



STOCKTON BOROUGH COUNCIL

Regular Meeting Agenda

June 17, 2024 – 7:00 pm
9 Mill Street, Stockton, NJ (Firehouse)

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
4. **PROCLAMATION:** None
5. **APPROVAL OF MINUTES**
May 20, 2024
6. **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.
7. **CORRESPONDENCE**
 - Email-Received from M. Odenwald; Re: Social Media Awareness
 - Email-Received from M. Odenwald; Economic Development Plan.
8. **OLD BUSINESS**
9. **NEW BUSINESS**
 - **Stockton Inn Address Change**
10. **ORDINANCES 1st Reading:** None
24-08 Noise
24-09 Ordinance Violation

ORDINANCES-2nd Reading Public Hearing/Adoption
 - 24-06 Improvements-Water and Sewer Utilities
 - 24-07 Off Street Parking

Please note, items listed on the agenda may change prior to the meeting.

11. RESOLUTIONS

- 24-57 OPRA Hours
- 24-58 Deputy Finance Salary
- 24-59 ABC Renewal-Tilch
- 24-60 ABC Renewal-Strackhouse
- 24-61 Appointment of QPA
- 24-62 Bid Threshold
- 24-63 NJDOT Grant –Upper Creek Road Improvement Project
- 24-64 AUTHORIZING FILING CLAIMS IN PFAS CLASS ACTION SETTLEMENTS

12. MAYOR’S REPORT, BOROUGH COUNCIL COMMENTS, & COMMITTEE REPORTS

13. 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.

14. EXECUTIVE SESSION

15. POTENTIAL ACTIONS ON ITEMS FROM EXECUTIVE SESSION

16. NEXT MEETING – July 15, 2024

17. ADJOURNMENT

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.

Please note, items listed on the agenda may change prior to the meeting.

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

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.

Ordinance # 24-08

**AN ORDINANCE OF THE BOROUGH OF STOCKTON
REGULATING LOUD, CONTINUING AND EXCESSIVE NOISE
AND AMENDING ORDINANCE NO. 11-04**

WHEREAS, by Ordinance No. 11-04, the Council of the Borough of Stockton, adopted regulations prohibiting unnecessary noise and defining activities constituting unnecessary noise; and

WHEREAS, at this time the Borough seeks to reaffirm its commitment to protecting the community from public nuisances including but not limited to unnecessary noise and noise injurious to the well-being of the public, and in furtherance thereof, to update the provisions of Ordinance No. 11-4.

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

Section 1. Loud, continuous or excessive noise.

It shall be unlawful for any person to make, continue or cause to be made or continued any loud, continuous or excessive noise or any noise which endangers the health, safety or welfare of the community, or which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the Borough of Stockton.

Section 2. Noises expressly prohibited or restricted - Acts enumerated.

The following acts, among others, are declared to be loud, disturbing, excessive or continuous noises, and a danger to the health, safety and welfare of the community, in violation of Section 1, but the enumeration shall not be deemed to be exclusive:

- A. *Horns, whistles, bells and signaling devices.* The sounding of any horn, whistle, bell or any type of signaling device on any automobile, motorcycle, streetcar, bus or other vehicle in the Borough, except as a danger warning; the creation by means of any such horn, whistle, bell or signaling device of any unreasonably loud or harsh sound; the sounding of any such horn, whistle, bell or signaling device for an unnecessary and unreasonable period of time; the use of any horn, whistle, bell or other signaling device operated by engine, exhaust or by compressed air or gas or by vacuum; and the use of any horn, whistle, bell or signaling device when traffic is for any reason not moving normally.

- B. *Radios, televisions, musical instruments and other machines, players or devices of any type or technology, using any type of media, used for the creation of any music or sound.* The use or operation of any of the foregoing devices, with or without amplification, in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle, chamber or premises in or at which such machine or device is operated and who are voluntary listeners thereto. The following shall be prima facie evidence of a violation of this Subsection 2.B:
 - 1. The operation of any such set, instrument, machine, device or player between the hours of 10:00 p.m. and 8:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which or land on which it is located; or
 - 2. The operation of any such set, instrument, machine, device or player between the hours of 10:00 p.m. and 8:00 a.m. in such a manner as to be plainly audible within any residence neighboring the building, structure or vehicle in which or land on which it is located.

As used in this ordinance, “plainly audible” shall refer to any sound that can be detected by a person using that person’s unaided hearing faculties.

