

**TOWNSHIP OF KNOWLTON
COUNTY OF WARREN, STATE OF NEW JERSEY
TOWNSHIP COMMITTEE MEETING
August 24th, 2023**

The meeting of the Knowlton Township Committee was held on this date at the Knowlton Municipal Building, 628 Route 94, Columbia, New Jersey and was called to order at 7:00 p.m. by Mayor Van Horn. Mayor Van Horn led the public in the Pledge of Allegiance.

Mayor Van Horn read the following statements “This meeting of the Knowlton Township Committee is being held in compliance with the Open Public Meetings Act: P: 1975, Chapter 231, noting that notice of all regularly scheduled meetings has been published in the *New Jersey Herald* and/or Express Times as well as providing said schedule in the Municipal Clerk’s office.”

Roll Call: Bates—yes Cuntala—yes, Mazza—yes, Shipps—yes, Van Horn—yes

EXECUTIVE SESSION

2023-72 Resolution Authorizing Executive Session

Motion by Shipps, Second by Cuntala and carried to go into executive session at 7:00 p.m.

WHEREAS, the Open Public Meetings Act; N.J.S.A. 10:4-6 et seq., declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognized exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Township Committee find it necessary to conduct an executive session closed to the public as permitted by the N.J.S.A. 40:4-12; and

WHEREAS, the Mayor and Township Committee will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Knowlton Township, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic (s) as permitted by N.J.S.A. 40:4-12:

A. Attorney Advice

BE IT FURTHER RESOLVED that the Mayor and Township Committee hereby declare that their discussion of the subject (s) identified above may be made public at a time when the Township Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Township Committee, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

Motion by Van Horn, Second by Cuntala and carried to come out of executive session at 7:45 p.m.

PUBLIC COMMENT

Ms. Michelle St. Andre expressed her concerns with the material around the storm drains on Rt 94 and Rt 46. The material has not yet been removed and appears to be sinking into the drains. Committeeman Bates will notify DPW inspect those areas and contact the NJDOT to address those concerns.

Ms. St. Andre asked the committee for approval to start a native pollinator garden at Tunnel Field. Ms. St. Andre will provide the materials and maintain the garden. The committee was grateful for Ms. Andres idea and advised her to work with recreation director Dennis Lembeck to start this project.

Mr. John Anderson wanted to follow up with the committee on the idea of vacating the end Mt. Pleasant Rd where Mr. Anderson resides. Attorney Tara St. Angelo advised Mr. Anderson that there is property owned by the NJDEP and a small lot that is privately owned by the Brugler family. Those properties would need to be provided access. Mr. Anderson asked if it was possible for the paving to be extended to the entirety of Mt. Pleasant Rd. Committeewoman Cuntala explained that scope of the project was to pave all of Mt. Pleasant. She will speak with DPW supervision Brian Peck to confirm.

Deputy Mayor Shipps informed the public that the Hainesburg Cemetery Association is looking for volunteers and members to join.

Mr. Frank Arena addressed the committee regarding the warehouse that is being proposed in Blairstown. Mr. Arenas property in Knowlton will boarder the proposed warehouse property in Blairstown. Mr. Arena expressed his concerns with noise pollution and truck traffic which could affect not only his property but Knowlton Township. Mr. Arena's property is farmland preserved but zoned as commercial which allows the build of the driveway to be close to his property line.

Mr. Ron Farber states that Blairstown needs to notify neighboring townships of projects being done. As per Attorney Tara St. Angelo, Blairstown has to notify neighboring towns once the application is deemed complete. The application is set for completion at their next board meeting in September.

Mr. Rene Mathez explained Mr. Arena's property is farmland preserved and zoned commercially. Mr. Mathez suggests the zoning of his property is outdated. As it is now a deed restricted property, it is not a viable commercial property. Attorney St. Angelo suggests getting a list of all farmland preserved properties from the tax assessor and introduce an ordinance to rezone them to FPD.

Ms. Tara Mezzanotte asked for resolution 2023-67 "Resolution Providing Draft Tip Fy 2024-2027 Comment for the \$178.6m NJDOT Delaware Water Gap Projects" be amended as the comment period has already ended. As per Attorney St. Angelo, the resolution can be introduced with the suggested revisions.

Ms. Mezzanotte advised the committee that Hardwick Township and Warren County were noticed by the NJDOT that they have applied for a flood hazard area permit after the project has been started in December. Knowlton Township was excluded from the notice as the section being worked on is not in Knowlton, although the project as a whole includes the Township. Ms. Mezzanotte suggests the township requests a copy of the permit application from the NJDOT to allow for comments.

PRESENTATION

Tara Mezzanotte- Paulins Kill River - Lower Delaware Wilds and Scenic River Tributary Expansion- Ms. Tara Mezzanotte presented adding the Paulins Kill River to the existing Lower Delaware Wild and Scenic River designation which would include Stony Brook and Yards Creek. Ms. Mezzanotte requested a resolution of support from the Township committee. Ms. Mezzanotte will provide the resolution for the next township meeting.

Ron Farber- Warehouses- **Addressed in public comment**

DEPARTMENT REPORTS

Dennis Lembeck- Recreation Director-

Deputy Mayor Debbie Shipps gave an update on the Tunnel Field project. Work was started by Mr. Lembeck on the basketball courts. The basketball hoops and fencing were removed but the removal of those items was not in the scope of the project. The replacement of the fencing and basketball hoops is estimated at \$33,850.

The committee requested DPW supervisor Brain Peck to get 3 quotes for fencing only along Rt. 94, basketball poles, net, hoops, backboards and striping.

Mr. Lembeck discussed clean community day is scheduled for October 14th at 8:30 a.m. Movie night at Tunnel Field is scheduled for September 8th with a rain date of September 9th at dusk. Knowlton Community day is scheduled for October 21st with a rain date of October 22nd from 12 pm-5 pm.

