

**STOCKTON BOROUGH COUNCIL**

**Regular Meeting Agenda**

**May 20, 2024 – 7:00 pm**

**9 Mill Street, Stockton, NJ (Stockton Fire House)**

1. **CALL TO ORDER AND STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT:** This meeting is called pursuant to the provisions of the Open Public Meetings Act. Adequate notice of this meeting has been provided by a notice mailed to the Hunterdon County Democrat and The Trenton Times, posted on the Borough Website, on the window of Borough Hall, and filed with the Borough Clerk as required by law.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**

Brown, Fisher, Folz, Hunt, Kozuhowski, Mann, Lipsen

1. **PROCLAMATION:** None
2. **APPROVAL OF MINUTES**

April 17, 2023

March 18, 2024

April 3, 2024(Special)

April 15, 2024

1. **CORRESPONDENCE**

* John Pelton-Rt 523 & Rt 29 Concerns
* Stepehen Giocondo-Parking Ordinance request(added 5/20/24)

1. **OLD BUSINESS**

* **Flood Insurance**
* **Shared Service Agreement: Tax Assessor**
* **Garbage Bid Specs-discussion.**
* **Worman Road**
* **Tree Ordinance:**

1. **NEW BUSINESS**

* **Developer’s Agreement-Stockton Market**
* **Cross Acceptance-Hunterdon County**
* **Appointment of Michelle Purcell to the Lower Delaware Wild and Scenic Representative**
* **Resignation: Steven P. Giocondo Planning Board**
* **Repeal Parking Ordinance 18-01**
* **Discussion Noise Ordinance**

1. **OPEN PUBLIC COMMENT:**

Any person desiring to address the Borough Council during periods designated for public comment shall first seek recognition by the mayor, or presiding officer, and upon recognition shall state their name and address. All comments shall be addressed to the mayor, or presiding officer. Comment will be limited to 5 minutes per comment.

1. **ORDINANCES 1st Reading:**

* 24-06 Improvements-Water and Sewer Utilities
* 24-07 Off Street Parking

**ORDINANCES-2nd Reading Public Hearing/Adoption**

* 24-05 CAP Ordinance

1. **RESOLUTIONS**

24-47 Budget (Hearing/Adoption)

24-48 Deputy Finance salary

24-49 Payment of Bills and Claims

24-50 Shared Service-Appointment of Tax Assessor

24-51 Self Examination -Budget

24-52 Lawn and Property maintenance agreement (Pending)

24-53 Tax Assessor Appointment

24-54 Infrastructure Grant

24-55 Sub Committee (added 5/18/24)

24-56 Developers Agreement (added 5/20/24)

1. **MAYOR’S REPORT, BOROUGH COUNCIL COMMENTS, & COMMITTEE REPORTS**
2. **OPEN PUBLIC COMMENT**

Any person desiring to address the Borough Council during periods designated for public comment shall first seek recognition by the mayor, or presiding officer, and upon recognition shall state their name and address. All comments shall be addressed to the mayor, or presiding officer. Comment will be limited to 5 minutes per comment.

1. **EXECUTIVE SESSION**

**Contractual-School Parking Lot**

**Lawn and Property maintenance agreement (added 5/18/24)**

1. **POTENTIAL ACTIONS ON ITEMS FROM EXECUTIVE SESSION**
2. **NEXT MEETING –** June 17, 2024
3. **ADJOURNMENT**

**ORDINANCE 24-05**

**CALENDAR YEAR 2024**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

**(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS,** N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Stockton in the County of Hunterdon finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to $5,354.65 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Stockton, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of Stockton shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to $5,354.65, and that the CY 2024 municipal budget for the Borough of Stockton be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED,** that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: April 15, 2024

**ORDINANCE 2024-06**

**AN ORDINANCE OF THE BOROUGH OF STOCKTON AUTHORIZING GENERAL IMPROVEMENTS TO THE WATER AND SEWER UTILITIES AND APPROPRIATING $140,000 THEREFOR FROM\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Stockton in Hunterdon County, New Jersey as follows:

**Section 1.** The Borough of Stockton in Hunterdon County (“Borough”) is hereby authorized to undertake work in furtherance of improvements to its Water and Sewer Utilities, and specifically the procurement of goods and services necessary to complete said improvements (the “Work”).