- C. *Commercial loudspeakers, amplifiers, etc.* The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, loudspeaker, sound amplifier, or any other machine, player or device of any type or technology for the producing or reproducing of sound which is audible upon the public streets for the purpose of commercial advertising or for any other purpose, except as may be authorized in connection with law enforcement or public emergencies or as permitted by Council or other ordinance, such as in the case of a Borough-sponsored celebration or parade.

- D. *People noises.* Yelling, shouting, whistling, singing or conducting unnecessarily loud or annoying vocal utterances at any time or place, so as unreasonably to

annoy or disturb the quiet, comfort or repose of any person in any dwelling or of any person in the vicinity.

- E. *Animals, including but not limited to birds and dogs.* The keeping of any animal, including but not limited to any bird or dog, which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity. For purposes of this subsection, the following shall be prima facie evidence of a violation of this section: a dog barking continually for ten (10) minutes or intermittently for thirty (30) minutes, unless provoked, and plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which or land on which it is located; a rooster crowing continuously on ____ or more continuous days, and plainly audible at a distance of ____ feet from the structure in which or land on which it is located.
- F. *Non-vehicular whistles, horns and other signaling devices.* The sounding of any whistle, horn and other signaling device, except to give notice of the time to begin or stop work or as a warning of fire or danger, by or upon request of a duly authorized government official, or as may be required by general law or ordinance, or directed by a duly authorized state or federal official.
- G. *Exhausts.* The discharge into the open air of the exhaust of any steam engine, stationary jet or internal combustion engine or motor vehicle, except through a properly functioning muffler or other device which will effectively prevent loud or explosive noises therefrom.
- H. *Overloaded, improperly operated vehicles.* The use of any automobile, motorcycle, truck or vehicle so out of repair, or so loaded or operated in such a manner as to create loud and unnecessary grating, grinding, rattling or other loud or disturbing noise.
- I. *Loading or unloading vehicles; opening boxes.* The creation of loud and excessive noise in connection with the loading or unloading of any vehicle or the opening or destruction of bales, boxes, crates or containers.
- J. *Construction work.* The excavation, grading, paving, erection, demolition, alteration or repair of any premises, street, building or structure at any time other than between the hours of 10:00 a.m. and 5:00 p.m. Sundays, 8:00 a.m. and 6:00 p.m. on Saturdays, or 7:00 a.m. and 6:00 p.m. on other days, except in case of urgent necessity in the interest of public health and safety; and, if the nature of the emergency allows the prior procurement of a permit, then only in accordance with a permit first obtained from the Borough engineer as to public street work, or from the building official as to other work. Such permit may be granted for a period not to exceed three days or such other reasonable amount of time determined by the Borough engineer or building official, while the emergency continues.

If the engineer or the building official, as the case may be, shall determine that the public health and safety will not be impaired by such work within the prohibited hours, and if said official shall further determine that loss or inconvenience would result to any party in interest, said official may grant permission for such work to

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be done within the prohibited hours, upon application being made at the time the permit for the work is issued or during the progress of the work. The provisions of this subsection shall not apply to interior or exterior repairs or to interior alterations, the work for which is actually performed personally by a homeowner or other occupant or tenant between the hours of 7:00 a.m. and 11:00 p.m., provided, that the work shall be done without undue noise or disturbance of the peace and quiet of the nearby residences or of the neighborhood.

- K. *Refuse collection.* The collection, transportation or disposal of garbage, trash, cans, bottles and other refuse by persons engaged in the business of scavenging or garbage collection, whether private or municipal, at any time on Sundays, other than between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays or 7:00 a.m. and 6:00 p.m. on all other days, except in case of urgent necessity in the interest of public health and safety and, if the nature of the emergency will allow the prior procurement of a permit, then only in accordance with a permit first obtained from the Borough engineer or building official. Such permit may be granted for a period not to exceed three days or such other reasonable amount of time determined by the Borough engineer or building official, while the emergency continues.
- L. *Schools and places of worship and hospitals.* The creation of any excessive noise on any street or property adjacent to any school, institution of learning, place of worship, while the same is in use, or adjacent to any hospital which unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital, provided that, with respect to such streets, conspicuous signs are displayed indicating the proximity of the school, place of worship or hospital.
- M. *Drums, other instruments.* The use of any drum or other instrument or device for the purpose of attracting attention to any performance, show, sale or other event.
- N. *Solicitors, peddlers.* The shouting or crying of solicitors, peddlers, hawkers and vendors, which disturbs the peace and quiet of the neighborhood.
- O. *Railroads, buses, trucks.* The causing, permitting, or continuing of any excessive, unnecessary or avoidable noise in the operation of railroad cars, locomotives, buses and trucks.
- P. *Gas-powered leaf blowers, snow blowers, portable generators, chain saws, hedge trimmers, string trimmers and pole trimmers.* The operation of any gas-powered leaf blowers, snow blowers, portable generators, chain saws, hedge trimmers, string trimmers or pole trimmers at any time other than between the hours of 8:00 a.m. and 9:00 p.m. on weekdays or 9:00 a.m. and 9:00 p.m. on Saturdays and Sundays; except that the use of any such equipment shall not be prohibited during the days and times set forth in this Subsection 2.P when used in response to a bona fide emergency, such as a power outage, snow storm or other natural disaster.
- Q. *Idling, starting, etc., of vehicles at night.* Any of the following activities, when occurring in close proximity to residences between 11:00 p.m. and 7:00 a.m.: the