Mr. Bob Peterson from Knowlton Fire and Rescue gave a report on one of their fire engines. The engine is currently out of service due to overheating issue and is currently in the shop. KTFR will be hosting a food truck festival September 2nd from 11 a.m.- 7 p.m.

Tax assessor Rich Motyka was not available for report via phone. Mr. Rene Mathez provided a list of suggestions regarding township owned properties that will be going to auction. The committee discussed and agreed on all properties that will be going for auction. The Township Attorney will draft a resolution authorizing the sale of those properties at the next township meeting. Acting Clerk Molion will reach out to Max Spann and inform them that the Township plans on auctioning these properties.

ORDINANCES

INTRODUCTION

2023-12- Bond Ordinance Providing an Appropriation Of \$150,000 For Acquisition of a Mason Dump Truck for And by The Township of Knowlton In the County of Warren, New Jersey And Authorizing the Issuance Of \$142,500 Bonds or Notes of The Township for Financing Part of The Appropriation.

BE IT ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF KNOWLTON, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Township of Knowlton, New Jersey (the “Township”) as general improvements. For the said Improvement there is hereby appropriated the amount of \$150,000. Such sum includes the sum of \$7,500 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.

In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$142,500 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$142,500 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for the acquisition of a mason dump truck for the Department of Public Works, including, as applicable, all work, materials, equipment and appurtenances necessary therefor and incidental thereto.

The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$142,500.

The estimated cost of the Improvements is \$150,000 which amount represents the initial appropriation made by the Township.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

The following additional matters are hereby determined, declared, recited and stated:

The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 5 years.

The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$142,500 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

An aggregate amount not exceeding \$5,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

Any funds received from time to time by the Township as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$142,500.

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion made by Shipps, second by Cuntala and approved for introduction by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-13-Bond Ordinance Providing an Appropriation Of \$240,000 For Acquisition of a Single Axle Dump Truck for And by The Township of Knowlton In the County of Warren, New Jersey And Authorizing the Issuance Of \$228,000 Bonds or Notes of The Township for Financing Part of the Appropriation

BE IT ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF KNOWLTON, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Township of Knowlton, New Jersey (the "Township") as general improvements. For the said Improvement there is hereby appropriated the amount of \$240,000. Such sum includes the sum of \$12,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provisions in one or more previously adopted budgets for down payments for capital improvement purposes.

In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$228,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$228,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for the acquisition of a single axle dump truck for the Department of Public Works, including, as applicable, all work, materials, equipment and appurtenances necessary therefor and incidental thereto.

The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$228,000.

The estimated cost of the Improvements is \$240,000 which amount represents the initial appropriation made by the Township.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board

showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

The following additional matters are hereby determined, declared, recited and stated:

The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

The period of usefulness of the Improvements, within the limitations of the Local Bond Law, and according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 5 years.

The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$228,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

An aggregate amount not exceeding \$5,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

Any funds received from time to time by the Township as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$228,000.

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion made by Van Horn, Second by Shipps and carried to open public hearing.

Motion made by Van Horn, Second by Shipps and carried to close public hearing.

Motion made by Cuntala, second by Mazza and approved for introduction by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

PUBLIC HEARING/ADOPTION

2023-05- An Ordinance to Establish Requirements to Control Littering in Knowlton Township

WHEREAS, in order to prevent pollutants from being transported to local water bodies from Municipal Separate Storm Sewer Systems (MS4s), federal stormwater regulations require MS4 operators to obtain a National Pollutant Discharge Elimination System (NPDES) permit and implement a stormwater management program; and

WHEREAS, pursuant to NJPDES Master General Permit No. NJ0141852, as of January 1, 2023, all 101 New Jersey municipalities previously assigned to Tier B, such as Knowlton Township, have now been assigned to Tier A, in order to help better manage stormwater discharges and resulting pollutant and nutrient impacts to waterways.

WHEREAS, this reassignment requires Knowlton (and all former Tier B municipalities) to update their ordinances to be consistent with Tier A standards.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Knowlton, in the County of Warren and State of New Jersey, as follows:

SECTION 1. Chapter 121 of the Code of the Township of Knowlton, entitled “Litter” is hereby added as follows:

§121-1 Purpose

This ordinance establishes requirements to control littering in Knowlton Township, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§121-2 Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Litter - any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.
- b. Litter Receptacle – a container suitable for the depositing of litter.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

§121-3 Prohibited acts and regulated activities:

1. It shall be unlawful for any person to throw, drop, discard or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
2. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

§121-4 Enforcement:

This ordinance may be enforced by the Knowlton Township Zoning Officer, County Health Department, or the New Jersey State Police of Knowlton Township.

§121-5 Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of not less than \$100 and not to exceed \$1,000.

SECTION 2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION 3. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 4. This Ordinance shall take effect after passage and publication in the manner provided by law.

**Motion made by Cuntala, Second by Shipps and carried to open public hearing.
Motion made by Shipps, Second by Cuntala and carried to close public hearing.**

**Motion made by Shipps, second by Mazza and approved by roll call vote:
Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes**

2023-06- An Ordinance to Prohibit the Spilling, Dumping, Or Disposal of Materials Other Than Stormwater to the Municipal Separate Storm Sewer System (MS4) Operated by The Township of Knowlton

WHEREAS, in order to prevent pollutants from being transported to local water bodies from Municipal Separate Storm Sewer Systems (MS4s), federal stormwater regulations require MS4 operators to obtain a National

Pollutant Discharge Elimination System (NPDES) permit and implement a stormwater management program; and

WHEREAS, pursuant to NJPDES Master General Permit No. NJ0141852, as of January 1, 2023, all 101 New Jersey municipalities previously assigned to Tier B, such as Knowlton Township, have now been assigned to Tier A, in order to help better manage stormwater discharges and resulting pollutant and nutrient impacts to waterways.

