



**Regular Meeting Agenda
STOCKTON BOROUGH COUNCIL
March 14, 2022**

Join Zoom Meeting/Webinar

Webinar ID: 894 5851 6278

Passcode: 678269

Please click the link below to join the webinar:

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Passcode: 678269

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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.

1. Flag Salute/Roll Call
2. Open Public Comments (please state your name and address)
Motion to close meeting to the public
3. Minutes – February 14, 2022 Regular Meeting
4. Ordinance No. 22-01 – Second Reading/Public Hearing – Special Emergency Appropriation (Revaluation Project)
 - (a) Read by title
 - (b) Explanation
 - (c) Meeting open to the public/motion to close the meeting to the public
 - (d) Resolution No. 2022-31 - Adoption of Ordinance No. 22-01
5. Ordinance No. 22-02– Second Reading/Public Hearing – Special Emergency Appropriation (Master Plan Re-examination/Fair Share Housing Plan Element Update)
 - (a) Read by title
 - (b) Explanation
 - (c) Meeting open to the public/motion to close the meeting to the public
 - (d) Resolution No. 2022-32 – Adoption of Ordinance No. 22-02
6. Ordinance No. 22-03 – Second Reading/Public Hearing – Water Capital
 - (a) Read by title
 - (b) Explanation
 - (c) Meeting open to the public/motion to close the meeting to the public
 - (d) Resolution No. 2022-33 – Adoption of Ordinance No. 22-03

7. Resolutions
 2022-34 Authorization to bid – Revaluation Project
 2022-35 Cancellation of Storm Emergency Appropriation Balances

8. Claims for Payment

9. Discussion – Worman Road Repairs

10. Meeting open to the public/Motion to the close the meeting to the public

11. Mayor’s Report/Council Liaison Reports

12. Next Meeting: April 11, 2022 Regular Meeting (7pm TBD)

13. Executive Resolution No. 2022-36 (NJS-10:4-12b(7) Litigation
 Pasicznyk/Nestor v. Borough of Stockton

14. Adjournment

ORDINANCE NO. 22-01

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION OF \$25,000 FOR THE PREPARATION AND EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY FOR USE OF THE TAX ASSESSOR OF THE BOROUGH OF STOCKTON AND A SPECIAL EMERGENCY APPROPRIATION OF \$30,000 FOR THE ENGAGEMENT OF SPECIAL CONSULTANTS FOR THE PREPARATION OF MASTER PLAN RE-EXAMINATION REPORT AND A FAIR SHARE HOUSING UPDATE FOR THE BOROUGH OF STOCKTON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY

BE IT ORDAINED by the Borough Council of the Borough of Stockton in the County of Hunterdon as follows:

SECTION ONE:

The Borough of Stockton shall undertake the preparation and execution of a complete revaluation of real property in the Borough for use by the Borough Tax Assessor pursuant to N.J.S.A. 40A:4-53(b).

SECTION TWO:

The sum of \$25,000.00 is hereby appropriated as a special emergency appropriation to carry out the purpose described in Section One.

SECTION THREE:

Said emergency appropriation shall be provided for in full in the budgets of the next succeeding years by an inclusion of not less than one-fifth of the total amount (\$5,000) in each of the next succeeding annual budgets pursuant to N.J.S.A.40A:4-55.

SECTION FOUR:

The Borough's Chief Financial Officer is hereby authorized to finance such emergency appropriation from surplus funds available.

SECTION FIVE:

In accordance with the requirements of N.J.S.A.40A:4-53(b) two copies of this ordinance as finally adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

SECTION SIX:

This Ordinance shall take effect upon its final passage and publication according to law.

ADOPTED:

ATTEST:

Michele D. Hovan
Borough Administrator/Clerk

Timothy J. Nemeth
Mayor



Borough of Stockton

P.O. Box M
Stockton, New Jersey 08559
Phone (609) 397-0070
Fax (609) 397-4067

RESOLUTION

NO. 2022-31

ADOPTED: March 14, 2022

BE IT RESOLVED, that Ordinance No. 22-01 entitled, "AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION OF \$25,000 FOR THE PREPARATION AND EXECUTION OF A COMPLETE PRGRAM OF REVALUATION OF REAL PROPERTY FOR USE OF THE TAX ASSESSOR OF THE BOROUGH OF STOCKON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY" be adopted.

