



STOCKTON BOROUGH COUNCIL REGULAR MEETING MINUTES Date: May 20, 2024 – 7:00 P.M.

Mayor Aaron Lipsen called the regular meeting of the Stockton Borough Council to order on May 20, 2024 at 7:00 P.M. Mayor Lipsen announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was transmitted to the Hunterdon County Democrat and the Trenton Times, was posted on the Borough Website, posted on the door at the Municipal Building and filed with the Borough Clerk.

ROLL CALL

Present: Councilperson William Brown, Councilperson Peter Folz, Council President Thomas Hunt, Councilperson Ken Kozuhowski, Mayor Aaron Lipsen, Borough Attorney Lisa Maddox, and Borough Clerk Laurie A. Courter

ABSENT: Councilperson Matthew Fisher and Councilperson Michal Mann

PLEDGE OF ALLEGIANCE

Mayor Lipsen led those in attendance in the pledge to the nation's flag.

APPROVAL OF MINUTES

Motion made by Hunt and seconded by Kozuhowski to approve the following minutes, all were in favor:

April 17, 2023; March 18, 2024; April 3, 2024; and April 15, 2024

CORRESPONDENCE

The following correspondences were received and filed:

- John Pelton-Rt 523 & Rt 29 Concerns
- Stephen Giocondo-Parking Ordinance request

OPEN PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

Mayor Lipsen opened the floor to public comment.

Mike Odenwald-Risler Street asked if they would discuss the budget tonight and when it is appropriate for questions related to the budget. Mayor Lipsen stated he may make a comment now or at the public hearing for budget.

Stephen Giocondo, inquired about verifying that the letter in front of council is dated is May 8th. Mr. Giocondo proceeded to discuss his letter and his proposal regarding on street parking. It was verified the correct letter was present before council. Giocondo pointed out item #9 in his letter and

that he would entertain any questions council may have. Hunt stated that he personally knows that there are some people that have cars that belong to their children, but they are not abandoned, and those cars may be parked on designated parking areas and asked Mr. Giocondo if his suggested ordinance would affect that. Giocondo responded that he doesn't write legislation but the point of this is an abandoned car. Discussions regarding the off-street parking and the proposed ordinance ensued. Mr. Giocondo stated that the car he is referencing hasn't moved for eight months. Concerns of overgrowth and impeding traffic flow were discussed. Mr. Giocondo suggested vehicles that are not used five or more days a week citing his ordinance proposal be implemented. Mayor Lipsen responded that they can look into it regarding his proposed ordinance. Kozuhowski stated that he went and investigated and looked at the vehicle, which doesn't meet the definition of being abandoned. State trooper looked at it also and it does not pose any danger to public and does not impede the traffic. Kozuhowski stated that traffic will be a major concern and parking a huge concern especially with Stockton Inn and Stockton Market opening soon.

Foley-Bridge Street commented that in front of her house a car is parked for about three months. This is the only place she can park, and she did write a letter to mayor and was told to address it to the State Police. Foley stated that there should be something in place regarding parking so that people can't just come and park for months.

Kathy Brown 7 North Main Street-stated that some of her neighbors noticed someone intermittingly sleeping behind the market in a car and added that she is not sure what rules apply in that scenario. Kozuhowski suggested that she contact State Police due to the unusual aspect of that scenario.

Mike Odenwald, Risler Street, stated that two months ago he had supplied via email details how to utilize a private parking lot. There are close to 40 spots right in center of town. Find a way for the town to make use of that for the impending parking challenges. Lipsen responded that Mr. Singh should correspond with council and that council is not clear on what Mr. Singh would offer. Odenwald responded that Mr. Singh has interest in providing parking. Odenwald inquired about his correspondence (email) to the mayor and noticed that it is not on the agenda. Mayor Lipsen replied that they don't put every correspondence on the agenda. Advised Mr. Odenwald that next time he should email directly to Borough Council and Mayor and request that it be put on agenda as correspondence.

Hearing no other members of the public speak up, Mayor Lipsen closed the floor to public comment.

OLD BUSINESS

- Flood Insurance- Mayor Lipsen recapped the insurance premiums. Discussed the value of replacement of the building. Spoke with zoning officer who sent over some material regarding past flooding. The borough is insured at \$273,000 right now. Mayor Lipsen commented that \$273,000 would go a long way to cover our losses. Mayor Lipsen asked for any thoughts on this; keep as is or raise the value. Kozuhowski asked if we could shop around. CFO, Diane McDaniel responded that you can but you have to wait and added that it could be risky and it could be a higher amount. Mayor Lipsen discussed the building and what would be replaced. Hunt stated that he

would be interested in knowing if the price was \$400,000. Kozuhowski opined to keep it at what we have now. Discussions ensued regarding coverage and future flooding and what FEMA would cover with Mayor Lipsen stated that they will get back to this subject at another time with more discussions.

