

**TOWNSHIP OF KNOWLTON
COUNTY OF WARREN, STATE OF NEW JERSEY
TOWNSHIP COMMITTEE MEETING
October 26, 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

Present: Committeeman Bates, Committeeman Mazza, Deputy Mayor Shipps and Mayor Van Horn.

Absent: Committeewoman Cuntala

Also Present: Township Attorney Tara St. Angelo

EXECUTIVE SESSION

2023-92 Resolution Authorizing Executive Session

Motion by Shipps, Second by Van Horn 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 Shipps and carried to come out of executive session at 7:35 p.m.

Deputy Mayor Shipps held a moment of silence in honor of Kenna Pearson who unfortunately passed away a few weeks ago. Deputy Mayor Shipps described Kenna as a wonderful person who worked as the tax assessor's assistant for the Township for many years.

PUBLIC COMMENT

Ms. Adele Starrs addressed the committee on behalf of Knowlton's Land Use Board. The Land Use Board is seeking support from the committee for change in the procedure process for applications that are submitted to the board. The board requests that the engineer be required to be apart of the application process to ensure that all requirements are met. The board suggests an increase in escrow required by applicants. Attorney Tara St. Angelo suggests the committee review their land use application fee and escrow amounts to amend the ordinance.

Mr. Rene Mathez addressed the committee regarding truck traffic that could possibly come with warehouses being built in neighboring towns. Mr. Mathez asked if local deliveries would be allowed to travel through Knowlton or would they need to find an alternative route. Deputy Mayor Shipps states unfortunately coming through Knowlton would be the only way for local deliveries.

Mr. Frank Arena updated the committee on Blairstown Land Use Board meeting being cancelled for November regarding the proposed warehouse and it will be carried over into December's meeting. Mr. Arena also requested a letter from the Township stating that the amendment of the FPZ zone to include the entirety of his property should have been completed in 2005. Attorney Tara St. Angelo states Ordinance 2023-14 includes those statements. Mr. Arena will request a copy of the Ordinance to provide to his attorney.

Ms. Sandy Hall with the Delaware Water Gap Defense Fund. Ms. Hall discusses the proposal to change the Delaware Water Gap recreation area to a National Park. Ms. Hall asked the committee to take into consideration passing a resolution opposing the designation of the DWG to a National Park. Ms. Hall provided the committee with information for their review.

Mr. Bob McNinch addressed the committee regarding the proposed warehouse in Blairstown. Mr. McNinch has concerns how the warehouse will affect Knowlton Township. New Jersey Statute 40:55D-2 which ensures that the development of individual municipalities does not conflict with the development and general welfare of neighboring Municipalities, the County and the State as a whole.

PRESENTATION

Mr. Tom Caleca from Warren County Aging Services discussed services offered for seniors through their office which included adult protective services, in-home health aides, home delivery meals and more. Mr. Caleca provided the committee with a list to share with residents who are looking for resources.

DEPARTMENT REPORTS

Tara Mezzanotte- UMBT/RPL I80/611 Update

Ms. Mezzanotte updated the committee regarding the approval of the preliminary plans for the Upper Mt. Bethel warehouse project. Lehigh Valley Planning Commission had not completed their review of the project before the preliminary plans had been approved. Ms. Mezzanotte states the impact of the warehouse on Knowlton will be extensive which includes 25,000 vehicles per day coming to and from the proposed complex according to applicants traffic study.

Ms. Mezzanotte addressed the latest Warren County Commissioner meeting. Efforts to remove truck traffic off of Decatur Street due to traffic signage near the truck stop. The County is requesting the NJDOT to address their Route 80 directional signage which is advising trucks to turn down Decatur Street. Attorney Tara St. Angelo suggests the committee approve a letter be drafted to the Lehigh Valley Planning Commission to echo the

suggestions of the Warren County Planner with concerns of truck traffic and a better signage package needs to be put together.

