

**BOROUGH OF STOCKTON
BOROUGH COUNCIL**

**OFFICIAL MINUTES
APPROVED: 4/18/2022**

**REGULAR MEETING
MARCH 14, 2022**

The March 14, 2022 Regular Meeting of the Borough Council of the Borough of Stockton was called to order by Mayor Timothy Nemeth at 7:02 pm. The meeting was held online using Zoom technology due to the COVID-19 pandemic. Mayor Nemeth read the “Sunshine Statement” indicating the meeting was being held in accordance with the Open Public Meetings Act and led the flag salute.

Borough Administrator/Clerk Michele Hovan called the roll. The following members of Council were present: Ms. Rebecca Hendricks, Mr. Adam Juncosa, Mr. Kenneth Kozuhowski, Mr. Aaron Lipsen, Mr. Michael Mann, and Mr. Donald Vandegrift. Borough Attorney Michael Butler was also present. There were 4 members of the public present.

Mayor Nemeth the meeting to the public. There being no questions or concerns, the meeting was closed to the public on motion by Mr. Juncosa, seconded by Mr. Mann and carried.

Minutes - the meeting minutes of the February 14, 2022 Regular Meeting were approved on motion by Mr. Lipsen, seconded by Mr. Mann, and carried.

Ordinance No. 22-01 – Second Reading/Public Hearing – Special Emergency Appropriation

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION OF \$25,0000 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

Ms. Hovan read Ordinance No. 22-01 by title and explained that it was not new funding but rather a reallocation to be funded via emergency appropriation per the auditor’s recommended instead of via the capital ordinance adopted previously. She said the same scenario applies to Ordinance No. 22-02 that follows for the Master Plan Reexamination Report and Fair Share Housing Update.

Mayor Nemeth opened the meeting to the public. There being no questions or comments, the meeting was closed to the public on motion by Mr. Mann, seconded by Mr. Vandegrift and carried.

Resolution No. 22-31, as filed in the Borough Clerk’s office and to adopt Ordinance No. 22-01, was adopted on motion by Mr. Vandegrift, seconded by Mr. Juncosa and carried.

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

**BOROUGH OF STOCKTON
BOROUGH COUNCIL**

**OFFICIAL MINUTES
APPROVED: 4/18/2022**

**REGULAR MEETING
MARCH 14, 2022**

Ordinance No. 22-02 – Second Reading/Public Hearing – Special Emergency Appropriation

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

Ms. Hovan read Ordinance No. 22-02 and referred to her prior explanation regarding the reallocation of funds.

Mayor Nemeth opened the meeting to the public. There being no questions or comments, the meeting was closed to the public on motion by Mr. Mann, seconded by Mr. Vandegrift and carried.

Resolution No. 22-32, as filed in the Borough Clerk's office and to adopt Ordinance No. 22-02, was adopted on motion by Mr. Mann, seconded by Mr. Vandegrift and carried.

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

Ordinance No. 22-03 – Second Reading./Public Hearing – Water Capital

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

Ms. Hovan read Ordinance No. 22-03 and said that unlike the first two ordinances, this one was new money, and it funds water system infrastructure repairs as needed. She said that system breaks and repairs are funded out of water capital and the last one was now depleted due to the cost of the with the new hydrant so this new one replenishes that account.

Mayor Nemeth opened the meeting to the public. There being no questions or comments, the meeting was closed to the public on motion by Mr. Juncosa, seconded by Mr. Mann and carried.

Resolution No. 22-33, as filed in the Borough Clerk's office and to adopt Ordinance No. 22-03, was adopted on motion by Mr. Juncosa, seconded by Ms. Hendricks and carried.

Roll Call: Ayes: Juncosa, Hendricks, Kozuhowski, Lipsen, Mann, Vandegrift

**BOROUGH OF STOCKTON
BOROUGH COUNCIL**

**OFFICIAL MINUTES
APPROVED: 4/18/2022**

**REGULAR MEETING
MARCH 14, 2022**

Absent: None
Abstain: None

Resolutions - the following Resolutions No. 2022-34 and 2022-35, as filed in the Borough Clerk's office and listed below. Ms. Hovan explained the resolutions, including the bid status for the revaluation project and that the emergency funds allocated in response to Hurricane Ida that were not spent in 2021 are being funded. She added that ongoing Ida costs need to be funded either in the 2022 budget or by bond ordinance. On motion by Mr. Mann, seconded by Mr. Juncosa and carried, Resolutions 2022-34 and 2022-35 were adopted.