WHEREAS, this reassignment requires Knowlton (and all former Tier B municipalities) to update their ordinances to be consistent with Tier A standards.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Knowlton, in the County of Warren and State of New Jersey, as follows:

SECTION 1. Chapter 161 of the Code of the Township of Knowlton, entitled “Stormwater Regulations” is hereby added as follows:

Article I. Improper Discharge into Storm Sewer System.

§161-1. Purpose:

An ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the Township of Knowlton, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§161-2. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater. **NOTE:** In municipalities with combined sewer systems, add the following: “MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.”
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

§161-3. Prohibited Conduct:

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by Knowlton Township is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

§161-4. Exceptions to Prohibition:

- a. Water line flushing and discharges from potable water sources
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
- c. Air conditioning condensate (excluding contact and non-contact cooling water)

- d. Irrigation water (including landscape and lawn watering runoff)
- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows
- f. Residential car washing water, and residential swimming pool discharges
- g. Sidewalk, driveway and street wash water
- h. Flows from fire fighting activities
- i. Flows from rinsing of the following equipment with clean water:
 - Beach maintenance equipment immediately following their use for their intended purposes; and
 - Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.
Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

§161-5. Enforcement:

This ordinance shall be enforced by the Knowlton Township Zoning Officer, County Health Department, and the New Jersey State Police, Knowlton Township.

§161-6. Penalties:

Any person(s) who continues to be in violation of the provisions of this ordinance, after being duly notified, shall be subject to a fine not less than \$100 and not to exceed \$2,000.00.

SECTION 2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION 3. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 4. This Ordinance shall take effect after passage and publication in the manner provided by law.

Motion made by Cuntala, Second by Van Horn and carried to open public hearing.

Motion made by Van Horn, Second by Mazza and carried to close public hearing.

Motion made by Van Horn, second by Mazza and approved by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-07- An Ordinance Requiring the Retrofitting of Existing Storm Drain Inlets

WHEREAS, in order to prevent pollutants from being transported to local water bodies from Municipal Separate Storm Sewer Systems (MS4s), federal stormwater regulations require MS4 operators to obtain a National Pollutant Discharge Elimination System (NPDES) permit and implement a stormwater management program; and

WHEREAS, pursuant to NJPDES Master General Permit No. NJ0141852, as of January 1, 2023, all 101 New Jersey municipalities previously assigned to Tier B, such as Knowlton Township, have now been assigned to Tier A, in order to help better manage stormwater discharges and resulting pollutant and nutrient impacts to waterways.

WHEREAS, this reassignment requires Knowlton (and all former Tier B municipalities) to update their ordinances to be consistent with Tier A standards.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Knowlton, in the County of Warren and State of New Jersey, as follows:

SECTION 1. Chapter 161, Article II of the Code of the Township of Knowlton, entitled “Retrofitting of Storm Drain Inlets” is hereby added as follows:

Article II. Retrofitting of Storm Drain Inlets.

§161-7 Purpose.

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Township of Knowlton so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§161-8. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater. **NOTE:** In municipalities with combined sewer systems, add the following: “MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.”
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- d. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§161-9. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes),

resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or
2. Is retrofitted or replaced to meet the standard in Section IV below prior to the completion of the project.

§161-10. Design Standard:

Storm drain inlets identified in Section III above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section V.3 below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
- b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

3. This standard does not apply:

a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;

b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
- ii. A bar screen having a bar spacing of 0.5 inches.

c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or

d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at

N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

§161-11. Enforcement:

This ordinance shall be enforced by the Township Zoning Officer, County Health Department, or New Jersey State Police, Knowlton Township.

§161-12. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of not less than \$100 and not to exceed \$2,000 for each storm drain inlet that is not retrofitted to meet the design standard. Every day in which a violation of this article exists shall constitute a separate violation.

SECTION 2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION 3. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 4. This Ordinance shall take effect after passage and publication in the manner provided by law.

Motion made by Cuntala, Second by Van Horn and carried to open public hearing.

Motion made by Van Horn, Second by Cuntala and carried to close public hearing.

Motion made by Cuntala, second by Mazza and approved by roll call vote:

Bates-no, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-08- An Ordinance to Prohibit Illicit Connections to The Municipal Separate Storm Sewer System(S) Operated by The Knowlton Township

WHEREAS, in order to prevent pollutants from being transported to local water bodies from Municipal Separate Storm Sewer Systems (MS4s), federal stormwater regulations require MS4 operators to obtain a National Pollutant Discharge Elimination System (NPDES) permit and implement a stormwater management program; and

WHEREAS, pursuant to NJPDES Master General Permit No. NJ0141852, as of January 1, 2023, all 101 New Jersey municipalities previously assigned to Tier B, such as Knowlton Township, have now been assigned to Tier A, in order to help better manage stormwater discharges and resulting pollutant and nutrient impacts to waterways.

WHEREAS, this reassignment requires Knowlton (and all former Tier B municipalities) to update their ordinances to be consistent with Tier A standards.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Knowlton, in the County of Warren and State of New Jersey, as follows:

SECTION 1. Chapter 161, Article III of the Code of the Township of Knowlton, entitled “Illicit Storm Sewer Connections” is hereby added as follows:

Article III. Illicit Storm Sewer Connections

§161-13 SECTION I. Purpose:

This ordinance prohibits illicit connections to the municipal separate storm sewer system(s) operated by the Knowlton Township, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§161-14 Definitions:

For the purpose of this article, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

Domestic sewage - waste and wastewater from humans or household operations.

Illicit connection – any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the [insert name of municipality], unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number

NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.

Industrial waste - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).

Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater. NOTE: In municipalities with combined sewer systems, add the following: “MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.”

NJPDES permit – a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A

Non-contact cooling water - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algacides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.

Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Process wastewater - any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.

Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

§161-15 Prohibited Conduct:

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Knowlton Township any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

§161-16. Enforcement.

This article shall be enforced by the Township Zoning Officer, County Health Department, or New Jersey State Police, Knowlton Township.

§161-17. Penalties.

Any person(s) who is found to be in violation of the provisions of this article shall be subject to a fine of not less than \$100 and not to exceed \$2,000 for each storm drain inlet that is not retrofitted to meet the design standard. Every day in which a violation of this article exists shall constitute a separate violation.

SECTION 2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION 3. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 4. This Ordinance shall take effect after passage and publication in the manner provided by law.

Motion made by Van Horn, Second by Cuntala and carried to open public hearing.

Motion made by Cuntala, Second by Shipps and carried to close public hearing.

Motion made by Cuntala, second by Shipps and approved by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-09- An Ordinance to Establish Requirements for The Proper Disposal of Pet Solid Waste in Knowlton Township

WHEREAS, in order to prevent pollutants from being transported to local water bodies from Municipal Separate Storm Sewer Systems (MS4s), federal stormwater regulations require MS4 operators to obtain a National Pollutant Discharge Elimination System (NPDES) permit and implement a stormwater management program; and

WHEREAS, pursuant to NJPDES Master General Permit No. NJ0141852, as of January 1, 2023, all 101 New Jersey municipalities previously assigned to Tier B, such as Knowlton Township, have now been assigned to Tier A, in order to help better manage stormwater discharges and resulting pollutant and nutrient impacts to waterways.

WHEREAS, this reassignment requires Knowlton (and all former Tier B municipalities) to update their ordinances to be consistent with Tier A standards.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Knowlton, in the County of Warren and State of New Jersey, as follows:

SECTION 1. Section 64-18 of the Code of the Township of Knowlton, entitled “Disposal of Pet Solid Waste” is hereby added as follows:

A. Purpose.

This section establishes requirements for the proper disposal of pet solid waste in Knowlton Township, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

B. Definitions:

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement

- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

C. Requirement for Disposal:

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

D. Exemptions:

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

E. Enforcement:

The provisions of this Article shall be enforced by the Knowlton Township Zoning Officer, County Health Department, and New Jersey State Police.

F. Violations and Penalty:

Any person(s) who is found to be in violation of the provisions of this section shall be subject to a fine not to exceed \$1,000.00.

SECTION 2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION 3. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 4. This Ordinance shall take effect after passage and publication in the manner provided by law.

Motion made by Cuntala, Second by Shipps and carried to open public hearing.

Motion made by Cuntala, Second by Shipps and carried to close public hearing.

Motion made by Cuntala, second by Van Horn and approved by roll call vote:

Bates-no, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- no

2023-10- An Ordinance to Prohibit the Feeding of Unconfined Wildlife in Any Public Park or On Any Other Property Owned or Operated by Knowlton Township

WHEREAS, in order to prevent pollutants from being transported to local water bodies from Municipal Separate Storm Sewer Systems (MS4s), federal stormwater regulations require MS4 operators to obtain a National Pollutant Discharge Elimination System (NPDES) permit and implement a stormwater management program; and

WHEREAS, pursuant to NJPDES Master General Permit No. NJ0141852, as of January 1, 2023, all 101 New Jersey municipalities previously assigned to Tier B, such as Knowlton Township, have now been assigned to Tier A, in order to help better manage stormwater discharges and resulting pollutant and nutrient impacts to waterways.

WHEREAS, this reassignment requires Knowlton (and all former Tier B municipalities) to update their ordinances to be consistent with Tier A standards.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Knowlton, in the County of Warren and State of New Jersey, as follows:

SECTION 1. Section 134-27.2 of the Code of the Township of Knowlton, entitled “Feeding of Wildlife” is hereby added as follows:

A. Purpose.

This section prohibits the feeding of unconfined wildlife in any public park or on any other property owned or operated by Knowlton Township, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

B. Definitions.

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Feed – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.

Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

Wildlife – all animals that are neither human nor domesticated.

C. Prohibited Conduct:

No person shall feed, in any public park or on any other property owned or operated by Knowlton Township, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

D. Enforcement:

- a. This ordinance shall be enforced by the Knowlton Township Zoning Officer, County Health Department, or New Jersey State Police.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

E. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of not less than \$50 nor more than \$500 for each offense.

SECTION 2. All ordinances or parts of ordinances in conflict or inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in conflict or inconsistent.

SECTION 3. If any section, provision, or part of provision of this Ordinance shall be held to be unenforceable or invalid by any court, such holding shall not affect the validity of this Ordinance, or any part thereof, other than the part so held unenforceable or invalid.

SECTION 4. This Ordinance shall take effect after passage and publication in the manner provided by 1

SECTION VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

SECTION VII. Effective date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Motion made by Cuntala, Second by Shipps and carried to open public hearing.

Motion made by Cuntala, Second by Shipps and carried to close public hearing.

Motion made by Cuntala, second by Shipps and approved by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

RESOLUTIONS

2023-59- A Resolution of The Township of Knowlton Concurring as To the Appointment of The Shared Court Public Defender for Calendar Year 2023

WHEREAS, the Township of Knowlton is currently a participating municipality in a Shared Municipal Court with the Township of Allamuchy and party to a Shared Court Agreement (“Agreement”), which Agreement had been previously authorized by the Township Committee pursuant to Resolution No. 2020-115; and

WHEREAS, pursuant to the Agreement, Knowlton must select its own public defender; and,

WHEREAS, Allamuchy has selected Donald Farino, Esq. to serve as municipal public defender for the Shared Court for calendar year 2023; and

WHEREAS, N.J.S.A. 2B:24-4 requires a municipal public defender to be an attorney-at-law of this State in good standing, and shall serve for a term of one (1) year from the date of his appointment, and may continue to serve in office pending re-appointment or appointment of a successor.