**Section 2.** The improvements authorized to be included within the Work shall include, but not necessarily be limited to, the following projects:

Water and sewer line infiltration investigation and repair;

Sewer pump station upgrades;

Sewer pump station generator replacement;

Lead, copper, galvanized, and damaged water line replacement

Fire hydrant repair and replacement;

Well wiring upgrades;

Well repair and/or installation of a new well;

Water system treatment and chemical storage upgrades;

Water storage tank repairs;

Water valve repairs and replacement;

Water meter replacement and repairs;

Water meter reading equipment; and

**Section 3.** The Work authorized by Sections 1 and 2 of this ordinance shall be undertaken as a general improvement, the entire cost of which shall be contributed and borne by the Borough as a general expense, and no part of said cost shall be specially assessed against any property. The total cost of said Work shall not exceed $140,000 unless this ordinance is amended.

**Section 4** It is hereby determined and stated that the undertaking of the Work (hereinafter “Purpose”) is not a current expense of the Borough; and that the total estimated cost of said Purpose shall not exceed $140,000.

**Section 5.** The sum of $140,000 is appropriated for said Purpose from \_\_\_\_\_\_\_\_\_\_\_\_ and now available therefor under a budget or budgets of the Borough previously adopted.

**Section 6.** The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of an inconsistency therewith and the resolutions 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 as on file with the Borough Clerk and is available for public inspection.

**Section 6.** This ordinance shall take upon adoption and publication as provided by law.

Introduced: May 21, 2024

Public Hearing/Adoption: June 17, 2024

**Ordinance # 24-07**

**AN ORDINANCE OF THE BOROUGH OF STOCKTON REGULATING OFF-STREET PARKING REQUIREMENTS IN NON-RESIDENTIAL DISTRICTS and FOR NON-RESIDENTIAL BUILDINGS AND USES, AND AMENDING ARTICLE 6 OF “THE BOROUGH OF STOCKTON ZONING ORDINANCE OF 1975”**

**WHEREAS,** by Ordinance 18-01 adopted on February 12, 2018, the Council of the Borough of Stockton amended Article 6, “Off-Street Parking and Loading,” of “The Borough of Stockton Zoning Ordinance of 1975,” to eliminate off-street parking requirements for non-residential buildings and uses except when the gross floor area increased; and

**WHEREAS,** the Borough Council seeks to remove the language, established through Ordinance 18-01, which limited the necessity of an applicant’s compliance with off-street parking to only non-residential buildings and additions that increased the gross floor area, and replace same with updated requirements to ensure that all applicants for non-residential buildings and uses comply with the off-street parking requirements; and

**WHEREAS,** the purpose of this amendment to Article 6 is to ensure that the adequacy of parking, and impact of same on the public, is properly considered on all non-residential land use applications.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Stockton in Hunterdon County, New Jersey as follows:

**Section 1. Section 6.03-1.01 of Zoning Ordinance – Off-Street Parking.**

Section 6.03-1.01 of Article 6 of “The Borough of Stockton Zoning Ordinance of 1975” is hereby amended to read as follows (additions are underlined; deletions are [~~bracketed and struck~~]):

**Article 6.**

**Off-Street Parking and Loading**

**6.03 Non-Residential Off-Street Parking.**

**6.03-1.01.** The number of off-street parking spaces required by the specific use shall be provided [~~based only on the additional gross floor area added. A~~] for all new buildings or additions to existing buildings in the non-residential districts[ ~~and~~], for non-residential buildings and uses and buildings in the residential-business (permitted) district and for non-residential uses in residential districts, in accordance with the following schedule [~~shall be required to comply with the Schedule of Required Off-Street Parking Facilities~~].

**Section 2.    Severability.**

Each section, subsection, sentence, clause, and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and 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 3.** **Repealer.**

All ordinances or parts thereof inconsistent with this ordinance are hereby repealed.

**Section 4. Effective Date.**

This ordinance shall be in full force and effect from and after its adoption and publication as required by law and the filing of a copy with the Hunterdon County Planning Board.