- Shared Service Agreement Tax Assessor-Mayor Lipsen explained that there is a resolution on tonight's agenda to approve. This is a shared service with Delaware Township for a Tax Assessor. Office hours for Stockton will be held at the Delaware Township building. Stockton's share would be \$8000. Mayor Lipsen explained that the new assessor will be hired by Delaware Township as lead agency with a shared service with Stockton.
- Garbage Bid Specifications-discussion Mayor Lipsen stated that the borough received information from Republic, the borough's waste hauler. The contract has been expired for some time. The DEP wants us to go out to bid for a new contract. We can expect a large increase in cost for garbage collection. There are three different versions of the bid specs. Lengthy discussions ensued regarding the types of options for the bid specs including a possible hybrid option. Attorney Maddox asked that the council review the specs and come back with any questions they have. The potential bid opening will be in August and a start date sometime in October possibly.
- Worman Rd update-Mayor Lipsen stated that he was going back and forth with engineer last week and it is now back with the DEP. They are waiting for the endangered species report to look at and certify things. Mayor Lipsen added that he has been trying to reach out to DEP to find out what's going on. Hoping to get it out to bid this year. Every delay is a setback.
- Tree Ordinance-Mayor Lipsen stated that they have been doing a lot of research but is not ready to bring it to council yet. The NJ Clerks Association along with the Farming Bureau and also NJLM will be discussing this at a future meeting to accommodate farmers cutting trees without dealing with huge fees. Attorney Maddox added that we have some good input and ideas and many towns are also facing this issue with farmers.

NEW BUSINESS

- Hunterdon County Master Plan Cross-Acceptance Developer's Agreement-Stockton Market -Mayor Lipsen announced that on May 30th at 4 pm there will be a meeting and asked for any volunteers to attend the meeting. Brown stated he will go but added that someone from the planning use board should go as well. Attorney Maddox stated that the Planner will be attending as well.
- Appointment of Michelle Purcell to the Lower Delaware Wild and Scenic Committee Ms. Purcell stated that she is excited to be a representative of Stockton.
- Retirement: Stephen P. Giocondo Planning Board Member –Mayor Lipsen made remarks and the mayor, council, and most people in attendance gave a standing ovation for Mr. Giocondo for his retirement and his years on various boards with Stockton Borough. Stephen thanked everyone for the recognition.
- Repeal Parking Ordinance 18-01-Mayor Lipsen stated that the planning board had a vote to repeal the parking ordinance that took oversight from the planning board. They voted unanimously to remove 18-01 to have planning board oversight for cost effectiveness. Attorney Maddox explained what this would mean by the repeal, which would require any nonresidential development that is subject to planning board approval to provide off street parking. They would need to seek a variance. The borough can return to the original language which is to require the planning to review off street parking in non-residential setting. Attorney Maddox stated that she drafted an ordinance that was distributed. Mayor Lipsen stated that they can introduce it tonight later in the meeting.
- Discussion Noise Ordinance-Mayor Lipsen stated that the borough's noise ordinance has some deficiencies. Attorney Maddox added that the current ordinance is more or less a nuisance ordinance, which is very common. Attorney Maddox stated that they can conform to what the state has and model their ordinance to comply. Leaf blowers have been an issue in some towns. Dealing with them is a noise ordinance and having use of one be restricted. Lengthy discussions ensued regarding what to include such as animals, construction and other noise issues. Attorney Maddox was instructed to go ahead with the nuisance revisions and bring back to council.

ORDINANCES 1st Reading

Motion made by Hunt and seconded by Folz to approve on first reading Ordinance 24-6.

Roll call: Brown, Folz, Hunt and Kozuhowski.

Ayes: 4

Nays: 0

Motion passes.

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 UTILITY CAPITAL IMPROVEMENT FUND**

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 Utility Improvement Capital Fund 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 20, 2024

Public Hearing/Adoption scheduled for June 17, 2024

Motion made by Hunt and seconded by Kozuhowski to approve on first reading Ordinance 24-07
Roll call: Brown, Folz, Hunt and Kozuhowski.

Ayes: 4

Nays: 0

Motion passes.