ATTEST:

Michele Hovan
Borough Administrator/Clerk

Timothy J. Nemeth
Mayor

ORDINANCE NO. 22-02

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION OF \$30,000 FOR THE ENGAGEMENT OF SPECIAL CONSULTANTS FOR THE PREPARATION OF A MASTER PLAN RE-EXAMINATION REPORT AND FAIR SHARE HOUSING ELEMENT UPDATE FOR THE MASTER PLAN FOR THE BOROUGH OF STOCKTON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY

BE IT ORDAINED by the Borough Council of the Borough of Stockton in the County of Hunterdon as follows:

SECTION ONE:

The Borough of Stockton shall authorize the engagement of special consultants for the preparation of a master plan re-examination report and an update to the Fair Share Housing Plan Element of the Stockton Borough Master Plan for the Stockton Borough Planning Board and the Borough of Stockton pursuant to N.J.S.A. 40A:4-53(d).

SECTION TWO:

The sum of \$30,000.00 is hereby appropriated as a special emergency appropriation to carry out the purpose described in Section One.

SECTION THREE:

Said emergency appropriation shall be provided for in full in the budgets of the next succeeding years by an inclusion of not less than one-fifth of the total amount (\$6,000) in each of the next succeeding annual budgets pursuant to N.J.S.A.40A:4-55.

SECTION FOUR:

The Borough's Chief Financial Officer is hereby authorized to finance such emergency appropriation from surplus funds available.

SECTION FIVE:

In accordance with the requirements of N.J.S.A.40A:4-53(d) two copies of this ordinance as finally adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

SECTION SIX:

This Ordinance shall take effect upon its final passage and publication according to law.

ADOPTED:

ATTEST:

Michele D. Hovan
Borough Administrator/Clerk

Timothy J. Nemeth
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RESOLUTION

NO. 2022-32

ADOPTED: March 14, 2022

BE IT RESOLVED, that Ordinance No. 22-02 entitled, "AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION OF \$30,000 FOR THE ENGAGEMENT OF SPECIAL CONSULTANTS FOR THE PREPARATION OF A MASTER PLAN RE-EXAMINATION REPORT AND FAIR SHARE HOUSING ELEMENT UPDATE FOR THE MASTER PLAN FOR THE BOROUGH OF STOCKTON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY" be adopted.

ATTEST:

Michele Hovan
Borough Administrator/Clerk

Timothy J. Nemeth
Mayor

ORDINANCE NO. 22-03

CAPITAL ORDINANCE TO AUTHORIZE THE PURCHASE AND INSTALLATION OF NEW OR REPLACEMENT EQUIPMENT AND MATERIALS FOR USE BY THE STOCKTON BOROUGH WATER UTILITY, BY AND FOR THE BOROUGH OF STOCKTON, IN THE COUNTY OF HUNTERDON, AND THE EXPENDITURE OF \$50,000.00 FROM THE WATER UTILITY CAPITAL IMPROVEMENT FUND FOR THE FINANCING THEREOF

BE IT ORDAINED by the Borough Council of the Borough of Stockton in the County of Hunterdon as follows:

SECTION ONE:

The Borough of Stockton, in the County of Hunterdon, State of New Jersey, (the Borough) is hereby authorized to acquire new or replacement equipment and materials, including installation thereof, for the use of the Stockton Borough Water Utility in, by and for the Borough. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

SECTION TWO:

The sum of \$50,000.00 is hereby appropriated from the Water Utility Capital Improvement Fund for the payment of the cost of the improvement authorized and described in Section One hereof.

SECTION THREE:

Said improvements are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against the property specially benefited.

SECTION FOUR:

The following matters are hereby determined, declared, recited and stated: The said purposes described in Section One of this Ordinance are not a current expense and are the property of and the improvement of the Borough of Stockton, County of Hunterdon, State of New Jersey.

SECTION FIVE:

This Ordinance shall take effect upon its final passage and publication according to law.