Introduced: May 21, 2024

Public Hearing/Adoption: June 17, 2024

**2024 Municipal Budget**

RESOLUTION 2024-47

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **2024 Dedicated SEWER** | **Utility Budget** |  | | |
| **Summary of Revenues** | **A** | **nticipated** | | |
| **2024** |  | **2023** |  |
| 1. Surplus |  |  | 15,850.00 |  |
| 2. Miscellaneous Revenues |  |  | 283,140.00 |  |
| 3. Deficit (General Budget) |  |  |  |  |
| Total Revenues |  |  | 298,990.00 |  |
|  |  |  |  |  |
| **Summary of Appropriations** | **2024 Budget** |  | **Final 2023 Budget** |  |
| 1. Operating Expenses: Salaries & Wages |  |  | 24,378.00 |  |
| Other Expenses |  |  | 214,225.00 |  |
| 2. Capital Improvements |  |  | 45,000.00 |  |
| 3. Debt Service |  |  | 13,522.00 |  |
| 4. Deferred Charges & Other Appropriations |  |  | 1,865.00 |  |
| 5. Surplus (General Budget) |  |  |  |  |
| Total Appropriations |  |  | 298,990.00 |  |
| Total Number of Employees |  |  |  |  |

**of the BOROUGH of STOCKTON County of**

**HUNTERDON for the fiscal year 2024.**

**Revenue and Appropriations Summaries**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Summary of Revenues** | | | | | **Anticipated** | | | |
| **2024** |  | **2023** |  |
| 1. Surplus | | | | | 152,625.00 |  | 225,027.44 |  |
| 2. Total Miscellaneous Revenues | | | | | 292,230.21 |  | 184,954.34 |  |
| 3. Receipts from Delinquent Taxes | | | | | 15,000.00 |  | 20,000.00 |  |
| 4. a) Local Tax for Municipal Purposes | | | | | 549,589.11 |  | 528,272.40 |  |
| b) Addition to Local School District Tax | | | | |  |  |  |  |
| c) Minimum Library Tax | | | | |  |  |  |  |
| Tot Amt to be Rsd by Taxes for Sup of Muni Bnd | | | | | 549,589.11 |  | 528,272.40 |  |
| Total General Revenues | | | | | 1,009,444.32 |  | 958,254.18 |  |
| **Summary of Appropriations** | | | |  | **2024 Budget** |  | **Final 2023 Budget** |  |
| 1. Operating Expenses: Salaries & Wages | | | |  | 138,395.00 |  | 109,691.00 |  |
| Other Expenses | | | |  | 539,181.32 |  | 530,319.18 |  |
| 2. Deferred Charges & Other Appropriations | | | |  | 34,193.00 |  | 35,449.00 |  |
| 3. Capital Improvements | | | |  | 43,000.00 |  | 30,000.00 |  |
| 4. Debt Service (Include for School Purposes) | | | |  | 119,675.00 |  | 117,795.00 |  |
| 5. Reserve for Uncollected Taxes | | | | # | 135,000.00 |  | 135,000.00 |  |
| Total General Appropriations | | | |  | 1,009,444.32 |  | 958,254.18 |  |
| Total Number of Employees | | | |  |  |  |  |  |
| **2024 Dedicated WATER** | | | | | **Utility Budget** |  | | |
| **Summary of Revenues** | | | | | **A** | **nticipated** | | |
| **2024** |  | **2023** |  |
| 1. Surplus | | | | |  |  | 9,378.00 |  |
| 2. Miscellaneous Revenues | | | | |  |  | 116,180.00 |  |
| 3. Deficit (General Budget) | | | | |  |  |  |  |
| Total Revenues | | | | |  |  | 125,558.00 |  |
|  | | | | |  |  |  |  |
| **Summary of Appropriations** | | | | | **2024 Budget** |  | **Final 2023 Budget** |  |
| 1. Operating Expenses: Salaries & Wages | | | | |  |  | 24,378.00 |  |
| Other Expenses | | | | |  |  | 81,089.00 |  |
| 2. Capital Improvements | | | | |  |  |  |  |
| 3. Debt Service | | | | |  |  | 18,226.00 |  |
| 4. Deferred Charges & Other Appropriations | | | | |  |  | 1,865.00 |  |
| 5. Surplus (General Budget) | | | | |  |  |  |  |
| Total Appropriations | | | | |  |  | 125,558.00 |  |
| Total Number of Employees | | | | |  |  |  |  |
| **2024 Dedicated WATER/SEWER** | | | | | **Utility Budget** | | | |
| **Summary of Revenues** | | | | | **Anticipated** | | | |
| **2024** |  | **2023** |  |
| 1. Surplus | | | | | 130,000.00 |  |  |  |
| 2. Miscellaneous Revenues | | | | | 396,390.78 |  |  |  |
| 3. Deficit (General Budget) | | | | |  |  |  |  |
| Total Revenues | | | | | 526,390.78 |  |  |  |
|  | | | | |  |  |  |  |
| **Summary of Appropriations** | | | | | **2024 Budget** |  | **Final 2023 Budget** |  |
| 1. Operating Expenses: Salaries & Wages | | | | | 53,000.00 |  |  |  |
| Other Expenses | | | | | 304,918.78 |  |  |  |
| 2. Capital Improvements | | | | | 150,000.00 |  |  |  |
| 3. Debt Service | | | | | 14,372.00 |  |  |  |
| 4. Deferred Charges & Other Appropriations | | | | | 4,100.00 |  |  |  |
| 5. Surplus (General Budget) | | | | |  |  |  |  |
| Total Appropriations | | | | | 526,390.78 |  |  |  |
| Total Number of Employees | | | | |  |  |  |  |
|  | **Balance of Outstanding Debt** | | | | |  | | |
|  |  | **General** |  | | **WATER** |  | **SEWER** |  |
| Interest |  | 36,045.35 |  | |  |  |  |  |
| Principal |  | 677,970.25 |  | |  |  |  |  |
| Outstanding Balance |  | 714,015.60 |  | |  |  |  |  |
|  | **Balance of Outstanding Debt** | | | | | | | |
|  |  | **WATER/SEWER** |  | |  |  |  |  |
| Interest |  | 7,708.04 |  | |  |  |  |  |
| Principal |  | 157,307.00 |  | |  |  |  |  |
| Outstanding Balance |  | 165,015.04 |  | |  |  |  |  |