WHEREAS, Donald Farino, Esq. is an attorney-at-law licensed by the State of New Jersey who is familiar and experienced with municipal defense law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Knowlton, County of Warren, State of New Jersey, as follows:

1. Donald Farino, Esq. is hereby appointed Public Defender in the Township of Knowlton in the Shared Municipal Court for the one-year term for the period of January 1, 2023 through December 31, 2023 for an amount not to exceed \$ _____.
2. This appointment is made without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(l)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution shall be placed on file with the Clerk of the Township of Knowlton.
4. The Township Clerk is hereby directed to publish a public notice of this award as required by law.

Motion made by Cuntala, second by Shipps and approved by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-60- Resolution Approving New Jersey State Alcohol Beverage Control Social Affairs Permit for Knowlton Township Fire and Rescue

WHEREAS, the Knowlton Township Fire and Rescue social affair permit application is complete in all respects, the proper fees have been paid to the Division of Alcoholic Beverage Control and the Township of Knowlton; and,

WHEREAS, the licensees are qualified according to all statutory, regulatory and local governmental New Jersey Alcoholic Beverage Control laws and regulations;

NOW THEREFORE BE IT RESOLVED that the Governing Body of Knowlton Township hereby approves NJABC social affair permit for the Knowlton Township Fire and Rescue to be held on September 2nd at Gary Grey field located on Rt 46 Columbia, New Jersey.

Motion made by Cuntala, second by Shipps and approved by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-61- Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Knowlton in the County of Warren, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$14,626.02 which is now available from the Solid Waste Administration – Clean Communities.

BE IT FURTHER RESOLVED that the like sum of \$14,626.02 is hereby Appropriated under the caption Clean Communities; and

BE IT FURTHER RESOLVED that the above is the result of funds from the Solid Waste Administration – Clean Communities in the amount of \$14,626.02.

Motion made by Cuntala, second by Shipps and approved by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-62- Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Knowlton in the County of Warren, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$75,000.00 which is now available from the New Jersey Department of Community Affairs – Local Recreation Improvement Grant.

BE IT FURTHER RESOLVED that the like sum of \$75,000.00 is hereby Appropriated under the caption NJ DCA – Recreation Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the New Jersey Department of Community Affairs – Local Recreation Improvement Grant in the amount of \$75,000.00.

Motion made by Cuntala, second by Shipps and approved by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-63- Requesting Approval of Items of Revenue and Appropriation NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Knowlton in the County of Warren, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$2,500.00 which is now available from the Warren County Cultural and Heritage Division.

BE IT FURTHER RESOLVED that the like sum of \$2,500.00 is hereby Appropriated under the caption Warren County Cultural and Heritage Division – 2023 County History Partnership Program Grant and

BE IT FURTHER RESOLVED that the above is the result of funds from the Warren County Cultural and Heritage Division – 2023 County History Partnership Program Grant in the amount of \$2,500.00.

Motion made by Cuntala, second by Shipps and approved by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-64- Resolution Approving the Corrective Action Plan for the Fiscal Year Ending December 31, 2022

WHEREAS, N.J.S.A. 40-A:5-4 requires the governing body of every local unit to cause an annual audit of its books, accounts and financial transactions to be made and completed within six months after the close of its fiscal year; and

WHEREAS, the audit for fiscal year ending December 31, 2022 was present to the governing body on August 14, 2023; and

WHEREAS, the Corrective Actions Plan shall cover all findings and recommendations, including state, federal, and general or financial statement findings in the audit report; and

WHEREAS, the Chief Financial Officer shall prepare said Corrective Action Plan with the assistance from other officials affected by the audit recommendations; and

WHEREAS, the Corrective Actions plan must be approved by the governing body of the local unit and is to be submitted to the Division of Local Government Services no later than sixty days from the receipt of the audit report; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, County of Warren, and State of New Jersey that the Corrective Action Plan for fiscal year ended December 31, 2022 is hereby approved

Motion made by Cuntala, second by Shipps and approved by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-65 Cancellation of Improvement Authorizations within the General Capital Fund

WHEREAS, the following improvement authorization are outstanding in the Township’s General Capital Fund and have been deemed no longer necessary;

<u>Ordinance:</u>	<u>Purpose</u>	<u>Funded</u>
2021-01	Improvement to DPW Garage	\$ 32,920.00
2021-09	Repairs to Fire Apparatus	\$ 29,999.94

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, County of Warren, and State of New Jersey that the above Ordinance balances be cancelled; \$32,920.00 to General Capital – Capital Improvement Fund and \$29,999.94 to Reserve for Fire Protection.

Motion made by Cuntala, second by Van Horn and approved by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-66 Award of Contract - Overlay of Mt. Pleasant – Section 2

WHEREAS, the Township of Knowlton is a member of the Morris County Cooperative Pricing System and wishes to utilize the contract for Road Overlay for Mount Pleasant, Section 2, and

WHEREAS, Tilcon NY, Inc., Parsippany, NJ has been awarded Contract #6 for Road Resurfacing through the Morris County Cooperative Pricing Council of which the Township of Knowlton is an active participant, and

WHEREAS, the Chief Financial Officer has certified that funds are available thru 2023-04

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Hope, County of Warren and State of New Jersey that the Road Resurfacing Services for Mount Pleasant, Section 2, contract not to exceed \$191,837.50 be awarded to Tilcon NY, Inc., Parsippany, NJ.