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warming up or idling of buses, trucks or tractors; and the unnecessary and repeated idling, acceleration and deceleration, or starting and stopping of automobiles and motorcycles.

Section 3. Permits - Issuance.

The officers charged with the responsibility of issuing permits for the activities requiring permits in accordance with Section 2 above shall issue permits for such activities if the officer finds that the activities will not unduly or unnecessarily annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others, that the activities will not violate other ordinance or law or create a public nuisance, and that the public health and safety will not be endangered thereby.

Permits shall specify the dates and hours of the permitted activities, which shall not be allowed between the hours of 10:00 p.m. and 7:00 a.m., unless the issuing officer determines that it is in the best interest of the community that the activities take place, wholly or partially, during such hours.

Section 4. Certain noises exempt.

Nothing in this ordinance shall be construed to apply to bells or chimes at places of worship; to municipal, county, state or federal government agencies in connection with any emergency; to normal working activities of or activities sponsored by the Borough of Stockton; to warning devices on authorized emergency vehicles; or to horns or other warning devices on other vehicles used only for traffic safety purposes.

Section 5. Enforcement of ordinance.

In addition to public law enforcement officers and others who by law are entitled to enforce or bring complaints under this ordinance, the officers who are designated under this ordinance for the issuance of permits shall have the power to enforce and bring complaints under this ordinance.

Section 6. Violations; penalties.

Any person who violates this ordinance shall be subject to the following penalties for each and every violation: a fine a fine not exceeding \$2,000; or imprisonment for a period not to exceed 90 days; or performance of community service for a period not exceeding 90 days; or a combination of such fine, imprisonment and/or community service. In cases of continuing violations, each day that such violation continues shall be deemed a separate offense.

Any person who is convicted of violating this ordinance within one year of the date of a previous violation of the same provision shall be deemed and treated as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not exceed the maximum fine fixed above and shall be calculated separately from the fine imposed by the violation of the provision.

Section 7. 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 8. Repealer.

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

Section 9. Effective Date.

This ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced:

Public Hearing/Adoption:

Ordinance # 24-09

AN ORDINANCE OF THE BOROUGH OF STOCKTON ESTABLISHING GENERAL PENALTIES AND FINES FOR VIOLATING ORDINANCES OF THE BOROUGH OF STOCKTON

WHEREAS, pursuant to N.J.S.A. 40:49-5, the Borough Council may prescribe penalties for the violation of ordinances it has passed and may have the authority to pass and which do not have specific penalties prescribed therein; and

WHEREAS, at this time the Borough Council seeks to adopt an ordinance for the purpose of prescribing such penalties that apply to existing ordinances with no specific penalties, and ordinance which it may in the future adopt that do not have specific penalties, for violations thereof.

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

Section 1. General Penalty

Whenever in any ordinance of the Borough of Stockton, any act is prohibited or is made or declared to be unlawful or an offense, or whenever in any ordinance the doing of any act is required or the failure to do an act is declared to be unlawful, where no specific penalty is provided therefor, the violator of any such provision of the ordinance shall be punished by a fine not exceeding \$2,000, by imprisonment for a period not exceeding 90 days, or be required to perform community service for a period not exceeding 90 days or by a combination of such fine, imprisonment and/or community service.

Section 2. Continuing Violations

Each day any violation of any ordinance shall continue or shall have continued shall constitute a separate offense, unless otherwise provided in the subject ordinance.