INTRODUCED:

PASSED ON FIRST READING:

PUBLISHED:

ADOPTED:

INTRODUCED BY:

ATTEST:

Michele D. Hovan
Borough Administrator/Clerk

Timothy J. Nemeth
Mayor



Borough of Stockton

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RESOLUTION

NO. 2022-33

ADOPTED: March 14, 2022

BE IT RESOLVED, that Ordinance No. 22-03 entitled, "CAPITAL ORDINANCE TO AUTHORIZE THE PURCHASE AND INSTALLATION OF NEW OR REPLACEMENT EQUIPMENT AND MATERIALS FOR USE BY THE STOCKTON BOROUGH WATER UTILITY, BY AND FOR THE BOROUGH OF STOCKTON, IN THE COUNTY OF HUNTERDON, AND THE EXPENDITURE OF \$50,000.00 FROM THE WATER UTILITY CAPITAL IMPROVEMENT FUND FOR THE FINANCING THEREOF" be adopted.

ATTEST:

Michele Hovan
Borough Administrator/Clerk

Timothy J. Nemeth
Mayor



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RESOLUTION

NO. 2022-34

ADOPTED: March 14, 2022

WHEREAS, pursuant to N.J.S.A. 54:4-47, the Hunterdon County Board of Taxation has a duty to revise, correct and equalize the assessed value of all real property in its taxing district; and

WHEREAS, the Hunterdon County Board of Taxation has determined that the assessment of the Borough of Stockton resulted in an unequal distribution of the tax burden within the municipality and has therefore issued an Order to Implement a Municipal-Wide Revaluation; and

WHEREAS, specifications have been prepared for this project and this purpose:

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stockton that it hereby authorizes the project known as Property Revaluation Services for the Borough of Stockton to be publicly advertised and competitively bid.

ATTEST:

Michele D. Hovan
Borough Administrator/Clerk

Timothy J. Nemeth
Mayor



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RESOLUTION

NO. 2022-35

ADOPTED: March 14, 2022

WHEREAS, an emergency had arisen with respect to various capital repairs including expenses for the repair of roads or other public property needed as a result of damage incurred by Hurricane Ida and, no adequate provision was made in the 2021 budget for the aforesaid purpose, and N.J.S.A. 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by Stockton Borough Resolution #2021-52, is \$203,600, and three (3) percent of the total current and utility operating appropriations in the budget for 2021 is \$24,655; and

WHEREAS, the foregoing appropriation together with prior appropriations exceeds three (3) percent of the total current and utility operating appropriations in the budget for 2021; and

WHEREAS, the Borough of Stockton, in the County of Hunterdon, New Jersey has deemed an emergency appropriation to be necessary and such appropriation is conforming to the provisions of N.J.S.A. 40A:4-49; and

WHEREAS, the total actual amount of the emergency appropriations is \$203,600; and

WHEREAS, the Borough of Stockton requests a cancellation of \$159,600.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Stockton that in accordance with N.J.S.A. 40A:4-49, petition be made to the Director of the Division of Local Government Services for permission to cancel \$159,600 from the original \$203,600 of the emergency appropriation as adopted.

BE IT FURTHER RESOLVED, that this resolution shall take effect in accordance with law; provided, that permission to exceed the statutory limitation of 3 (three) percent has been granted by the Director of the Division of Local Government Services.

ATTEST:

Michele Hovan
Borough Administrator/Clerk

Timothy J. Nemeth
Mayor

I, Michele D. Hovan, Administrator/Clerk of the Borough of Stockton, in the County of Hunterdon, New Jersey do hereby certify that the foregoing is correct and true copy of Resolution #2022-35 adopted by the Stockton Borough Council on March 14, 2022.

Michele D. Hovan, Administrator/Clerk

RESOLUTION

NO. 2022-36

ADOPTED: March 14, 2022

WHEREAS, the law commonly known as the “Sunshine Law” requires that Borough Council meetings be open to the public except for the discussion of certain subjects; and

WHEREAS, the “Sunshine Law” requires that a closed session be authorized by Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stockton that the following portion of this meeting shall be closed to the public; and

BE IT FURTHER RESOLVED, that the meeting shall adjourn at the end of the closed session; and

BE IT FURTHER RESOLVED, that the subjects to be discussed and the time of public release of the minutes of the closed session are indicated below:

<u>SUBJECT MATTER</u>	<u>TIME WHEN AND THE CIRCUMSTANCES UNDER WHICH THE SUBJECT MATTER CAN BE DISCLOSED</u>
Litigation	Upon conclusion of the litigation and expiration of the time to appeal

ATTEST:

Michele D. Hovan
Borough Administrator/Clerk

Timothy J. Nemeth
Mayor