Motion made by Shipps, second by Cuntala and approved by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-67 Resolution Providing Draft Tip Fy 2024-2027 Comment for the \$178.6m NJDOT Delaware Water Gap Projects

WHEREAS NJDOT Rockfall Mitigation Projects in Knowlton and Hardwick Townships along the Lower and Middle Delaware National Wild and Scenic River, have been fraught with controversy since 2012 largely due to the following issues:

- well-documented environmental, traffic safety, visual, economic and lifestyle impact concerns,
- questionable existence of studies conducted prior to preliminary engineering that would support a change in scope, purpose and need, justification, original estimates, feasibility, and constructability,
- NJDOTs inability or lack of willingness to consistently provide stakeholders with notice of projects, changes to projects, updates, reasonable records requested or other timely and accurate information, and

WHEREAS draft TIP 2024-2027 includes upgrading the temporary no-bid, time and materials emergency erosion hole/retaining wall project #22360, which has been ongoing since March 2020, to a new \$92.2M I80 EB Full Retaining Wall Replacement Project #22360, which already has major concerning patterns similar to the Rockfall Mitigation Project issues such as:

- **Pattern of apparent decisions to do work without studies to support the need:** During the May 2023 Local Officials Briefing, NJDOT stated that July 2022 engineering studies determine the need for retaining wall replacement, yet records show the decision to replace the entire wall was made prior to signing the Route 80 EB Retaining Wall Replacement Contract. Contract scope details and estimates for full inspection were submitted June 2022 and state in Task #4:“...and roadway condition to develop a conceptual monitoring program to observe the existing conditions **until the replacement of the retaining wall**”. This follows the same pattern as the Rockfall Mitigation Project, whereby the scope was changed after the completion of the 2011 Concept Development Phase, with no new supporting studies and before the 2013 Preliminary Engineering Contract, which shows it was arbitrarily changed from a \$4.5M 9-month project to a \$37-\$200M 4+ year project. These records show project needs and solutions are committed to with **NO studies to justify them.**
- **Pattern of apparent expensive incorrect assumptions and avoidance of environmental standards:** Two years of Emergency Erosion Hole Repair, as described in the post de facto July 2022 NJDEP Flood Hazard Permit Application and September 2022 NPS comment to NJDEP, was constructed without required permits or consultation with the National Park Service, materials used were inconsistent with standards for National Wild and Scenic Rivers, and the embankment was built up which impedes the river’s natural flow. This follows the same pattern as NJDOT choosing to advance the Rockfall Project as a NEPA Categorical Exclusion (CATEX) despite multiple CatEX disqualifying criteria and only switching to the more appropriate Environmental Assessment once NPS, NJDEP and New Jersey State Historic Preservation Office required them to do so.
- **Pattern of neglecting to follow Public Involvement Policy guidelines and standards:** On May 22, 2023 NJDOT hosted a Virtual I80 Retaining Wall Replacement Project Local Officials Briefing (LOB) for only Warren County and Knowlton Township, whereby they admittedly “forgot” to include Hardwick Township, have yet to provide a copy of the presentation and meeting notes to Knowlton Township and Warren County and have yet to provide Hardwick Township with the meeting notes, presentation PDF, and LOB as promised. This is similar to NJDOT arbitrarily changing the I80 Rockfall Mitigation Concept Development recommended Public Involvement Plan by removing Knowlton Township as reflected in the 2013 Preliminary Engineering contract details, and arbitrarily attempting to advance the project with a new scope without stakeholder input on it or on the development of new alternatives (see pg. 7) and

WHEREAS the above issue pattern was brought to NJTPAs attention during the development of multiple TIPs beginning in 2012, as detailed in multiple letters and comments during the development of the 2020-2023, and 2022-2025 TIPs, whereby NJTPA was asked multiple times by Knowlton and Hardwick Townships and others to help facilitate the requested Public Hearing or Public Meeting, and to help obtain documents NJDOT has yet to provide, and

WHEREAS related to the above listed issues the following are examples of letters and resolutions expressing concerns and attempting to find solutions:

- Knowlton 2013 Resolution 13-32 A resolution concerning the construction of a steel wire ring fence along Route 46 by the NJDOT
- Knowlton November 9, 2015 Resolution 15-95 A resolution opposing construction by the NJDOT of a fence designed to hold back rocks along Route 80 without public hearings and consultation with, and approval from, Knowlton and Hardwick Townships and the National Park Service.
- Knowlton July 10 2017 Resolution 2017-84 Response to the draft Visual Impact Assessment and Public Information Center (I80 Rockfall Mitigation)
- Hardwick October 3, 2018 Resolution 2018-42 Request to NJDOT for Public Hearing and presentation on the proposed Rockwall through the Delaware Water Gap
- Hardwick: June 5, 2019 Resolution 2019-28 & Knowlton: May 13, 2019 :Resolution 2019-71 Resolution concerning traffic impacts to the NJDOT’s Route 80 westbound Rockwall Mitigation Project
- Hardwick February 17, 2020 Letter to NJDOT Route 80 Rockfall Mitigation Project Request for “stakeholder-based charette”
- Knowlton March 9, 2020 Resolution 2020-48 Resolution Requesting an Environmental Impact Statement (EIS) for the Route 80 Rockfall Mitigation Project in Knowlton and Hardwick Townships
- Knowlton June 12, 2021 Resolution 2021-58 Resolution requesting oversight of \$59 Million Rockfall Mitigation Project

WHEREAS related to the above issues and NJDOT’s lack of response, the following Warren County Board of Commissioners resolutions were unanimously approved and sent to NJDOT, NJTPA, and the Federal Highway Administration –NJ seeking remedies and solutions for which **no formal response has been provided:**

