

**BOROUGH OF STOCKTON  
BOROUGH COUNCIL**

**OFFICIAL MINUTES  
APPROVED:**

**REGULAR MEETING  
AUGUST 9, 2021**

The August Meeting of the Borough Council of the Borough of Stockton was called to order by Mayor Timothy Nemeth at 7:04 pm on August 9, 2021. 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. Ms. Michele Hovan called the roll. The following members of Council were present: Ms. Rebecca Hendricks, Mr. Adam Juncosa, Mr. Aaron Lipsen, Mr. Michael Mann, and Mr. Donald Vandegrift. Mr. Nic Messina was absent. Borough Attorney Michael Butler and Borough Administrator/Clerk Michele Hovan were also present. There were 6 members of the public present.

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.

Discussion – Stockton Park – Subcommittee update/website/Possible Amendments to Regulations

Mayor Nemeth said that in response to a member of the public at the last meeting asking about regulations prohibiting motorized vehicles in the park, amendments to the regulations would be discussed. Mr. Lipsen recused himself from the discussions regarding Stockton Park.

Mr. Mann recommended that motorized vehicles be banned from the park, except for those used to maintain the park or those used by first responders. There was a limited discussion regarding additional regulations, such as prohibiting fireworks as another amendment. Mayor Nemeth requested that an ordinance be prepared for the next meeting to prohibiting recreational vehicles in the park and all vehicles beyond the parking area except for those used by emergency responders and Borough contractors, unless permitted by the Stockton Borough Council or park use permit.

Mr. Juncosa reported that park furniture was ordered, with picnic tables scheduled for delivery, adding that volunteers were needed to aid in assembly. He reported that volunteer Lorraine Smith, who has donated extensively to the park, arranged for a contractor to have them permanently installed in cement. He added that park benches were purchased and that they were working on a park website. Mr. Vandegrift added that a contractor was engaged to remove the bleachers and old tennis court and basketball poles. He said that the landscape architect should have the plan revisions ready in time for the September meeting and that Rutgers Nursery is interesting in helping with the park development. He said that Ms. Smith was also working on tree plantings for the south eastern part of the park, near the parking lot and the tow path. Mr. Mann and Mr. Juncosa said that nearly 20 people met to discuss the park and that ideas were passed on to the planner. He suggested the memorial be left off, adding specificity regarding the pavilion and other elements. Mr. Vandegrift also reported that he reached out to vendors about pavilion specifications and for options to consider.

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Ordinance No. 21-07 – Capital - Second Reading/Public Hearing  
(Master Plan Reexamination Report and Fair Share Housing Element)  
CAPITAL ORDINANCE TO AUTHORIZE SECTION 20 EXPENSES, INCLUDING PLANNING AND LEGAL SERVICES ASSOCIATED WITH THE PREPARATION OF AN AMENDMENT TO THE BOROUGH OF STOCKTON HOUSING PLAN ELEMENT AND FAIR SHARE PLAN, AND FOR PLANNING, ENGINEERING, AND LEGAL SERVICES ASSOCIATED WITH THE PREPARATION OF A MASTER PLAN REEXAMINATION REPORT BY THE STOCKTON BOROUGH PLANNING BOARD, BY AND FOR THE BOROUGH OF STOCKTON, IN THE COUNTY OF HUNTERDON, AND THE EXPENDITURE OF \$30,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE FINANCING THEREOF

Ms. Lipsen returned to the dais.

Ms. Hovan explained that the Fair Share Plan Element requires updating for compliance and the Reexamination Report was a continuation of the discussion surrounding an opportunity for greater public input on planning decisions in the Borough, adding that the cannabis legislation has triggered many towns to revisit their master plans about that subject. She added that while the reexamination report isn't site specific like a PIR would be, it still affords the town an opportunity to more closely examine zoning regulations that may reflect changing times and attitudes.

Mr. Vandegrift questioned if the report could alter parameters about what could be permitted for the Stockton Inn. Ms. Hovan explained that the Reexamination Report is more general, and the goals and objectives speak in broader terms about what the vision for specific zones is. She said that the first step is the identification of the goals, and from there, zoning ordinances could be crafted to reflect those goals. She also stated that the public hearing affords residents an opportunity to participate in expressing what they would like to see. A general discussion followed regarding master plans and zoning ordinances compared to redevelopment plans. Mr. Butler said a reexamination report is the first step on what would be a lengthy process to enact changes. Mr. Vandegrift said that one of the goals should be that the Borough wants an acceptable operation at the site. Ms. Hovan added that elements like traffic are examined in the circulation part of the report as well.

