

**BOROUGH OF STOCKTON
BOROUGH COUNCIL**

**OFFICIAL MINUTES
APPROVED:**

**REGULAR MEETING
JUNE 14, 2021**

The March Regular Meeting of the Borough Council of the Borough of Stockton was called to order by Mayor Timothy Nemeth at 7:04 pm on June 14, 2021. The meeting was held online using Zoom technology due to the COVID-19 pandemic. Mayor Nemeth read the "Sunshine Statement" indicating the meeting was being held in accordance with the Open Public Meetings Act. Ms. Michele Hovan called the roll. The following members of Council were present: Ms. Rebecca Hendricks, Mr. Adam Juncosa, Mr. Aaron Lipsen, Mr. Michael Mann, Mr. Nic Messina and Mr. Donald Vandegrift. Borough Attorney Michael Butler and Borough Administrator/Clerk Michele Hovan were also present. There were xx members of the public present.

Mayor Nemeth opened the meeting to the public. Mr. Alan Dell, 33 Sandford Road, Delaware Township, asked if there was any news regarding the Stockton Inn. Mr. Butler replied that there would be an update later in the agenda, item 3. Ms. Lisa Kozuhowski, 72 South Main Street, asked if there was an ordinance regarding short term rentals (like Air B&B) and suggested one be developed, adding that the town could collect tax revenue from it. Mr. Butler said there was not, and it is something that can be looked into. Mr. Vandegrift asked if Ms. Kozuhowski knew how much other towns collect in tax revenue and she said she did not but repeated she thinks there should be one. Mr. Lipsen said that the rental websites could collect the tax for the town. Mr. Messina said it shouldn't be difficult to implement. Ms. Linell Antonelli, 20 Quarry Road, Delaware Township, asked how many attendees were at the meeting and Mr. Juncosa said there were 42. She asked about meeting notes and when they are available for posting and also asked to hear from each Council member that voted for the PIR to explain their vote and why they thought it would be a benefit to the town. Mr. Butler said that there would be an update coming up on the PIR. Ms. Antonelli asked if members would reply then. Mr. Butler said that the resolution stands on its own but to please hold on for the update. Mr. Kurt Miller, 2606 River Road, New Hope, PA, said that he is in the music industry and would be able to hear music at his home, adding that two concerts a week doesn't include sound checks and said that would be very loud. Ms. Cathy Brown, 7 N. Main Street, asked if there were plans to meet in person soon and asked if there could be an update regarding budget detail. Mayor Nemeth said the plan was to hold meetings in person again in September and that the public hearing on the budget is a separate meeting. In response to another question, Ms. Hovan said that a summary of budget detail is posted within the budget that is posted on the website. Mr. Gary Hinsley, 999 Rosemont-Ringoes Road, Delaware Township, said the zoom meetings are cumbersome and Mayor Nemeth repeated in-person would resume in September. He then asked why wait, and Mayor Nemeth said there were other issues at Borough Hall. He said that when Delaware Township has meetings when they expect a large number of attendees, they hold the meetings at the fire station and asked if Stockton could do that. Mayor Nemeth said that we have not reached that stage. Ms. Carolyn Murphy, 4 Glenwood Lane, asked what the purpose of the Berman's escrow check is. Ms. Hovan said that it is not uncommon for a general escrow account to be opened ahead of formal filing so that questions could be asked of professionals that the taxpayer wouldn't pay for. Mr. Juncosa said that he paid \$3000 in escrow for a change in use application. Mr. Dennis Bertland, asked about the planner's proposal and if she was engaged currently. He asked if the project was started and Mr. Butler said that he believed the work had not started. Mr. Bertland then asked specific questions about the scope of work and where she would be getting her data from. Mr. Butler said

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that he might wish to ask those questions to the Planning Board. He also said that the architect hired by Avon Road, Clarke Caton Hintz, might be supplying information. Ms. Eleanor Miller, 2606 River Road, New Hope, said she was a resident of Stockton previously, and said that she hears from residents that they aren't receiving updates. She also said that she wished there were more meetings in July and August. Ms. Linelle Antonelli said that many people want in-person meetings. Mayor Nemeth again stated the plan was to meet in person in September. There being no additional questions or comments, the meeting was closed to the public on motion by Mr. Mann, seconded by Mr. Juncosa and carried.