Motion made by Van Horn, Second by Shipps and carried to approve a letter be drafted to the Lehigh Valley Planning Commission for committeeman Bates review.

Ms. Mezzanotte states in May, Acting Clerk Molion sent an email to the NJDOT requesting a copy of the NJDEP flood hazard permit comment opportunity as it was not sent to Knowlton Township. There has been no response from the NJDOT. Ms. Mezzanotte suggest the committee decide if sending a follow up email on this request is appropriate at this time. The committee agrees for acting clerk Molion to send a follow up email to the NJDOT in regard to the original request in May.

Ms. Mezzanotte states Hardwick Township will be submitting comments on the flood hazard permit. Ms. Mezzanotte suggests Knowlton Township submit comments that coincide with Hardwick Townships.

Motion made by Shipps, second by Bates and carried to approve submitting comments to the NJDOT regarding the flood hazard permit for the retaining wall project.

ORDINANCES

INTRODUCTION

2023-11 An Ordinance Regulating Containerized Yard Waste

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 160, Article II of the Code of the Township of Knowlton, entitled "Containerized Yard Waste" is hereby added as follows:

§160-11. Purpose.

This article establishes requirements for the proper handling of yard waste in Knowlton Township, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§160-12. 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. Containerized – means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Street - means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.
- d. Yard Waste – means leaves and grass clippings.

§160-13. Prohibited Conduct:

The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized, in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

§160-14. Enforcement:

The provisions of this ordinance shall be enforced by the Township Zoning Officer and the County Health Department.

§160-15. 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 not less than \$50 nor more than \$1,000 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 law.

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

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

2023-15 An Ordinance Establishing A Returned Check Fee

WHEREAS, the Township of Knowlton desires to establish a returned check fee in accordance with N.J.S.A. 40:5-18.

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 1-20 of the Code of the Township of Knowlton, entitled “Returned Check Fee,” is hereby added as follows:

§1-20 Returned Check Fee.

The Chief Financial Officer or his/her designee shall collect a fee in the amount of \$20 from any payer of fees, taxes or other charges paid pursuant to any ordinance of the Township of Knowlton whose check to the Township of Knowlton has been returned unpaid. Said fee shall be collected for any check returned whether by stop payment, insufficient funds, uncollected funds, or other reason. Said fees shall be collected for any returned check tendered to any department of the Township of Knowlton.

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 Shipps and approved by roll call vote:

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

2023-16 An Ordinance Amending Sections 11-50 And 124-4 Of the Code of The Township of Knowlton Regarding the Filing of Zoning and Nuisance Complaints with The Zoning Officer

WHEREAS, the Township of Knowlton seeks to require all zoning and nuisance complaints to be writing in order to facilitate better record-keeping and organization; and

WHEREAS, the Township also desires to clarify the procedures regarding enforcement of zoning violations and the assessment of penalties.

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 11-50 of the Code of the Township of Knowlton, entitled “General Violations,” is hereby deleted in its entirety and replaced with the following:

§11-50 General Violations.

A. Complaints of Zoning Ordinance violations.

Any person may file a complaint if there is any reason to believe a violation of this chapter exists. All such complaints must be in writing and shall be filed with the Zoning Officer, who shall properly record such complaint and immediately investigate.

B. Procedures for abatement of violations.

- 1) In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used, in violation of this chapter or of any ordinance or regulation made under authority conferred hereby, the Zoning Officer or other proper official, in addition to other remedies, may institute any appropriate legal action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate such violation; to prevent the occupancy of said building, structure or land; or to prevent any illegal act, conduct, business or use about such premises.
- 2) A violation of any of the terms of this chapter shall be abated within five days, or within as reasonable time as may be determined, after written notice has been served, either by mail or personal service.

