

**BOROUGH OF NETCONG  
MAYOR AND COUNCIL MEETING  
January 30, 2025**

MINUTES OF THE SPECIAL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NETCONG HELD JANUARY 30, 2025 AT THE NETCONG MUNICIPAL BUILDING, 23 MAPLE AVENUE, NETCONG, NEW JERSEY COMMENCING AT 7:30 PM.

The meeting was called to order by Mayor Still at 7:30 PM.

**PLEDGE OF ALLEGIANCE**

**STATEMENT OF OPEN PUBLIC MEETINGS ACT**

The Borough Clerk read the following statement:

Adequate notice of this meeting as defined by the Open Public Meetings Act has been provided by:

1. Posting a notice of said meeting in the space provided for such announcements at the Borough Hall on January 21, 2025.
2. Publishing a notice in the Daily Record, the official newspaper of the Borough of Netcong on January 21, 2025 and emailing a copy to the Star Ledger on January 22, 2025.

**ROLL CALL**

Those in attendance this evening were Councilman Eddy, Councilman Hathaway, Councilman Morton, Councilman Nametko, Councilman Sylvester and Mayor Still. Also present was Mrs. Eckert, Borough Clerk and Mr. Blakeslee, Borough Administrator.

**PUBLIC PORTION OF MEETING**

A Motion to Close the Meeting to the Public was made by Councilman Hathaway and seconded by Councilman Sylvester.

Roll Call: 5 Yes

1. **Resolution 2025-25-** Resolution Adopting the Borough's Fair Share Affordable Housing Obligation for The Fourth Round

Mr. Paul Philips, Borough Planner stepped forward to explain the spirit of this resolution. Mr. Bryce, representative for the borough attorney, first explained the process required for this. The governing body must pass a resolution either agreeing to or opposing the numbers the state has decided is required for each municipality and then the attorney must file this resolution with the court. Mr. Philips then explained a memo was created to explain what the borough will be adopting. He went on to give thorough details of the process for this fourth round of affordable housing. It was noted

this is a 10-year plan. He explained no municipality can contest these numbers but they can advance their own numbers to contest the numbers determined by the state. Resolutions can be challenged over the next month or so. He gave the numbers established by the DCA for Netcong. He suggested the number of 24 units should just be accepted in the case for Netcong and gave reasons for this decision. Mr. Philips advised the cost to contest/challenge would not be efficient.

Then there is the future need which he provided details and numbers. He stated Morris County is region 2. These counties have been assigned approx. 20,000 affordable units. There are 3 factors that determine the amount for each county. He gave details on what some other municipalities are contesting. The state said the borough has 15 acres of developable land. There was a question about one portion of the land but it is determined it is owned by the church and not able to be removed from the calculation. He suggested we adopt the resolution that states we have 47 units not 50. He gave detail on the challenge portion that will take place in the month of February. In two months, the final numbers will be determined. There will be a second opportunity to do a vacant land analysis. Since past plans have produced units, they should be carried forward for the new numbers. If there is an unmet need, new legislation says there will need to be an overlay. Councilman Hathaway gave a summary on what the final numbers would be with all the adjustments. He asked what the timeline is for the 25% overlay and does it need to be concurrent with this plan. Mr. Bryce said right now we need to just adopt the number. Other things will take place later. Councilman Sylvester asked what happened to the numbers with 34 BNK and Crown Walk. Mr. Philips said these properties were part of the 3<sup>rd</sup> round plan. The fourth round will be new numbers. Councilman Nametko has an issue with the church property being included when the church will not sell the property. Mr. Philips gave examples of these issues and stated these issues will be dealt with later on. Mr. Bryce said the church property could be sold that is why it is in the numbers. Mr. Bryce provided further details on how to reduce the numbers down the line.

A Motion to adopt Resolution 2025-25 was made by Councilman Nametko and seconded by Councilman Hathaway.