1. March 25, 2020 Resolution 154-20 which along with several NJ and PA legislators and organizations, called for an I80 Rockfall Mitigation Project Environmental Impact Statement, noting known retaining wall issues, issues with no suitable detour route, the likelihood that 611 could be closed for an extended period of time due to common rockfall and tree fall occurrences, and structural issues and other safety and traffic impact issues of top concern
2. March 10, 2021 Resolution 130-21 which along with Sussex and Hunterdon Counties called for the I80 WB Rockfall Mitigation Project to return to the original 2011 Concept Development Recommended Plan alternative as estimated in the 2012 TIP at \$6M
3. September 22, 2021 Resolution 420-21 which, along with several NJ and PA counties and municipalities called upon NJDOT to initiate a Problem Statement to study safety, mobility and congestion issues between I80 Exit 4 and the Delaware Water Gap Bridge, and

WHEREAS during the development of draft TIP 2022-2025, on May 9, 2021, resident group I80 DWG Coalition, presented evidence to NJTPA Board Members and Executive Staff showing NJDOT may not have been providing accurate and timely information during the development of the TIPs since 2012 related to multiple Rockfall Mitigation Projects in Warren and Hunterdon Counties, thus funding and project advancement decisions may have been made on incomplete or inaccurate data, asking the projects be paused pending review, and NJTPA help facilitate a meeting to resolve the conflict, for which NJTPA did not provide a formal response nor did they provide any such remedy, and

WHEREAS partially because NJTPA was unable or unwilling to pause funding for the Rockfall Mitigation projects pending a review as requested, the I80 DWG Coalition submitted a complaint to the NJDOT Office of Inspector General in September 2021 which the I80 DWG Coalition reports was reviewed, and did open an investigation which is still ongoing, and

WHEREAS resident group I80 DWG Coalition detailed the history of issues and lack of remedy, and Warren County explained such in their December 2022 NJTPA Federal Review Comments which reads in part:

Local efforts to hold a meeting with the NJDOT have been futile. In fact, when a meeting was requested by Warren County, the NJDOT would meet only with the County's professional staff with no elected officials present. This raises the question why were local elected officials excluded?

Per federal requirements, the NJTPA promotes a robust public engagement process and coordination with all stakeholders. Being that federal monies are being used to fund the I-80 Rockfall Project, it would seem that public and stakeholder cooperation in a "continuing, cooperative, and comprehensive (3C)" process" would be paramount. It seems that "cooperative" is missing in the process and that, in fact, local elected officials do not have a stronger role in guiding federal transportation investments and are instead excluded and ignored.

It would be helpful if the NJTPA would step forward and facilitate a constructive discussion with the local elected officials, particularly in the Rockfall case where legitimate and serious concerns are being raised, and

WHEREAS statutes related to MPO programs development state: (bold and underlined added):

FAST Act Section 134: (j)(3)(B) Implementation of Public Comment Requirements:

The metropolitan planning organization shall demonstrate that the comments received on the transportation plan and transportation improvement program were considered in the development of such plan and program.

23 CFR 450.316-- Interested parties, participation, and consultation. (a) The MPO shall develop and use a documented participation plan that defines a process for providing individuals, affected public agencies, representatives of public ...other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. (1) The MPO shall develop the participation plan in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for: (ii) Providing timely notice and **reasonable access to information** about transportation issues and processes; (vi) **Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;**

NOW, THEREFORE BE IT RESOLVED that the Township of Knowlton continues to support all necessary emergency repairs to the I80 EB Retaining Wall, and

BE IT FURTHER RESOLVED that the Township of Knowlton supports the \$82.4M I80 WB Rockfall Mitigation Project DBN# 09545 and the \$92.2M I80 EB Retaining Wall Replacement Project DBN#22360 provided the NJTPA exercises its fiduciary responsibility to honor the following requests:

1. NJTPA establishes a committee, study group or facilitates the creation of any forum necessary, that includes Warren County Commissioners, Warren County Planning Department and Knowlton and Hardwick Township representatives, to assist with conflict resolution for the above issues, and
2. NJTPA encourages a full **independent** Environmental Impact Statement (EIS) that considers impacts of the I80 WB Rockfall Mitigation Project and the I80 EB Retaining Wall Project as a two-phase single project, the EIS includes full Cumulative and Socioeconomic Impact Assessments and evaluates all reasonable alternatives which would include the original 2011 \$4.5M FHWA, Knowlton and Hardwick Township's approved Rockfall Mitigation Recommended Preferred Alternative, and
3. NJTPA assists NJDOT to initiate a Transportation Problem Statement to study all the safety, mobility and congestion issues I80 Exit 4 to the Delaware Water Gap Bridge, and

BE IT FURTHER RESOLVED the Township of Knowlton requests NJTPA and board member NJDOT provides a response of the three above requests and

BE IT FURTHER RESOLVED this resolution will be provided via email to, FHWA-NJ, NJTPA, NJDOT, Warren

County Board of Commissioners, and all NJ and PA state and federal elected officials who have, are, or in 2024 will be representing the 30 municipalities who have gone on record over the years expressing concerns and seeking solutions to these projects and from who we request any and all support for the above-mentioned requests.

Motion made by Shipps, second by Cuntala and approved as amended by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-68 Resolution Establishing A Petty Cash Fund for Knowlton Township in The Allamuchy /Knowlton Shared Municipal Court

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in a municipality by application and resolution; and

WHEREAS, it is the desire of the Mayor and Committee of the Township of Knowlton to establish such a fund for Knowlton Township within the Allamuchy / Knowlton Shared Municipal Court in the amount of \$50.00 for the purpose of providing change to those paying fines; and

WHEREAS, the custodian for these funds is the Municipal Court Administrator who is bonded for the amount of \$1,000,000;

WHEREAS, the Municipal Court Administrator shall maintain records for such fund in a manner conducive to proper accounting and auditing procedures.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Knowlton, County of Warren, State of New Jersey, as follows:

1. A petty cash fund in the amount of \$50.00 is established in the Allamuchy / Knowlton Municipal Court for Knowlton Township.
2. The Township Clerk is hereby authorized to file two copies of this Resolution to the Division of Local Government Services, New Jersey Department of Community Affairs for approval.
3. This Resolution shall become effective upon the approval of the Division of Local Government Services, New Jersey Department of Community Affairs.