**RESOLUTION 2024-48**

**DEPUTY FINANCE SALARY**

**BE IT RESOLVED** by the Borough Council of the Borough of Stockton that the below salaries, wages or compensation shall be paid to the officers and employees of the Borough of Stockton for the year 2024, effective January 1, 2024:

Deputy Finance 1,751.00

**Resolution 2024-49**

**Authorizing Payment of Municipal Obligations**

**WHEREAS,** the Mayor and Council of the Borough of Stockton find and declare that certain municipal obligations have come due and are now payable; and

**WHEREAS,** the Mayor and Council of the Borough of Stockton further find and declare that said obligations have been itemized on the annexed schedules, which are hereby attached and deemed part of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Stockton, County of Hunterdon, State of New Jersey does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Treasurer in the amount of $

**RESOLUTION 2024-50**

**Authorizing Execution of Shared Services Agreement – Tax Assessor**

**WHEREAS,** the Borough of Stockton has a need for a Tax Assessor; and

**WHEREAS**, the Township of Delaware Tax Assessor is available to assist the Borough of Stockton with performance and provisions of the requirements of the Tax Assessor position per statutes and guidelines; and

**WHEREAS**, in enacting the “Uniform Shared Services and Consolidation Act,” N.J.S.A. §40A:65-1 et seq., the New Jersey Legislature has permitted municipalities to enter into agreements to provide or receive services to/from one another as a means to reduce municipal expenses; and

**WHEREAS,** accordingly, the Township of Delaware and Borough of Stockton desire to enter into this Interlocal Shared Services Agreement (“Agreement”) through which the Delaware Township Tax Assessor shall serve as Tax Assessor for the Borough of Stockton and the Township of Delaware.