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 20, 2024

Public Hearing/Adoption: June 17, 2024

ORDINANCES-2nd Reading

Chief Financial Officer, Ms. McDaniel, explained the flexibility when preparing the budget to go over the 2.5 % cap; it only gives flexibility and it's like a housekeeping procedure. If you do not pass this and you need it, you may not change your budget. Kozuhowski asked historically how many times the borough used it. Ms. McDaniel stated that it we used it a little last year and it expires after two years.

Motion made by Hunt and seconded by Brown to open the public hearing for Ordinance 24-05. All were in favor.

Pub Comment:

Michelle Purcell Bridge Street, -discussed a scenario with regards to a catastrophic event and the budget. And asked if it's regulated. Ms. McDaniel responded yes.

Hearing no further public comment, motion to close public hearing made by Hunt and seconded by Folz, all were in favor.

Motion made by Hunt and seconded by Brown to adopt Ordinance 24-05.

Roll call: Brown, Folz, Hunt and Kozuhowski.

Ayes: 4

Nays: 0

Motion passes.

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.

RESOLUTIONS

Motion made by Kozuhowski and seconded by Folz to open the public hearing for Resolution 24-47, all were in favor.

Public Hearing:

Hunt thanked the CFO for great a job on budget. Ms. McDaniel proceeded to summarize the budget-but first wanted to point out ten years ago Steve Giocondo hired her, and she thanked him for the opportunity. Ms. McDaniel stated that there is a two-cent increase equal to \$23,000. The average home would increase \$80.00 annually. Surplus at end of year was \$819,000 just under a million. We had some challenges this year with the newly acquired school. New Tier A requirements, which brought a lot of engineering expenses. The grant matching funds for the NJ Historic Trust,

had to budget for that. The borough used less surplus and with just a two-cent increase. Mc Daniel explained the debt service interest is up 4.9% higher than normal for this year. She will roll Notes and explained the borough doesn't do bonds. The good news is that the debt ratio is 0.4%, which is very low. State cap is at 3.45%. State Aide remained the same. Mayor and Council thanked Ms. McDaniel for her work with the budget.

Mike Odenwald, Risler Street-commented that salaries are going up and the debt is 12% of budget. Mr. Odenwald stated that he is trying to understand how we are operating. Debt is 12% of our general budget and asked are we looking to reduce that debt or maintain that debt. Interest on debt is \$43,000 a year is there any focus on reducing that interest? Are there any other ratables to identify to help the town increase its revenue base? Mr. Odenwald stated that he is raising awareness to a simple financial practice and is not doubting anything Diane does, she is good. Mayor Lipsen explained that the borough council does a lot of hard work to cut costs. It's a small ship and we need everyone to chip in. A lot of challenges for a small town with water system. Things we worked on to save money and made good decisions which they are very proud about on all of the things we have done. We will be applying for more grants and try and keep taxes low as possible. Hunt discussed the debt service and preserving land. Hunt stated that the timeline for that is that in three years; most of them will be paid off and the debt service will go down. Ms. McDaniel stated that road repairs are the borough's main debt.

Hearing no further public comment, motion made by Kozuhowski and seconded by Folz to close the public hearing, all were in favor.

Motion made by Kozuhowski and seconded by Hunt to approve the 24-47 2024 Budget Resolution. Roll call: Brown, Fisher, Folz, Hunt, Kozuhowski, and Mann.

Ayes: 6
Nays: 0
Motion passes

2024 Municipal Budget

RESOLUTION 2024-47

2024 Dedicated	SEWER	Utility Budget		
Summary of Revenues	Anticipated			
	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		Anticipated		
		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			

Motion made by Hunt and seconded by Brown to approve the 24-48 Resolution.

Roll call: Brown, Fisher, Folz, Hunt, Kozuhowski, and Mann.

Ayes: 6

Nays: 0

Motion passes

**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
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Motion made by Kozuhowski and seconded by Folz to approve the 24-49 Resolution.

Roll call: Brown, Fisher, Folz, Hunt, Kozuhowski, and Mann.

Ayes: 6

Nays: 0

Motion passes

**Stockton Borough Council
Resolution #24-49
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 \$273,024.73.

Motion made by Brown and seconded by Hunt to approve the 24-50 Resolution.

Roll call: Brown, Fisher, Folz, Hunt, Kozuhowski, and Mann.

Ayes: 6

Nays: 0

Motion passes

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.

Motion made by Hunt and seconded by Folz to approve the 24-51 Resolution.

Roll call: Brown, Fisher, Folz, Hunt, Kozuhowski, and Mann.