C. Violations and penalties.

- 1) In addition to the foregoing penalties, the municipality may enforce the provisions of this chapter in accordance with the provisions set forth in N.J.S.A. 40:55D-18.
- 2) Any person or entity who or which violates, disobeys, omits, neglects, or refuses to comply with or who or which resists the enforcement of the provisions of this chapter or any order, decision or determination by the Land Use Board and who or which refuses to abate the violation within five days after written notice has been served upon him or her or it by registered mail or by personal service shall, for each and every violation, be subject to a fine of not more than \$1,250.
- 3) Any person who is convicted of violating this chapter within one year of the date of a previous conviction of the same chapter shall be sentenced by the court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not exceed \$1,250 and shall be calculated separately from the fine imposed for violating the chapter.
- 4) Each and every day that such a violation continues, after service of proper notice, shall be considered a separate and specific violation of this chapter without the service of additional notice.
- 5) In addition to the above penalties, a stop-work order shall be issued by the appropriate township authority until the violations are remedied.

SECTION 2. Section 127-4 of the Code of the Township of Knowlton entitled “Complaint; investigation,” which pertains to the filing and investigation of nuisance complaints, shall be amended as follows (deletions noted in strikethrough ~~thus~~ and additions noted in bold italic *thus*):

§ 127-4 Complaint; investigation.

Upon the complaint of any resident or property owner of the township or any employee of the township or upon his own motion, the Zoning Officer, Health Officer, Uniform Construction Code Official, or Police Officer, or their designated agents, shall make an investigation of the conditions complained of and report therein, in writing, to the Township Clerk for transmittal to the Township Committee. *All complaints of residents or property owners must be in writing and shall be filed with the Zoning Officer, who shall properly record such complaint and investigate accordingly.*

SECTION 3. 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 4. 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 5. This Ordinance shall take effect after passage and publication in the manner provided by law.

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

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

PUBLIC HEARING/ADOPTION

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 Van Horn and carried to open public hearing.

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

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

Bates-yes, Cuntala-absent, 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 Shipps, Second by Van Horn and carried to open public hearing.

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

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

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

RESOLUTIONS

2023-83-Award Contract – Purchase Of 2025 Mack Granite Truck with Stainless Steel Dump Body

WHEREAS, the Township of Knowlton wishes to utilize various Cooperative contracts for the Purchase of a 2025 Mack Granite Truck with a Stainless-Steel Dump Body; and

WHEREAS, Gabrielli Truck Sales of Dayton, New Jersey has been awarded Contract #060920-MAK from Sourcewell. Cooperative Pricing Council of which the Township of Knowlton is an active participant; and

WHEREAS, Cliffside Body Corporation of Fairview, New Jersey has been awarded Contract # 65 from the Educational Services Commission of which the Township is also an active participant; and

WHEREAS, the Chief Financial Officer has certified that funds are available thru Ordinance 2023-12 and Ordinance 2023-13.

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 Purchase of a 2025 Mack Granit Truck contract in the amount of \$152,736.98 be awarded to Gabrielli Truck Sales 2306 Route 130 N. Dayton, New Jersey 08810 and the purchase of a Steel Dumb Body contract in the amount of \$107,363.00 be awarded to Cliffside Body Corporation 130 Broad Avenue Fairview, New Jersey 07022

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

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

2023-84- Award Contract – Line Striping of Mt. Pleasant Road-Section 2

WHEREAS, the Township of Knowlton is a member of the Morris County Cooperative Pricing System and wishes to utilize various contracts for Line Striping of Mt. Pleasant Road, Section 2; and

WHEREAS, Denville Line Painting, Inc. Rockaway, New Jersey has been awarded Contract #27. This has been awarded 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 Committee of the Township of Knowlton, County of Warren, and State of New Jersey that Line Striping of Mt. Pleasant Road, Section 2 contract not to exceed \$5,857.50 be awarded to Denville Line Painting 2 Green Pond Road Rockaway, New Jersey 07866