Roll Call: 5 Yes

**2. Resolution 2025-26-** A Resolution of The Borough Council of The Borough of Netcong, County of Morris, State of New Jersey, Determining That the Project Located At 2 Flanders Road, Block 19, Lot 14, In the Borough of Netcong Is Complete for The Purposes of Financial Agreement as Between The Borough of Netcong And Crown Walk Urban Renewal, LLC

Councilman Hathaway commented on this resolution. This will change the language that the project is complete and the PILOT can begin. There are only a few outdoor amenities that need to be completed. They have almost 100% occupancy at this time. There may be a need for a bond for road work. The developer has agreed to this. Councilman Eddy asked if this is just the PILOT being activated. Councilman Hathaway explained the process for this resolution. Councilman Hathaway felt they were dragging their feet and all agreed the language would be changed and the PILOT would start. Councilman Eddy does not know what the agreement is. Councilman Hathaway

explained the details of the PILOT. The mayor asked us to give Councilman Eddy a copy of the PILOT agreement. Councilman Nametko had several comments about the meeting that took place with the developers.

A Motion to adopt Resolution 2025-26 was made by Councilman Hathaway and seconded by Councilman Nametko.

Roll Call: 4 Yes Abstain: Councilman Eddy

**3. Resolution 2025-27- A Resolution Consenting to The Appointment of Michael Grogan as The Borough's Representative to The Musconetcong Sewerage Authority**

A Motion to adopt Resolution 2025-27 was made by Councilman Sylvester and seconded by Councilman Hathaway.

Roll Call: 5 Yes

Councilman Hathaway asked if we could discuss Phoenix Advisors and the possibility of having them manage the PILOTS. He stated we have had some challenges with the developer of Crown Walk and feels delegating this to Phoenix would be to our advantage. He asked Mr. Blakeslee to ask Phoenix if they would consider managing our other PILOTS as well. Mr. Blakeslee gave details on the process to collect these PILOTS and why this would be an advantage to the borough.

Mr. Bryce stated this would be a wise decision for the borough. Councilman Sylvester asked if the number that Phoenix gives us will be the number. Councilman Nametko stated this will be a 30-year process. We need to make sure we make a package deal with Phoenix now to ensure reliable service. Councilman Hathaway stated we may want them to handle all of these PILOTS. Mr. Bryce stated they are a super auditor and he recommends it. Mr. Blakeslee spoke with Phoenix today about possible packages/agreements. There was further discussion on this among the Council.

### **PUBLIC PORTION OF MEETING**

A Motion to Close the Meeting to the Public was made by Councilman Hathaway and seconded by Councilman Sylvester.

Roll Call: 5 Yes

### **CLOSED SESSION**

There was no closed session this evening.

### **ADJOURNMENT**

A Motion to Adjourn the Meeting was made by Councilman Hathaway and seconded by Councilman Sylvester at 8:13PM.

Roll Call: 5 Yes

Respectfully Submitted,

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Cynthia Eckert, Borough Clerk

**BOROUGH OF NETCONG  
COUNTY OF MORRIS**

**RESOLUTION 2025-25**

**RESOLUTION ADOPTING THE BOROUGH'S FAIR SHARE  
AFFORDABLE HOUSING OBLIGATION FOR THE FOURTH ROUND**

**WHEREAS**, the New Jersey Supreme Court, through its rulings in Southern Burlington County NAACP v. Mount Laurel, 67 13 N.J. 151 (1975) and Southern Burlington County NAACP 14 v. Mount Laurel, 92 N.J. 158 (1983), determined that every municipality in New Jersey has a constitutional obligation to provide through its land use regulations a realistic opportunity for its fair share of its region's present and prospective needs for housing for low- and moderate-income families; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 *et al.*); and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(f)(1)(b), (the "Amended Act") each municipality must adopt a binding resolution no later than January 31, 2025 determining its present and prospective fair share obligation for the Fourth Round; and

**WHEREAS**, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, "[a] municipality seeking a certification of compliance with the [Amended Act] shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located" within 48 hours of adopting the municipal resolution of fair share obligations; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1(d), the New Jersey Department of Community Affairs issued “a report on the calculations of regional need and municipal obligations for each region of the State” on or about October 18, 2024 (the “DCA Report”) providing its estimate of the obligation of all municipalities based on its interpretation of the Amended Act; and