Ayes: 6

Nays: 0

Motion passes

**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:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. 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:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated
 - b. Items of appropriation are properly set forth
 - c. 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.

Resolution 24-52 Not presented

Motion made by Brown and seconded by Hunt to approve the 24-53 Resolution.

Roll call: Brown, Fisher, Folz, Hunt, Kozuhowski, and Mann.

Ayes: 6

Nays: 0

Motion passes

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.

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.

Motion made by Kozuhowski and seconded by Folz to approve the 24-54 Resolution.

Roll call: Brown, Fisher, Folz, Hunt, Kozuhowski, and Mann.

Ayes: 6

Nays: 0

Motion passes

**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.

Motion made by Brown and seconded by Hunt to approve the 24-55 Resolution.

Roll call: Brown, Fisher, Folz, Hunt, Kozuhowski, and Mann.

Ayes: 6

Nays: 0

Motion passes

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. Brown, Hunt and Mayor Lipsen 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.

Motion made by Kozuhowski and seconded by Folz to approve the 24-56 Resolution.

Roll call: Brown, Fisher, Folz, Hunt, Kozuhowski, and Mann.

Ayes: 6

Nays: 0

Motion passes

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

**AUTHORIZING THE EXECUTION OF A DEVELOPER’S AGREEMENT WITH FINALE PARTNERS, 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.

MAYORS REPORT, BOROUGH COUNCIL COMMENTS & COMMITTEE REPORTS

Committee Reports

Public Safety-Kozuhowski gave the following report:

Had a conversation with the Chief of Police for Delaware Township to have officers come in and do speed enforcement which they did, and it had positive results. Noticing people slowing down. It’s encouraging and we appreciate the efforts, and he has also noticed the State Troopers coming down to Stockton which helps also. They are addressing our concerns. Kozuhowski stated that if any of the public notices improvements to thank a cop for doing it. It goes a long way. Haven’t seen or heard of negative reactions where its becoming a nuisance with officers being overzealous.

Infrastructure- Mayor Lipsen gave the following report:

Committee has been very busy and meeting with the borough engineer. Water meter replacements will start small and work up from there. There has been some personnel additions. Next step is to bring someone in if repairs needs to take place. We are asking a lot from Mr. Ent. Considering looking for a water superintendent with either our existing staff or a new hire.

Engineering- Mayor Lipsen gave the following report:

There are other issues with the borough's infrastructure, and he has spoken with the engineer regarding drainage issues. Will apply for DOT grants for next year and gave the engineer ratings for different roads and will come up with a list. Mayor Lipsen reported on the Route 29 resurfacing project. The Infrastructure Committee did first rounds of sign installation. Setting up a list for more replacements. Due to the budget, they went with certain ones with respect to safety first. For the next meeting, possibly pass an ordinance to have a sign for Church Street for no through traffic, could consider as an option. Been a lot of back and forth with DOT regarding Route 29 and drainage issues. Trying to fix drainage in front of Stockton school.

Traffic Safety-Mayor Lipsen gave the following report:

DOT will make several signage improvements with bigger speed limit signs. They will bring in engineers for a speed survey to lower speed limit in borough. Update on possible stoplight traffic signals on Rt. 29, the borough would need to do a 25% match.

Stockton School- Mayor Lipsen gave the following report:

The borough applied for the New Jersey Historic Trust grant. Mayor Lipsen thanked all of those involved. Thanked the volunteers and Karen Edwards who took pictures.

Community Outreach Mayor Lipsen gave the following report:

The Memorial Day celebration will be held here at the fire company. Look on Facebook if you would like to attend. Look forward to seeing everyone there. Delaware Township once again will welcome Stockton children to their summer recreation program. There will be a blood drive at the Delaware Township school on June 29th and there will be some advertising for that.

Public Safety Mayor Lipsen gave the following report:

A coyote was spotted on Hill Top. Brown reported that there was a language barrier with the woman who encountered the coyote. It got close but did not approach her, this was during the day. Mayor Lipsen stated that he posted on the website on what to do if you see a coyote, based on DEP guidance.

Mayor Lipsen introduced the new OEM coordinators, Patrick and Sharon Ekert. They don't live in Stockton but have been members of the community and they live nearby. They are doing this on a voluntary basis with how small our budget is, so they decided to work here for Stockton. They know the river well and have EMT training CPR training Patrick is a firefighter. Wanted to come here this evening and introduce themselves and their mission as they are just starting out. Patrick stated that they are planning on getting everything up to date. We have our own new email. Setting up at borough hall with a small area. Will take a while to get organized we plan on coming to events and monitoring meetings to make sure they are up to date. Patrick stated that he is the past chief of Lambertville Rescue Squad and has a lot of leadership experience. Patrick stated that Sharon has a lot of the background stuff as well. Been a volunteer for 30 years and they both want to give back to our community.