Section 3. Repeat Offenses

Any person who is convicted of violating an ordinance within one year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by the court to an additional fine as a repeat offender pursuant to the provisions of N.J.S.A. 40:49-5.

Section 4. Failure to Pay Fines

Any person convicted of violating any ordinance, and who is in default of the payment of any fine imposed for the violations may, in the court's discretion, be imprisoned for a term not exceeding 90 days or be required to perform community service for a period not exceeding 90 days.

Section 5. 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 6. Repealer

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

Section 7. Effective Date

This ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Introduced:

Public Hearing/Adoption:

RESOLUTION 2024-57

RESOLUTION ESTABLISHING PROCESSING HOURS FOR OPEN PUBLIC RECORDS ACT REQUESTS

WHEREAS, the Borough of Stockton has limited staffing to handle the volume of Open Public Records Requests; and,

WHEREAS, NJSA 47:1A-5 sets special circumstances allowing times during which records may be inspected, examined, copied; accessed and copy fees; in the case of a municipality having a population of 5,000 or fewer according to the most recent federal decennial census, during not less than six regular business hours over not less than three business days per week or the entity's regularly-scheduled business hours, whichever is less; and in the event of a holiday, inclement weather, or any other unforeseen cause, that the clerk's office may be closed, the office will post the hours to comply with the aforementioned statute, and

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NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Stockton Borough, in the County of Hunterdon and the State of New Jersey, hereby sets the hours for review and processing Open Public Records Requests for the following days and times:

Mondays and Thursdays 4:30 pm to 6:30 pm

Fridays 9:00 am to 11:00 am

**RESOLUTION 2024-58
SALARY-DEPUTY FINANCE**

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 | 7,210.00 |
|----------------|----------|

**Stockton Borough Council
RESOLUTION #24-59**

ABC License Renewal – Tilch Fine Wines, LLC

WHEREAS, the Borough Council of the Borough of Stockton, County of Hunterdon and State of New Jersey has reviewed an application for renewal of a Plenary Retail Consumption License for the twelve-month period ending June 30, 2025 for the following licensed premise:

Tilch Fine Wines, LLC d/b/a Stockton Fine Wines
15-17 Bridge Street
Stockton Borough, New Jersey 08559
License Number 1023-44-002-008

WHEREAS, no timely written objection has been filed with the office of the Stockton Borough Clerk related to this licensed premise; and

WHEREAS, the applicant is qualified to be licensed according to all statutory, regulatory, and local government Please note, items listed on the agenda may change prior to the meeting.

laws and regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Stockton Borough Council does hereby grant a one-year renewal to the above listed licensed premise.

BE IT FURTHER RESOLVED, that the Stockton Borough Clerk is authorized to execute a license and to issue the license certificate to Tilch Fine Wines, LLC.

**Stockton Borough Council (PENDING)
RESOLUTION #24-60**

ABC License Renewal – Strackhouse Restaurant, LLC

WHEREAS, the Borough Council of the Borough of Stockton, County of Hunterdon and State of New Jersey has reviewed an application for renewal of a Plenary Retail Consumption License for the twelve-month period ending June 30, 2025 for the following licensed premise:

Strackhouse Restaurant, LLC d/b/a The Stockton Inn
1 Main Street
Stockton Borough, New Jersey 08559
License Number 1023-33-001-011

WHEREAS, no timely written objection has been filed with the office of the Stockton Borough Clerk related to this licensed premise; and

WHEREAS, the applicant is qualified to be licensed according to all statutory, regulatory, and local government laws and regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Stockton Borough Council does hereby grant a one-year renewal to the above listed licensed premise.

BE IT FURTHER RESOLVED, that the Stockton Borough Clerk is authorized to execute a license and to issue the license certificate to Strackhouse Restaurant, LLC.

**STOCKTON BOROUGH
APPOINTING QPA
RESOLUTION #2024-61**

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WHEREAS, N.J.S.A. 40A:11-3 permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Diane Soriero McDaniel possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services, and

WHEREAS, the Borough Committee desires to take advantage of the increased bid threshold to \$40,000; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough Committee of the Borough of Stockton, Hunterdon County, New Jersey desires to increase its bid threshold to \$40,000.00; and

BE IT FURTHER RESOLVED, that the Borough Committee hereby appoint Diane Soriero McDaniel as the Qualified Purchasing Agent to exercise the duties of purchasing agent pursuant to N.J.S.A. 40A: 1 1-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2 the Stockton Borough Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Diane Soriero McDaniel 's certification to the Director of Local Government Services.