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

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

2023-85- Resolution Authorizing the Execution of a Lease Agreement with Cctmo, Llc For A Wireless Telecommunications Tower Site Located At 648 Route 94 (Block 12, Lot 5)

WHEREAS, pursuant to Resolution No. 2023-53 adopted on July 10, 2023, the Township Committee accepted the bid of CCTMO, LLC for the lease of a certain telecommunications tower on a site located at 648 Route 94 (Block 12, Lot 5); and

WHEREAS, the Township Committee desires to enter into a lease agreement with CCTMO, LLC in a form substantially similar to that attached hereto; and

WHEREAS, the lease provides for annual rent of \$48,0000 (\$4,000 per month) with annual 4% increases and 50% of any income from future co-locators for a term of five (5) years with four (4) renewable five (5) year extensions; and

WHEREAS, the municipal attorney has reviewed the lease; and

NOW, THEREFORE, BE IT RESOLVED, by the Knowlton Township Committee as follows:

1. The Mayor and Clerk are authorized to execute the lease agreement with CCTMO, LLC in substantially the same form as attached hereto.
2. This Resolution shall take effect immediately.

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

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

2023-86- Resolution Supporting “Municipal Planning Incentive Grant Application “ For The 2025 Funding Round

WHEREAS, Knowlton Township has an active Farmland Preservation Program, mostly funded by the State Agricultural Development Committee (SADC); and

WHEREAS, the SADC requires a yearly submittal of a “Municipal Planning Incentive Grant Application” or a letter indicating there is no change or only minor changes from the last application; and

WHEREAS, the changes from the last application were minor and consisted of moving two farms (the Vass Farm and the Hoh Farm) from the list of target farms to the list of preserved farms; and

WHEREAS, the SADC requires that annual application or letter indicating no or minor change be accompanied by a resolution of support from the governing body (NJAC 2:76 – 17A.6(a)3)

NOW, THEREFORE BE IT RESOLVED that the Governing Body of Knowlton Township hereby supports the letter indicating there is no change or only minor changes from the last application for the 2025 funding round in lieu of a “Municipal Planning Incentive Grant Application”

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

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

2023-87- Refund 2023 Tax Overpayment-Veterans Exemption

WHEREAS, the Tax Collector of the Township of Knowlton reports and advises on various properties located in the township on an array of issues, including, but not limited to overpayments of real estate taxes, or reimbursements or credits due because of erroneous or duplicate payments, and

WHEREAS, the Tax Collector has been advised by the Tax Assessor that he has approved an application for total exemption due to wartime injury for Justin Flynn of Block 7, Lot 4.02 located at 41 Mount Pleasant Rd. effective for 2023. Once the tax rate was certified for 2023 the exemption was reflected in the 2023 extended tax duplicate with \$5,376.58 being overbilled. Since a payment was made in February by the mortgage company in the amount of \$2,688.29 it is necessary to refund this payment.

WHEREAS, the Tax Collector is requesting the Township Committee refund the 2023 overpayment in the amount of \$2,688.29 on this property due to a total exemption approved by the Tax Assessor.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Knowlton the tax collector's request to refund the 2023 overpayment in the amount of \$2,688.29 to the owner at the above address is hereby approved. He will advise his mortgage company of the refund.

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

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

2023-88- Refund 2023 Tax Overpayment-Veterans Exemption

WHEREAS, the Tax Collector of the Township of Knowlton reports and advises on various properties located in the township on an array of issues, including, but not limited to overpayments of real estate taxes, or reimbursements or credits due because of erroneous or duplicate payments, and

WHEREAS, the Tax Collector has been advised by the Tax Assessor that he has approved an application for total exemption due to wartime injury for Dennis Wagner of Block 47, Lot 5.03 located at 113 Linaberry Road effective December 1, 2022. The taxes in the amount of \$548.40 were cancelled in December which has created an overpayment of 2022 taxes. Once the tax rate was certified for 2023 the exemption was reflected in the 2023 extended tax duplicate with \$3,336.74 being overbilled. Since a payment was made in February 2023 by the mortgage company in a bulk payment which could not be refused without causing issues for all the other properties in the payment the payment was accepted which created an overpayment of \$1,668.37 which also needs to be refunded.