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

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

Claims for Payment - the Claims for Payment, as attached, were approved on motion by Mr. Juncosa, seconded by Mr. Lipsen and carried.

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

Discussion - Worman Road Repairs

Ms. Hovan explained that she and the Borough Engineer have been working with FEMA for many months to ready this repair for funding assistance and that it has cleared the local hurdle for funding and now is at FEMA's next level to gain approval for the 75% reimbursement assistance. She said that while there are no guarantees before the final paperwork is approved, there appears to be no reason why the 75% reimbursement will not be realized. She explained that the repairs are a matter of public safety and also that the area requires NJDEP permitting which increases the costs and that a bond ordinance will be prepared for introduction next month. She said that the Borough closed the road and apparently residents opened it by moving the cones so she asked the County for help to close it better than the Borough could. Ms. Hovan said that the area could be closed for months to come by the time the bond is adopted and the project is bid and constructed. In response to a question raised by Mr. Kozuhowski about liability, Ms. Hovan said that there is considerable documentation that the Borough has declared the area unsafe for travel but that doesn't mean it couldn't be sued if someone went through anyway and got hurt, adding that the Borough has Tort Claim protection so it would be difficult for someone to be successful in litigation.

**BOROUGH OF STOCKTON
BOROUGH COUNCIL**

**OFFICIAL MINUTES
APPROVED: 4/18/2022**

**REGULAR MEETING
MARCH 14, 2022**

Mayor Nemeth opened the meeting to the public. Ms. Elaine Johnson, 3 Ferry Street, asked if the Borough could install cement barriers to block travel. Ms. Hovan said that she asked the County for that too, and was told they couldn't do that because of emergency services reasons but that they would do all they could, which are the measures in place right now. Mayor Nemeth said that he would try to see if there was something else that could be done. There being no questions or comments, the meeting was closed to the public on motion by Mr. Mann, seconded by Mr. Vandegrift and carried.

Mayor's Report

Mayor Nemeth said that the next meeting, April 11th, would be in person at Borough Hall and that this is the last Zoom meeting.

Council Liaison Reports

Mr. Lipsen said that he met with John Sowsian regarding some project requests for the Streets & Roads and Parks Committees and that he would be providing estimates. He confirmed that the signs were installed so the check could be mailed and also said that Mr. Sowsian cleaned out the gardens on Bridge Street. He also reported that the grants committee has been talking to the NJDEP but that they haven't met with them yet. Mr. Lipsen also reported that the engineer submitted a proposal for \$6300 for assistance to the USDA grant program. Mr. Vandegrift said that he and Mr. Lipsen should pursue talks with the USDA before bringing in the engineer to limit the expenses.

Mr. Juncosa said that the park clean-up day could be scheduled and agreed with Ms. Hovan that it could be useful to combine efforts and promote Bag Up NJ at the same time. Ms. Hovan said that the Borough could order bags and t-shirts and asked for a press release to post it to the website. Mr. Mann said that he would draft the press release. Mr. Juncosa said he would follow up with Ms. Hovan regarding a vendor for the bags and shirts.

Mayor Nemeth announced the Council would be entering into executive session next and that the meeting would be adjourned at the conclusion of the closed session.

Executive Resolution No. 2022-30 (NJS-10:4-12b(7) Litigation, as filed in the Borough Clerk's office and to discuss a matter of litigation (Pasicznyk/Nestor v. Borough of Stockton), was adopted on motion by Mr. Mann, seconded by Mr. Kozuhowski and carried. Mayor Nemeth left the meeting due to recusal for the matter to be discussed when the Council entered closed session at 7:39pm.

The meeting was finally adjourned at 8:05pm on motion by Mr. Lipsen, seconded by Mr. Mann and carried.

Respectfully submitted,

Michele Hovan, RMC
Borough Administrator/Clerk