**WHEREAS**, the DCA Report set the municipal obligation for Netcong Borough as follows:

Present Need: 24  
Prospective Need: 50

**WHEREAS**, the Amended Act provides that the DCA Report is non-binding, thereby inviting municipalities to demonstrate that the Amended Act would support lower calculations of Fourth Round affordable housing obligations; and

**WHEREAS**, Borough Planning Consultants Paul A. Phillips, AICP, PP and Elizabeth Leheny, AICP, PP, issued a memorandum to the Borough dated January 24, 2025 containing an evaluation of the accuracy of the DCA information and calculations used to determine the municipal obligation for the Borough of Netcong. A copy of this Memorandum is attached hereto; and

**WHEREAS**, the Borough Planners analysis adjusted the Land Capacity Factor after determining that the total developable acreage correctly utilizing the statutory mechanism was 12.80 acres. This reduced the Land Capacity Factor to "0.24%" from the original "0.28%"; and

**WHEREAS**, the Borough Planner’s analysis also confirmed that no adjustment was needed to the DCA determined Equalized Nonresidential Valuation Factor or the Income Capacity Factor and;

**WHEREAS**, By applying the adjusted land Capacity Factor to the Average Allocation

Factor the final housing obligation for Netcong should be 47 units.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Netcong, in the County of Morris and State of New Jersey, as follows:

1. Netcong Borough hereby determines, based on the DCA Report and the evaluation of the accuracy of the DCA information and calculations by the Municipal Planner, to modify the obligations set forth in the DCA Report and declare the municipal Affordable Housing obligation to be:

Present Need: 24

Prospective Need: 47

2. The Borough's Fourth Round Affordable Housing Obligation herein established shall be subject to adjustments made to account for future decisions of a court of competent jurisdiction on any challenges to the Amended Act or DCA methodology, any legislative changes adjusting obligations, adjustments in response to any third party challenge to the obligations herein established, and any durational adjustment or vacant land adjustments which will be adopted as part of the municipality's Fourth Round Housing Element and Fair Share Plan.
3. The Municipal Clerk and Municipal Attorney are authorized to take all actions required by N.J.S.A. 52:27D-304.1(f)(1)(b), including:
  - a. Filing a declaratory judgment action with the Superior Court and filing a copy of this Resolution with the Department of Community Affairs within forty-eight hours following adoption of this Resolution.
  - b. Publishing this Resolution on the Borough's website.
4. This Resolution shall take effect immediately.

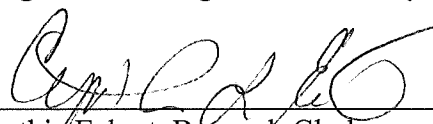
Dated: 1/31/25

By:

  
\_\_\_\_\_  
Elmer Still, Mayor

CERTIFICATION

I, Cynthia Eckert, Clerk of the Borough of Netcong, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough at a meeting held on January 30, 2025.

  
\_\_\_\_\_  
Cynthia Eckert, Borough Clerk



**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF NETCONG, COUNTY OF MORRIS, STATE OF NEW JERSEY, DETERMINING THAT THE PROJECT LOCATED AT 2 FLANDERS ROAD, BLOCK 19, LOT 14, IN THE BOROUGH OF NETCONG IS COMPLETE FOR THE PURPOSES OF FINANCIAL AGREEMENT AS BETWEEN THE BOROUGH OF NETCONG AND CROWN WALK URBAN RENEWAL, LLC**

**WHEREAS**, the Borough of Netcong and Crown Walk Urban Renewal, LLC, entered into a financial agreement under the Long-Term Tax Exemption Law of the State of New Jersey on May 5, 2020; and

**WHEREAS**, pursuant to the aforementioned Financial Agreement, certain annual service charges are required to be paid and paid by the owner upon the issuance of a Certificate of Occupancy for the property or unit; and