WHEREAS, the Tax Collector is requesting the Township Committee refund the 2022 and 2023 overpayments in the amount of \$548.40 and \$1,668.37 on this property due to a total exemption approved by the Tax Assessor.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Knowlton the tax collector's request to refund the 2022 overpayment in the amount of \$548.40 to the owner at the above address is hereby approved. The refund of the 2023 overpayment in the amount of \$1,668.37 to Lereta Tax Service who holds the mortgage on the property is also approved.

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

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

2023-89- Refund 2023 Tax Overpayment-Veterans Exemption

WHEREAS, the Tax Collector of the Township of Knowlton reports and advises on various properties located in the township on an array of issues, including, but not limited to overpayments of real estate taxes, or reimbursements or credits due because of erroneous or duplicate payments, and

WHEREAS, the Tax Collector has been advised by the Tax Assessor that he has approved an application for total exemption due to wartime injury for Jamarcus Burton of Block 62, Lot 6.12 located at 31 Centerville Rd. effective October 20, 2022. The taxes in the amount of \$2049.06 were cancelled in December which has created an overpayment of 2022 taxes. Once the tax rate was certified for 2023 the exemption was reflected in the 2023 extended tax duplicate with \$5,266.94 being overbilled. Since no payments were made in February or May no refunds are necessary for 2023.

WHEREAS, the Tax Collector is requesting the Township Committee refund the 2022 overpayment in the amount of \$2049.06 on this property due to a total exemption approved by the Tax Assessor.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Knowlton the tax collector's request to refund the 2022 overpayment in the amount of \$2049.06 to the owner at the above address is hereby approved.

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

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

2023-90- Resolution Authorizing Execution of A Shared Service Agreement For Municipal Court Services Between Knowlton Township And The Township Of Allamuchy

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et. seq., authorizes municipalities to enter into agreements for the exchange and sharing of services; and

WHEREAS, N.J.S.A. 2B:12-1(c) allows two or more municipalities, by ordinance or resolution, to agree to provide jointly for courtrooms, chambers, equipment, supplies and employees for their municipal courts and agree to appoint judges and administrators without establishing a joint municipal court; and

WHEREAS, the Township of Allamuchy ("Allamuchy") and Knowlton Township ("Knowlton") entered into a Share Court Agreement beginning in 2021 and have extended such agreement through the end of 2023; and

WHEREAS, the Township of Allamuchy ("Allamuchy") and Knowlton Township ("Knowlton") recognize the benefit to their respective communities in sharing Municipal Courts; and

WHEREAS, Allamuchy and Knowlton agree that a partnership to advance this shared service should be developed between the entities and is authorized by N.J.S.A. 2B:12-1, et seq. and N.J.S.A. 40A:65-1, et. seq.; and

WHEREAS, reductions in state aid and increased operating expenses are leading many municipalities in New Jersey to consolidate municipal courts; and

WHEREAS, the consolidation of municipal court operations can save costs by reducing the number of court facilities, reducing staff size, sharing court security measures, expanding management's scope of control and consolidating administrative oversight, and

WHEREAS, at this time both Knowlton and Allamuchy are desirous of entering into the attached Shared Service Agreement to extend the existence of the Shared Court for a term of two years through 2025, subject to approval by the Administrative Office of the Courts and the Vicinage Assignment Judge, if required.

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. The Mayor and the Clerk are hereby authorized to execute the Shared Services Agreement with the Township of Allamuchy in substantially the same form that is annexed hereto as Exhibit "A" and any other documents necessary in furtherance of same.
2. This Resolution shall take effect immediately.