Motion made by Van Horn, second by Shipps and approved by roll call vote:

Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes

2023-69 Resolution Appointing Zoning Officer

WHEREAS, the Township's Zoning Officer resigned effective September 5, 2023; and

WHEREAS, there exists the need for the professional services of a Zoning Officer in Knowlton Township to serve beginning September 5, 2023.

WHEREAS, it is the intention of the parties to appoint the Zoning Officer beginning September 5, 2023.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of Knowlton:

1. Appoints George Boesze as the Zoning Officer, effective September 5, 2023 at a salary of \$13,000 / year.

**Motion made by Cuntala, second by Shipps and approved by roll call vote:
Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes**

2023-70 Appointing George Boesze As the Administrative Agent for The Township of Knowlton- **Tabled**

2023-71- Payment of Vouchers

BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that all claims attached are hereby approved as reasonable and proper claims against the Township of Knowlton.

THEREFORE, BE IT RESOLVED that approval for payment is hereby given to the Chief Financial Officer to pay said claims, subject to the availability of funds

**Motion made by Shipps, second by Van Horn and approved by roll call vote:
Bates-yes, Cuntala-yes, Mazza- yes, Shipps-yes, Van Horn- yes**

NEW BUSINESS

Zoning Officer Resignation-

The committee accepts zoning officer Eric Snyder's resignation effective September 5, 2023.

Altice facility use agreement-

A lease agreement was made between the Township and Altice on a monthly basis. Township attorney would like to confirm with the CFO where the funds are being allocated. Township attorney will confirm with the CFO.

Rabies Clinic-

Dr. John from Animal mansion will be administering the vaccinations free of charge. The rabies clinic will be held on Saturday December 2nd from 10 am- 12 pm at the DPW garage.

Employee Handbook Updated Policies-

Township Attorney Tara St. Angelo discussed two policy updates for reasonable accommodations for pregnant workers that are consistent with State and Federal laws. An update was made to the reasonable suspicion of drug and alcohol use that goes along with cannabis now being legal in New Jersey. A background check policy will be put into place for all potential employees.

KTFR flagpole replacement-

Knowlton Fire and Rescue requested permission to upgrade the flagpole at tunnel field for the 25th anniversary of 9/11. The committee agreed for the flagpole to be upgraded.

Ordinance 2023-11-

Ordinance 2023-11 is required by the state for the stormwater permit regarding yard waste. Township attorney wanted to confirm with how yard waste was collected in the Township. As the Township does not collect yard waste, Ms. St. Angelo will check with the NJDEP on the correct ordinance that should be implemented for towns that do not collect.

Clerks office blind replacement/window cleaning-

Deputy Mayor Debbie Shipps discussed quotes received for window cleaning and replacing the blinds in the clerk's office and meeting room. For the roller shades, Paintpourri gave a quote of \$6,917.00 and Lowes gave a quote of \$1,896.00. Two quotes received for the window cleaning were \$722.00 and \$959.00.

Motion made by Shipps, second by Cuntala and approved by roll call vote:

Bates-yes, Cuntala-yes, Mazza-yes, Shipps-yes, Van Horn-yes approved roller shades from Lowes for \$1,896.00 and window cleaning for \$722.00.

MEETING MINUTES

May 8th Public Session Meeting Minutes

Motion made by Shipps, second by Van Horn and carried to approve May 8th public session meeting minutes.

May 8th Executive Session Meeting Minutes

Motion made by Shipps, second by Van Horn and carried to approve May 8th executive session meeting minutes.

June 12th Public Session Meeting Minutes

Motion made by Shipps, second by Van Horn and carried to approve June 12th public session meeting minutes.

June 12th Executive Session Meeting Minutes

Motion made by Shipps, second by Van Horn and carried to approve June 12th executive session meeting minutes.

PUBLIC COMMENT

Committeeman Bates gave an OEM update regarding the recent storms and flooding. The State of New Jersey and the Federal Government declared the flooding in Knowlton Township on July 14th -15th a disaster area. The President of the United States has authorized public assistance. FEMA funds will be made available for non-profits and public infrastructure projects. The Township did not meet the threshold for individual assistance for Federal funds. Small business loans will be offered to individuals with storm damage at a low interest rate.

EXECUTIVE SESSION

2023-73 Resolution Authorizing Executive Session

Motion by Shipps, Second by Cuntala and carried to go into executive session at 11:00 p.m.

WHEREAS, the Open Public Meetings Act; N.J.S.A. 10:4-6 et seq., declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

WHEREAS, the Open Public Meetings Act also recognized exceptions to the right of the public to attend portions of such meetings; and

WHEREAS, the Mayor and Township Committee find it necessary to conduct an executive session closed to the public as permitted by the N.J.S.A. 40:4-12; and

WHEREAS, the Mayor and Township Committee will reconvene in public session at the conclusion of the executive session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Knowlton Township, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic (s) as permitted by N.J.S.A. 40:4-12:

B. Attorney Advice

BE IT FURTHER RESOLVED that the Mayor and Township Committee hereby declare that their discussion of the subject (s) identified above may be made public at a time when the Township Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.

BE IT FURTHER RESOLVED that the Mayor and Township Committee, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place

Motion by Van Horn, Second by Cuntala and carried to come out of executive session at 11:30 p.m.

ADJOURNMENT

Motion made by Shipps, second by Cuntala and carried to adjourn tonight's meeting at 11:30 pm.