Patrick announced that this summer, for Hunterdon County, they will do river canoeing and concerts on Thursday nights as well as bus trips and van trips. Mayor Lipsen thanked them for joining us.

OPEN PUBLIC COMMENT FOR ITEMS ON THE AGENDA

Mayor Lipsen opened the floor to public comment.

Eileen Foley Bridge thanked council for all the hard work on the grants and stated that it's a lot. They are saving us a lot of money and the amount of work hasn't gone unnoticed. Thanked Steve Giocondo for his dedication for Stockton and stated to him that they appreciate it very much.

Steve Giocondo- Mr. Giocondo stated to Mayor Lipsen to let the engineer know that when they do a tour of the streets there are wide cracks developing on Wilson Drive and Crestmont Circle as well as Glenwood Lane and at the intersections of those roads. Asked about the developer's agreement with Stockton Market if it will also apply to the Stockton Inn. Attorney Maddox replied that they will have separate agreements.

Kathy Brown 7 North Main inquired about garbage specifications when they do automated pickup and if can is put out and a car parks in front of it will they come and get the can, if it gets blocked by cars. Attorney Maddox responded that she would make sure language is in bid specs. Ms. Brown brought up the issue of amplified noise that could potentially come with the Stockton Inn opening soon with events being held there and added that she doesn't want to go through that again with the noise.

Mike Odenwald Risler Street-Mr. Odenwald stated that he is readdressing council on cannabis. He invited the mayor to come see his idea and they sat and looked at it. Mayor Lipsen stated that they did not sit and look at it. Mayor Lipsen clarified that Mr. Odenwald wanted to meet and they did meet but it was about his business plans, conversation was about how he can proceed to bring his matter to council, and we did not discuss any specifics on his business plans. Mayor Lipsen stated that he would not venture into that discussion. Odenwald stated that he was forthright on what he was going to do with the property. Odenwald continued on and stated he asked for a formal presentation on cannabis in November and was denied. Did not attend the January meeting but did

request a presentation for the February meeting and was denied. Sent the plan to Mayor and Tom Hunt and asked on the best way to get it to the council and sent it to council and planning board. His requests of four times were denied In April he brought two industry experts to bring awareness to what's going on. Had his plan that he sent to the mayor reviewed by over 30 professional individuals in the industry. A 13-page plan was rejected and all he wants to do is present it. Stated that there is so much discussion on garbage pickup and what it will cost the town when he has a plan before you, this plan will enable the town to not raise taxes for ten years. Mr. Odenwald discussed about hiring and firing hundreds of individuals and stated that if a plan like this that he presented to the mayor was presented to him they would get hired or promoted. Odenwald stated that he is suggesting ways to bring revenue to the town that are not damaging the borough and bringing outside counsel to the town, so they don't have to spend money to do so. Mr. Odenwald added that this is going out to social media. Three out of four residents voted for cannabis. Mr. Odenwald started to approach the dais with his drawings and plans. Mayor Lipsen at this time stopped Mr. Odenwald and advised him that his public time has expired and thanked him for coming and asked that he not approach the dais. Mayor Lipsen addressed the public of the following statement: "Stockton Borough council has opted out of the sale of cannabis by ordinance in 2022. To be consistent with this decision they will not be scheduling any presentations by any potential cannabis businesses as long as this is the case. If the borough council would like to consider opting in the sale of cannabis, we will have council discussion and have a public discussion and engage with our businesses. After those steps take place and after exploring it on our end, if we decide then to opt in the cannabis process, other decisions can be made. But at this time, we are not allowing presentations about cannabis. Public discussion is welcome and council discussion is welcome, thank you."

Hearing no other members of the public speak up, Mayor Lipsen closed the floor to public comment.

NEXT MEETING

June 17, 2024.

Mayor Lipsen discussed whether the borough explore purchasing its own Zoom contract or hold the next meeting in person. Mayor Lipsen stated he did receive pricing on zoom which will be \$15.99 per month; with a subscription for a year, it is \$13.32. If it goes above 100 people an additional \$50 a month. It was the consensus of the council to hold in person meetings at the firehouse.

ADJOURNMENT

A motion was made by Kozuhowski and seconded by Folz to adjourn the meeting.

The meeting adjourned at 9:12 PM.

Laurie A. Courter

Laurie A. Courter, Borough Clerk