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

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

2023-91- 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 Van Horn, second by Shipps and approved by roll call vote:

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

NEW BUSINESS

BPU Altice cable renewal notice-**Tabled**

Salary increases

Deputy Mayor Shipps requested for the CFO to provide a total cost for the Township per percentage increase. Acting Clerk Molion will ask the CFO to provide those numbers for the next Township meeting. Deputy Mayor Shipps would also research the cost of living for the committee's consideration. Salary increases were tabled until November's meeting.

New zoning complaint form

Township zoning officer George Boesze provided the committee with an updated zoning complaint form for their consideration. Mr. Boesze would like to implement the use of this form for any future zoning complaints from residents. The committee approved the use of the updated form. Clerk Molion will make this available in the Clerks office and on the Township website.

Tunnel Field

Township CFO provided the committee with 3 different quotes for basketball hoops and fencing for Tunnel field. Deputy Mayor Shipps suggested going out to bid for the fencing at a later date as it was not included in the current bid package. The committee would like recreation director Dennis Lembeck to advise whether the adjustable basketball hoops or non-adjustable would be best. Deputy Mayor Shipps will discuss with Mr. Lembeck and Attorney St. Angelo will provide a change order resolution for November's meeting.

Underground Altice power supplies

Altice Attorney Bill Palatucci address the committee along side Altice contractor Dan Gannon. Altice is looking to expand service in Knowlton Township, specifically on Lime Kiln Rd. This expansion would include and installation of a power supply cabinet in the utility easement. Mr. Gannon has been in contact with zoning officer George Boesze regarding any permits needed for installation. Mr. Boesze asked for Mr. Gannon to address the committee as the Township does not have a procedure in place for this specific type equipment. Attorney St. Angelo states as long as Altice notifies Mr. Boesze with the locations of these cabinets and any permits that are needed are issued, the Township can agree to move forward with the installation. The committee agreed, and Mr. Gannon will be in touch with Mr. Boesze.

Dog license fees-

Deputy Mayor Shipps discussed the increase of stray and abandoned dogs in Knowlton over the past few months. Services for these dogs to receive treatment or placed at a holding facility to be adopted has depleted funds in the dog licensing account. Notably, Knowlton's dog licensing fees are of the lowest in the County. The committee agreed to increase license fees to \$12.50 and \$15.50 for dogs not spayed or neutered. Attorney St. Angelo will revise the dog licensing fee ordinance for November's meeting.

Clerk office phones

Acting Clerk Molion addressed the committee regarding the office phone system in the Clerk's office. The phones and system are currently outdated, and it has become increasingly difficult to retrieve voicemails from residents. Office administrative assistant MaryAnn received two quotes from Avaya and Planet Networks. The committee agreed to go with the lowest quote from Planet Networks for \$499.50. Attorney Tara St. Angelo will put together a resolution for November's meeting.

Best practice inventory

The Township committee reviewed and acknowledged the best practice inventory provided to them by the CFO.

Trick or treating

Trick or treating is scheduled for October 31st from 4pm-8pm

Pennsylvania warehouse- Discussed in department reports with Tara Mezzanotte.

MEETING MINUTES

September 11th Public Session Meeting Minutes

Motion made by Bates, second by Van Horn and carried to approve September 11th public session meeting minutes.

September 11th Executive Session Meeting Minutes

Motion made by Bates, second by Van Horn and carried to approve September 11th executive session meeting minutes.

September 28th Public Session Meeting Minutes

Motion made by Bates, second by Van Horn and carried to approve September 28th public session meeting minutes.

PUBLIC COMMENT

Mr. Bob McNinch asked to committee the cost of the shared court services with Allamuchy Township. Mayor Van Horn advised Mr. McNinch that the cost was \$110,000.00.

EXECUTIVE SESSION

2023-93 Resolution Authorizing Executive Session

Motion by Shipp, Second by Van Horn and carried to go into executive session at 10:07 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 Shipps and carried to come out of executive session at 10:30 p.m