**STOCKTON BOROUGH
BID THRESHOLD
RESOLUTION #2024-62**

WHEREAS, the recent changes to the Local Public Contract Law afforded local contracting units the ability to increase the bid threshold up to Forty-Four Thousand Dollars (\$44,000.00); and

WHEREAS, N.J.S.A.40A: 1 1-36) permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed, as well as granted the authorization to negotiate and award such Contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5, et. seq., establishes the criteria for qualifying as a Qualified Purchasing Agent under New Jersey Law; and

WHEREAS, Diane S. McDaniel possesses the designation and is certified as a Qualified Purchasing Agent, as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C.5:34-5, et seq.; and

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WHEREAS, Stockton Borough desires to take advantage of the increased bid threshold that will provide certain benefits of efficiency and economics to the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Committee of the Borough of Stockton, that the Borough Committee hereby formally increases its bid threshold to \$44,000.00 along with a quote threshold of \$6,600.00.

**Borough of Stockton
Resolution #2024-63
NJDOT Grant –Upper Creek Road Improvement Project**

WHEREAS, it is the desire of the Borough Committee of the Borough of Stockton to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Upper Creek Road Improvement project.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Committee of the Borough of Stockton formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application to the New Jersey Department of Transportation on behalf of Borough of Stockton.

BE IT FURTHER RESOLVED, that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Stockton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement

**RESOLUTION 2024-64
RESOLUTION AUTHORIZING FILING CLAIMS IN PFAS CLASS ACTION SETTLEMENTS AND
EXECUTION OF LEGAL SERVICES AGREEMENT WITH LAW FIRMS 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

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WHEREAS, there is a pending multi-district litigation (“MDL”) 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 various Defendants, including 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”); Tyco Fire Products and Chemguard, Inc. (collectively, “the Tyco Defendants”); BASF Corporation (“BASF”); and other potential defendants; and

WHEREAS, these settlements are designed to resolve claims for PFAS contamination in Public Water Systems’ Drinking Water; and

WHEREAS, the 3M and DuPont Settlements have obtained Final Approval by the MDL Judge, the Tyco Settlement has received preliminary approval, the BASF Settlement is awaiting approval, and there are additional potential defendants which may likewise enter into settlements under the MDL; and

WHEREAS, the Borough of Stockton is listed as a Phase One Public Water System eligible to file claims in the settlements; and

WHEREAS, Phase One Public Water System Settlement Claims Forms must be filed no later than July 12, 2024 for the 3M and DuPont Settlements; and

WHEREAS, by Resolution 24-55, Council appointed several Council members to investigate these settlements and possibly select a law firm to pursue these claims under the MDL on the Borough’s behalf; and

WHEREAS, Council members recommend that the Borough participate in the MDL by submitting claims under the 3M and DuPont settlements, as well as settlements to be approved involving the other defendants; and

WHEREAS, the Borough has also met with Cossich, Sumich, Parsiola & Taylor LLC, who works jointly with Baron & Budd, P.C. on the MDL (collectively the “Law Firms”), for purposes of their assuming joint legal responsibility to represent the Borough in pursuing the Borough’s claims under these settlements; and

WHEREAS, there shall be no out-of-pocket expenses or costs to the Borough for its pursuit of these claims, and the fees paid to the Law Firms shall be based on a contingent fee arrangement whereby the Law Firms would be entitled to twenty-five percent (25%) of any net recovery after deduction of costs and expenses.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stockton as follows:

1. The “Whereas” clauses are incorporated herein as fully restated.
2. The Mayor is hereby authorized to execute a Legal Services Agreement with the law firms of Baron & Budd, P.C. and Cossich, Sumich, Parsiola & Taylor LLC (“Law Firms”) to assume joint legal responsibility to represent the Borough for purposes of pursuing the Borough’s claims under the settlements with Defendants 3M and Dupont, the Tyco Defendants, Defendant BASF, and other defendants that may settle their claims under the

Please note, items listed on the agenda may change prior to the meeting.

MDL. The terms of the Legal Services Agreement shall be subject to the approval of the Borough Attorney prior to execution.

3. There shall be no out-of-pocket expenses or costs to the Borough for the services provided under the Legal Services Agreement with the Law Firms, and the fees paid to the Law Firms shall be based on a contingent fee arrangement whereby the Law Firms would be entitled to twenty-five percent (25%) of any net recovery after deduction of costs and expenses.