Update Regarding Preliminary Investigation Reports – Governing Body Conflicts

Mr. Butler explained that at the last meeting, discussion among Council was postponed due to conflicts that became known that days, and that since, he has researched the matter. Mr. Butler said that 5 of 7 governing body members have varying degrees of conflicts, meaning that a quorum could not be constituted to take any action on a recommendation that would be returned from the Planning Board on the PIR. He added that a doctrine of necessity exists that could enable a waiver of the conflicts, but not with a matter that was not an actual necessity, such as with redevelopment. He said that he would inform the Planning Board of the conflicts, and ask that the Board cease taking further action on the report. He also said that the Borough received an email from the Avon Partners attorney asking for a refund of unused escrow, and that they were abandoning the project. Mr. Vandegrift asked if the project could be restarted, regardless of who the developer would be. Mr. Butler said the process could start again if the conflicts went away. He added that on the agenda was the ordinance to fund a Master Plan Reexamination Report, which could serve a similar purpose in developing new zoning standards. Ms. Hovan added that the cannabis laws provide another timely reason to conduct the reexam, so that the Borough could plan for that use or not. She also mentioned the need to update the Fair Share Housing Element plan that is included in the ordinance. Mr. Vandegrift said that the problem remains – an inn that is falling into disrepair – and asked for a recommendation. Ms. Hovan said that a reexam could address the wish list of many borough priorities, just differently, and with few public hearings that a redevelopment plan would have. Mr. Vandegrift said that maybe further discussion could help to decide if a new PIR is warranted. Extended conversation followed regarding the differences with redevelopment and master plan efforts.

Presentation – SHRSB Superintendent Anthony Suozzo – School Facilities Referendum

Mr. Suozza presented via a PowerPoint presentation discussed the need to address critical facilities issues and that the Bond Referendum, if approved, would fund the building infrastructure, security and health/safety needs. He discussed site specific deficiencies, costs, program expansions and plans for a Pre-K-4, 5-8, 9-12 district. He encouraged all to vote for the proposal on November 2. Mayor Nemeth added that the district website contains much information on the referendum. Mr. Lipsen said he toured the sites with the Mayor and thought the upgrades were needed.

Presentation of the Stockton Park Master Plan

Mr. Butler said that Mr. Lipsen is recused but could speak as a member of the public. Mayor Nemeth introduced, John Thomas, Architect, who developed the plan. Mr. Thomas displayed this

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plan on the screen and said it was an overall plan for the park and that the master plan, once approved, could aid in securing grants. He discussed improvements to pedestrian access, park paths, various enhancements for natural features, a dock, a memorial plaza, a pergola, basketball/multi-use court, etc. Mr. Juncosa said the plan was outstanding and offered some background to how and why it was developed and the hard work put in by the subcommittee. Mr. Mann said that the community is interested in offering input. Mr. Vandegrift said that the goal is to adopt the plan and work on elements in it as funds allow, grants are identified, etc. Discussion ensued regarding the plan. Mayor Nemeth opened the meeting to the public.

Mr. Eric Desibus, 3 Risler Street, asked (to Mr. Vandegrift) what he meant by "it's not necessarily about the community; it's about the buyer). He was asked to hold off until the public comment section later in the agenda.

Ms. Alex Bacon, 722 Rosemont-Ringoes Road, Delaware Township, with an office at the Prallsville Mills and said that the plan was fabulous. She mentioned (to Mr. Thomas) the Green Acres due in July. Mr. Thomas said that priorities haven't yet been decided, but maybe there is an opportunity for smaller grants, such as for meadows – and look to the next Green Acres round when the plan is further along.

Ms. Hendricks left the meeting at 8:51pm.