**WHEREAS**, pursuant to the aforementioned Financial Agreement, the Borough is to issue a Certificate of Completion when construction activities entailed are completed in all material respects and the project is ready for its intended use, the date for the issuance of the Certificate of Completion shall ordinarily mean the date upon which the project receives, or is eligible to receive, its last temporary or permanent Certificate of Occupancy; and

**WHEREAS**, the Borough Council finds that the project has received or is eligible to receive its last temporary or permanent Certificate of Occupancy and the construction activities entailed are completed in all material respects for the project's intended use subject to installation of miscellaneous external improvements and other minor finish work; and

**WHEREAS**, the Borough Council believes that it is appropriate to issue a Certificate of Completion as anticipated under the Financial Agreement for commencement of the Annual Service Charge on February 1, 2025.

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Netcong, in the County of Morris and State of New Jersey, that it hereby finds that the project as defined and subject to the Financial Agreement between the Borough of Netcong and Crown Walk Urban Renewal, LLC, is complete and authorizes the Mayor and Clerk to execute such certificate as attached hereto as Exhibit A and transmit same to the Borough Tax Assessor and all required entities or offices having an interest herein.

This Resolution shall take effect immediately.

BOROUGH OF NETCONG

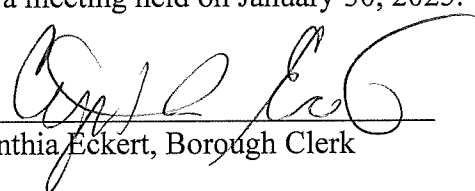
By:

  
\_\_\_\_\_  
Elmer Still, Mayor

Dated: 1/31/25

CERTIFICATION

I, Cynthia Eckert, Clerk of the Borough of Netcong, do hereby certify the foregoing to be a true copy of a Resolution adopted by the Borough at a meeting held on January 30, 2025.

  
\_\_\_\_\_  
Cynthia Eckert, Borough Clerk



# Borough of Netcong

23 MAPLE AVENUE  
NETCONG, NEW JERSEY 07857

TEL 973-347-0252

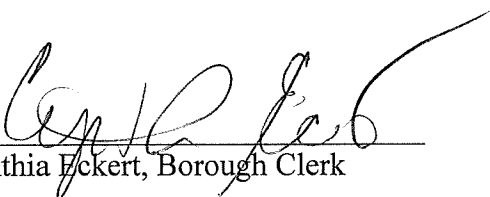
FAX 973-347-3020


## CERTIFICATE OF COMPLETION

The Borough of Netcong, hereby CERTIFIES., this 16<sup>th</sup> day of January, 2025 that the Project as subject to the Financial Agreement entered into between the Borough of Netcong and Crown Walk Urban Renewal, LLC under the Long-Term Tax Exemption law, is complete for purposes of such Financial Agreement and construction activities are completed in material respects, subject to the completion of miscellaneous external improvements, and is ready for its intended use. The Project has received, or is eligible to receive, its last temporary or permanent Certificate of Occupancy. The required Annual Service Charge shall commence on February 1, 2025.

WITNESS:

MAYOR, BOROUGH OF NETCONG

  
\_\_\_\_\_  
Cynthia Eckert, Borough Clerk


  
\_\_\_\_\_  
Elmer Still

**A RESOLUTION CONSENTING TO THE APPOINTMENT  
OF MICHAEL GROGAN AS THE BOROUGH'S REPRESENTATIVE TO  
THE MUSCONETCONG SEWERAGE AUTHORITY**

**BE IT RESOLVED**, by the Borough Council of the Borough of Netcong in the County of Morris and State of New Jersey, that the appointment by Mayor Elmer Still of Michael Grogan as the Borough's representative to the Musconetcong Sewerage Authority is hereby confirmed, consented to and accepted.

**BE IT FURTHER RESOLVED**, that said appointment shall be for a term of 5 years beginning February 1, 2025 and expiring on February 1, 2030.

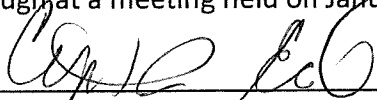
**BOROUGH OF NETCONG**

By:   
Elmer Still, Mayor

Dated: 1/31/25

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Cynthia Eckert, Borough Clerk