**WHEREAS,** said agreement shall be effective for a period of two (2) years, commencing June 1, 2024 and terminating on May 31, 2026; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stockton, County of Hunterdon, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute an Interlocal Shared Services Agreement with the Township of Delaware for Tax Assessor services; and

**BE IT FURTHER RESOLVED** that the Interlocal Shared Services Agreement shall take effect upon the adoption of appropriate resolutions by all the parties thereto, and execution of agreements authorized thereunder as set forth in the agreement.

**Stockton Borough Council  
Resolution #24-51**

**Local Budget Examination**

**WHEREAS**, NJSA 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

**WHEREAS**, NJAC 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

**WHEREAS**, pursuant to NJAC 5:30-7.2 thru 7.5 the Borough of Stockton has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2024 budget year.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Stockton that the in accordance with NJAC 5:307.6a & b and based upon the Chief Financial Officers certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
   1. Payment of interest and debt redemption charges
   2. Deferred charges and statutory expenditures
   3. Cash deficit of preceding year
   4. Reserve for uncollected taxes
   5. Other reserves and non-disbursement items
   6. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to NJSA 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (Complies with the "CAP" law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and NJAC 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
   1. All estimates of revenue are reasonable, accurate, and correctly stated
   2. Items of appropriation are properly set forth
   3. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of NJSA 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Stockton Borough Council at a meeting held on May 20, 2024.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Laurie A. Courter, RMC

Borough Clerk

**CERTIFICATION OF APPROVED BUDGET**

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to NJSA 40A:4-78b and NJAC 5:30-7.

It is further certified that the municipality has met the eligibility requirements of NJAC 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with NJAC 5:307.6.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Diane McDaniel,Chief Financial Officer

**RESOLUTION 2024-53**

**Authorizing Appointment of Tax Assessor**

**WHEREAS**, N.J.S.A. 40A:9-146 requires every Municipality to provide for the appointment of a Tax Assessor; and

**WHEREAS**, on May 31, 2024, current Borough of Stockton Tax Assessor Michelle Trivigno will retire, leaving a vacancy in the position; and

**WHEREAS**, Nicole Izzo holds a valid Tax Assessor Certificate and possess the training and experience needed to fill this vacancy; and

**WHEREAS**, the Personnel Committee and Mayor of the Borough of Stockton recommends Nicole Izzo for the position of Tax Assessor

**NOW, THEREFORE, BE IT RESOLVED**, that they Borough Council of the Borough of Stockton, County of Hunterdon, State of New Jersey hereby appoints Nicole Izzo to Tax Assessor effective June 1, 2024 – June 30, 2024 and then July 1, 2024 – June 30, 2028 at an annual salary of $8,000.

**BE IT FURTHER RESOLVED**, the initial and continued appointment authorized by the resolution shall be subject to and conditioned upon a twelve month probationary period and upon Nicole Izzo holding and maintaining certification as a Tax Assessor.

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby directed to file a copy of this resolution to the State Department of Treasury – Division of Taxation Acting Director Marita R. Sciarrotta and Hunterdon County Tax Administrator Tony Porto.

**Stockton Borough Council  
Resolution #24- 54   
Supporting Borough of Stockton’s Application for Hunterdon County Municipal Infrastructure Grant for**

**New Sewer Pumping Station Generator**

**WHEREAS**, the Borough desires to further the public interest by improving its Sewer Utility infrastructure and specifically, by procuring a new sewer pumping station generator; and

**WHEREAS,** the new sewer pumping station generator is anticipated to cost the Borough over $120,000 for its procurement and installation; and

**WHEREAS,** the Borough seeks to apply for a grant through the Hunterdon County Municipal Infrastructure Grant (“HCMIG”) Program to fund up to $100,000 of the cost of the new equipment; and

**WHEREAS,** the application for the HCMIG Program must be filed no later than June 28, 2024; and

**WHEREAS,** Council supports the Borough’s application for HCMIG Program grant funds in furtherance of its purchase of a new sewer pumping station generator.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stockton, County of Hunterdon, State of New Jersey, as follows:

1. The Borough supports the pursuit of up to $100,000 in grant funds through the Hunterdon County Municipal Infrastructure Grant Program towards the cost of a new sewer pumping station generator.
2. The Mayor and Clerk, and such other officials and employees, are hereby authorized and directed to execute such documentation and application materials as may be necessary to apply for these grant funds.