Mr. Aaron Lipsen, 11 Ferry Street, noted that he was speaking as a resident, not as a member of Council. He said that he had spoken to many residents and volunteers at clean up days and prepared an overlay of feedback on top of Mr. Thomas's plan. He added the Mr. Mann accompanied him on the outreach. A key feature on his overlay was a pickleball court and expanded meadows. He also commented on the pedestrian entry points, noting areas that are flood prone, etc. He suggested a large pavilion, the addition of a guardrail over the vehicular access road, changes to the seating areas, a kayak area, and a rehabbed ball field. He suggested more meetings with opportunities for public comment. Mr. Juncosa noted some of the similarities between the comments and the proposed plan while stating that the plan was always intended to be fluid; it would contain close but not necessarily exact details. Mr. Lipsen added detail regarding water lines, storage shed and the pavilion. Once again, Mr. Lipsen suggested more public meetings to engage the community.

Ms. Eileen Foley, 11 Bridge Street, said that Council should listen to the public and consider the changes Mr. Lipsen offered. She suggested that Mr. Vandegrift wanted to just adopt the plan. Mr. Vandegrift clarified that he envisions the master plan as a guiding document.

Mr. Thomas said that a priority list is another step. He said, for example, that if the playground/court corner was to be a focus of a grant, the finer details and planning would be conducted at that time. He said that would occur anytime a particular area was targeted for action. In response to a question raised by Mr. Vandegrift, Mr. Thomas said he didn't think precise detail was required to adopt the plan as long as the elements of it are identified. Mr.

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Juncosa reminded all that a survey of residents was conducted on the way to developing this eventual plan.

Ms. Christine Slack, 7 Risler Street, thanked Mr. Vandegrift, Mr. Mann, Mr. Juncosa and Lorriane for their work. She said that, she, too, had numerous conversations with neighbors and volunteers, and affirmed the priorities Mr. Lipsen discussed, including the pickleball court and pavilion. Mr. Juncosa fielded her comments point by point. Additional discussion followed regarding when to incorporate changes versus adopt now. Mr. Thomas said the changes were not significant but perhaps a more refined version could be drafted in time for September. Mayor Nemeth suggested that the subcommittee meet in between and ahead of a vote in September. Mr. Messina clarified that the subcommittee would invite the public to their meeting. Ms. Slack asked if the benches could be installed first, and Mr. Vandegrift said that could be cleared with a quick phone call to Mr. Thomsas. Ms. Hovan asked that the subcommittee provide details for the meeting and it would be posted to the website.

Ms. Carolyn Murphy asked if the Borough has looked into Sustainable Jersey, stating that grants could be available through that group. Ms. Murphy said that some action was taken in 2010 but no action since. Ms. Hovan said that the group that volunteered to work on the certification abandoned the effort. She said that due to Stockton's size and infrastructure to achieve certification on its own.

Mr. Dennis Bertland said he was pleased that things were moving forward with the park master plan and affirmed that it was just a concept. He said there were many variables and entities that have jurisdiction over certain areas and elements. There being no further questions or comments, the meeting was closed to the public on motion by Mr. Juncosa, seconded by Mr. Messina and carried.

Mr. Lipsen returned to the dais/panel.

Minutes – the meeting minutes from March 8, 2021 Regular Meeting were approved on motion by Mr. Juncosa, seconded by Mr. Lipsen and carried. The meeting minutes from May 24, 2021 Special Meeting were approved on motion by Mr. Juncosa, seconded by Mr. Lipsen and carried.

Ordinance No. 21-07 – First Reading – Capital (Master Plan Reexamination Report and Fair Share Housing Element)

"CAPITAL ORDINANCE TO AUTHORIZE SECTION 20 EXPENSES, INCLUDING PLANNING AND LEGAL SERVICES ASSOCIATED WITH THE PREPARATION OF AN AMENDMENT TO THE BOROUGH OF STOCKTON HOUSING PLAN ELEMENT AND FAIR SHARE PLAN, AND FOR PLANNING, ENGINEERING, AND LEGAL SERVICES ASSOCIATED WITH THE PREPARATION OF A MASTER PLAN REEXAMINATION REPORT BY THE STOCKTON BOROUGH PLANNING BOARD, BY AND FOR THE BOROUGH OF STOCKTON, IN THE COUNTY OF HUNTERDON, AND THE EXPENDITURE OF \$30,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE FINANCING THEREOF"

