Address	Amount

T-14-55-201-035	Pohatcong Solar Farm LLC. 20A South Beers Street Holmdel, NJ 07733	**$1,034.07**
T-14-55-201-059	Pohatcong Solar Farm LLC 20A South Beers Street Holmdel, NJ 07733	**$0.23**

Motion

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

ORDINANCE- FIRST READING

26-11

AN ORDINANCE OF THE TOWNSHIP OF POHATCONG ACCEPTING THE STREET KNOWN AS SILVER HILL ROAD

Motion

Councilman Babinsky motioned to introduce the foregoing ordinance. The motion was seconded by Councilman Melvin. The motion carried with the following vote:

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

ORDINANCE- SECOND READING

Motion

Councilman Babinsky motioned to open the following ordinance to public hearing. The motion was seconded by Councilman Stillo. All were in favor.

26-10
ORDINANCE

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR THE "HAMPTON RIDGE AT POHATCONG" REDEVELOPMENT AREA, CONSTITUTING BLOCK 93, LOT 5.06 IN THE TOWNSHIP OF POHATCONG

BE IT ORDAINED, by the Township Council of the Township of Pohatcong, County of Warren, New Jersey (the "**Township**") that:

SECTION 1. By resolution dated August 16, 2022, the Township previously determined that Lot 5.06 in Block 93 as identified on the Township's tax map (the "Redevelopment Area") is an "area in need of redevelopment" in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("**LRHL**").

SECTION 2. The entirety of the Redevelopment Area is located in the Township's "AH-Affordable Housing Zoning District".

SECTION 3. In accordance with the LRHL, the Township desires to implement the redevelopment plan for the Redevelopment Area as described in this Ordinance (the "**Redevelopment Plan**").

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

Section 1. This Ordinance shall serve as the redevelopment plan for the Redevelopment Area and shall be known as the "Hampton Ridge at Pohatcong Redevelopment Plan".

Section 2. Development in the Redevelopment Area shall be governed by the following:

(a) That certain resolution of the Township Planning Board dated October 14, 2025, a copy of which is attached as EXHIBIT "A" (the "**Planning Board Approval**");

(b) The plans submitted by the applicant in support of the Planning Board Approval, as such plans may be amended from time to time in accordance with applicable law; and

(c) To the extent not otherwise addressed by the Planning Board Approval or the plans approved thereunder, the standards of the AH-Affordable Housing Zoning District, as may be amended from time to time.

(d) In the event of any inconsistency between this Redevelopment Plan and the Township's Land Development Ordinance, this Redevelopment Plan shall control with respect to the Redevelopment Area.

Section 3. The Redevelopment Area may be developed with up to 276 residential dwelling units, including affordable housing units, together with associated roads, parking, utilities, stormwater management facilities, open space, recreational amenities, landscaping, signage and other accessory improvements.

Section 4. The Township Council finds that the Redevelopment Plan is consistent with the goals and objectives of the Township Master Plan, advances the purposes of the LRHL,

promotes the provision of affordable housing within the Township, and facilitates the redevelopment of property previously designated as an "area in need of redevelopment" pursuant to the LRHL. The Township Council further finds that implementation of this Redevelopment Plan will facilitate the provision of affordable housing in accordance with the Township's Housing Element and Fair Share Plan.

Section 5. The Township is authorized to enter into a redevelopment agreement pursuant to the LRHL and a financial agreement pursuant to the Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., with the designated redeveloper.

Section 6. The Official Zoning Map of the Township is hereby amended to reflect the Redevelopment Area and the applicability of this Redevelopment Plan, and the Township Planner is authorized to make such ministerial revisions to the Official Zoning Map as may be necessary to implement this Ordinance.

Section 7. Nothing contained in this Redevelopment Plan shall be deemed to impair, amend or invalidate the Planning Board Approval or any condition thereof. The Planning Board Approval shall remain in full force and effect except as may otherwise be modified in accordance with applicable law.

Section 8. This Ordinance shall take effect immediately upon final passage and publication as required by law.

Section 9. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder off this Ordinance shall not be affected thereby.

Section 10. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a meeting of the Township Council of the Township of Pohatcong, County of Warren, State of New Jersey, held on July 21, 2026, and was approved for final passage and adoption after public hearing thereon at a regular meeting of said Township Council on September 15, 2026.

Motion

Councilman Stillo motioned to close and adopt the foregoing ordinances. The motion was seconded by Councilman Babinsky and carried 5-0 with the following roll call vote:

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

OLD BUSINESS

None

NEW BUSINESS

Attorney Benbrook advised that Jenn (Carabelli) did a rollback assessment on Hampton Ridge, and he believes that it is going to be settled. The hearing was carried due to the county tax administrator having a death in the family.

MOTIONS

Motion: (To establish October 31st as Trick-or-Treat night 6pm-8pm)

Motion: (To approve sanitary sewer allocation application for GAMCOM, LLC., 998 New Brunswick Avenue)

Motion: (To authorize the disposal of the 2021 Honda CRV currently in Police Department custody donated by Geico 3/14/2023 with a VIN of 7AERT6H9XME022460)

Motion: (To approve Special Events Application with a waived fee for the Second Annual Dink for Hope Pickleball Fundraiser at Vangeli Park October 10, 2026 9:30am-2:30pm *rain date of October 11, 2026 same times* and authorize clerk to execute Facility Use Agreement for same)

Motion: (To authorize Engineer Ingram to begin the traffic study on Winters Road)

Motion: (To authorize the purchase of two new upfitted police cars with a cost of $149,000 utilizing DEA funds)

Motion

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

PUBLIC COMMENT

None

EXECUTIVE SESSION

Motion

Councilman Babinsky motioned to adjourn to Executive Session at 8:27pm. The motion was seconded by Councilman Melvin. All were in favor.

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.) Contractual

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

Motion

Councilman Melvin made the motion to adjourn Executive Session at 8:30 pm. Seconded by Mayor Slack the motion carried- all were in favor.

SUMMARY EXECUTIVE SESSION

The contract for Administrator Robb was discussed during executive session.

Motion

Councilman Babinsky motioned to authorize the execution of BA Robb's proposed contract. Seconded by Councilman Stillo, the motion carried 5-0 with the following roll call vote:

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

ADJOURNMENT

Motion

Councilman Melvin motioned to adjourn the meeting at 8:39 pm. Seconded by Councilman Stillo, the motion carried- all were in favor.

Noelle Moeller
Acting Township Clerk