**Stockton Borough Council  
Resolution #24- 55  
Authorizing Appointment of Council Subcommittee to Select Law Firm to Assist Borough of Stockton with PFAS Class Action Lawsuit and Authorizing Subcommittee and Mayor to execute Agreement for Legal Services in Connection Therewith**

**WHEREAS**, the Borough of Stockton is committed to maintaining safe drinking water for the users of its Water System; and

**WHEREAS,** the New Jersey Department of Environmental Protection and United States Environmental Protection Agency have designated per- and polyfluoroalkyl substances (“PFAS”), also referred to as “forever chemicals,” as contaminants for which testing, treatment and remediation are necessary to ensure the safety of the public water systems; and

**WHEREAS,** there is a pending multi-district litigation which is being overseen by the United States District Court for the District of South Carolina, including settlements to resolve claims involving PFAS contamination in Public Water Systems’ Drinking Water by Defendants 3M company (“3M”); E.I. Du Pont de Nemours and company, Dupont de Nemours inc., the Chemours company, the Chemours company fc, llc, and Corteva, inc. (collectively, “Dupont”); and Tyco Fire Products and Chemguard, Inc. (collectively, “the Tyco Defendants”)

**WHEREAS,** the Borough has been investigating and researching this pending litigation and settlements, as well as meeting with law firms uniquely qualified to represent the Borough’s interests in connection with same; and

**WHEREAS**, at this time the Council seeks to appoint three Council members to continue these investigations and research, and for purposes of selecting one qualified law firm to pursue these and similar claims on the Borough’s behalf; and

**WHEREAS**, there shall be no out-of-pocket expenses or costs to the Borough for its pursuit of these claims, as any agreement with a law firm in connection herewith shall be based on a contingent fee arrangement.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stockton, County of Hunterdon, State of New Jersey, as follows:

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ are hereby appointed to serve as members of a PFAS Litigation Subcommittee on the Council’s behalf.
2. The PFAS Litigation Subcommittee shall be authorized and directed to select a qualified law firm for purposes of representing the Borough’s interests in connection with the PFAS claims identified in this Resolution.
3. The Mayor shall be authorized and directed to execute an Agreement for an appropriate contingent fee arrangement with the selected law firm, the terms of which shall be subject to the approval of the Borough Attorney.

**Stockton Borough Council  
Resolution #24- 56**

**AUTHORIZING THE EXECUTION OF A DEVELOPER’S AGREEMENT WITH FINALE PARNTERS, LLC**

**19 Bridge Street (Block 9, Lot 9)**

**WHEREAS,** Finale Partners, LLC (“Developer”) is the owner of certain property that is designated as Block 9, Lot 9 on the Tax Map of the Borough of Stockton, Hunterdon County, State of New Jersey, more commonly known as 19 Bridge Street, Stockton, New Jersey (the “Property”); and

**WHEREAS,** the Borough of Stockton Planning Board (hereinafter the “Board”), granted Developer Minor Site Plan and bulk variance approval to allow the development of the Property for use as a retail bakery and retail store selling prepared foods, ice cream, and home goods (the “Approval”), the details of which are set forth in the Resolution of the Board adopted on September 5, 2023 (the “Resolution”); and

**WHEREAS,** the Board’s Approval is subject to the conditions set forth in the Resolution, including that the parties shall enter into a developer’s agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stockton, County of Hunterdon, State of New Jersey, as follows:

1. The preamble to this resolution is hereby incorporated as if more fully set forth herein.

2. The developer’s agreement between the Borough of Stockton and Finale Partners, LLC, a copy of which is on file with Clerk of the Borough of Stockton, is hereby approved, and the Mayor and Clerk are hereby authorized and directed to execute said agreement on behalf of the Borough.

3. The Mayor, Clerk, Borough Attorney, and other appropriate officers, employees and professionals, are hereby authorized and directed to prepare and execute any and all other documents and undertake any and all acts necessary to effectuate the terms hereof.

4. This resolution shall take effect immediately.