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Ms. Hovan briefly explained the ordinance and noted that supporting information regarding the Borough's affordable housing obligation was provided in the meeting packets. Mr. Lipsen asked if the Master Plan has existing deficiencies. Mr. Juncosa noted that updates are required every 10 years and while this is a bit early, enough has changed to warrant an update at this time. He also said that the zoning ordinances could use some work. Mr. Lipsen asked if there were grants to fund codifying the zoning ordinances. Ms. Hovan said that the project was funded years ago but the Planning Board will need to spend a few years to make sufficient recommendations for the project to go forward. She said it was an enormous document task.

Resolution No. 2021-45, as filed in the Borough Clerk's office and to introduce Ordinance No. 21-07, was adopted on motion by Mr. Juncosa, seconded by Mr. Mann and carried.

Roll Call: Ayes: Juncosa, Lipsen, Mann, Messina, Vandegrift
Nays: None
Absent: Hendricks
Abstain: None

The following Resolutions were adopted on motion by
2021-46 Municipal Alliance Grant Application
2021-47 Liquor License Renewal – Strackhouse Restaurant, LLC (Stockton Inn)
2021-48 Liquor License Renewal – Tilch Fine Wines, LLC

Roll Call: Ayes: Juncosa, Lipsen, Mann, Messina, Vandegrift
Nays: None
Absent: Hendricks
Abstain: None

Claims for Payment – the claims for payment, as attached, were approved on motion by Mr. Juncosa, seconded by Mr. Messina and carried unanimously.

Roll Call: Ayes: Juncosa, Lipsen, Mann, Messina, Vandegrift
Nays: None
Absent: Hendricks
Abstain: None

Discussion – Pursuit of Available Grants

Mr. Mann said the Green Acres grant requires a public meeting with Council action to follow. Ms. Hovan said that Mr. Thomas addressed that grant/question earlier. Mr. Butler said the suggestion was to pursue smaller grants at this stage. Mr. Lipsen said that he would volunteer for the grants committee and said that Ms. Hendricks would as well. Mayor Nemeth suggested that the subject be carried until the next meeting. Mr. Lipsen asked if he could be on the committee despite his proximity to the park and/or could he participate as a resident? Mr. Butler said there would likely be issues so he'd need to take a closer look at when there is more information.

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Mayor Nemeth opened the meeting to the public. Mr. Bill Brown, 19 Broad Street, suggested that Council review the 2014 Master Plan recommendations before commencing a new report. He said a lot of work has been put in already. He said Council should start by acting on the existing recommendations. Mr. Eric Desibus, 3 Risler Street, asked if it was necessary to redevelop the Stockton Inn and if the town could support the increase in infrastructure. He accused Mr. Vandegrift of jumping on the bandwagon. Mr. Desibus said "the community comes first, not someone's big pockets."

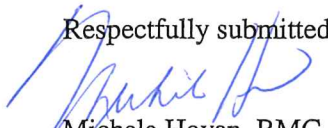
There being no additional comments, the meeting was closed to the public on motion by Mr. Mann, seconded by Mr. Juncosa and carried.

Mr. Juncosa briefly discussed fire code violations and said there was much work to do. Mr. Lipsen announced the road work for Hilltop/Moore and wanted to make sure residents were notified. Ms. Hovan said that affected residents were notified personally and the information was posted on the website.

Mayor Nemeth announced that the next meeting would be held via Zoom (7pm) to adopt the budget on June 28, 2021, that the July 12, 2021 Regular Meeting is cancelled and that the next Regular meeting would be held on August 9, 2021 (7 pm Zoom)

On motion by Mr. Messina, seconded by Mr. Juncosa and carried, the meeting was adjourned at 10:52 pm.

Respectfully submitted,


Michele Hovan, RMC
Borough Administrator/Clerk