Mayor Nemeth opened the meeting to the public. Mr. Bill Brown, 19 Broad Street, questioned the need for an update to the Fair Share Plan. Ms. Hovan said that the Borough has Third Round Substantive Certification but that the courts invalidated those decision so the Borough returns to the second round obligations. Mr. Brown asked if the Borough filed action for protection. Mr. Butler said it did not. Mr. Brown questioned why the Borough did not and what the downside is to not taking action. Mr. Butler said he was unaware of a downside. Ms. Hovan explained that the while the Borough has a non-conforming plan as a result of the judicial decisions, it was not non-conforming at the time the Borough might have considered filing for a declaratory judgment decision. A brief discussion followed regarding why the Borough did not file and Ms. Hovan again said that the Borough was compliant at time COAH was dissolved and that the towns filing for declaratory judgment did not have Third Round Certification and Stockton did. In response to

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a question raised by Mr. Vandegrift, Ms. Hovan said she was unaware of a reason why the Borough would have spent legal dollars when it had a complaint plan and that only after the judicial decision were rendered for towns seeking declaratory judgment did the Borough's plan require updating.

There being no additional comments or questions, the meeting was closed to the public on motion by Mr. Juncosa, seconded by Mr. Vandegrift and carried.

Resolution No. 2021-49, as filed in the Borough Clerk's office and to adopt Ordinance No. 21-07, was adopted on motion by Mr. Vandegrift, seconded by Mr. Juncosa and carried.

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

Claims for Payment – in response to a question raised by Mr. Lipsen, Ms. Hovan said the payment to the State of New Jersey was for permitting costs associated with the corrosion control issue. Mr. Vandegrift asked if John Sowsian could move more aggressively in the park to cut the areas that were cleared last year. The claims for payment, as attached, were approved on motion by Mr. Mann, seconded by Mr. Lipsen and carried unanimously.

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

Discussion/Updates: Revaluation Timeline/Grants Committee/Fire Code Violations  
Ms. Hovan reported that the revaluation timeline was pushed back due to COVID and that the County extended the deadline accordingly. She said that the Borough would be conducting the town-wide revaluation in 2022 to take effect in the 2023 tax year.

Mr. Vandegrift asked if the Hilltop and Moore was completed. Mr. Lipsen replied that there were supply issues, specifically with the availability of cement that is causing delays.

Mr. Lipsen said that Ms. Hendricks was not at the last meeting when the committee was discussed and that she is interested, as is Mr. Mann and himself. Mr. Lipsen said he is interested in doing what he can to raise funds for the town projects and just needs authorization. Mayor Nemeth asked if there would be issues with recusals if the majority of the grants were for the park. Mr. Lipsen said that the fire department, streets and roads, water supply, other areas in town and the lot of Risler Street could benefit from the grant committee's work. In response to a question raised by Mayor Nemeth, Mr. Butler replied that depending on the grant, there may or may not be a need for someone to be recused. Mr. Butler said that the committee would be

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gathering information and filling out paperwork but the governing body ultimately is the authority that applies. A brief discussion followed ending with the Mayor appointing Mr. Lipsen, Mr. Mann and Ms. Hendricks to the grants committee.

Ms. Hovan explained that until recently, the State had never, as far as she knew, inspected Borough Hall or other buildings in town and that there is a list of violations required to be addressed. She said that violations were issued without warning and that the Borough has 30 days to abate the issues, some of which are easy, others that are not. She said the Borough likely even needs to retain the services of an architect to design modifications to make the corrections. She added that although there have been conversations about using the school someday for municipal operations, the same type of work would be required there. She said that one consideration in the time ahead might be to abandon the assembly use of the building which would lessen some of the violations. A brief conversation followed regarding remote meetings, executive orders, the Delta variant and the myriad of issues surrounding meetings. Ms. Hovan said that the environment is constantly changing and that all the best planning might be upended by a higher authority. Discussion continued generally regarding the fire violations. Mr. Lipsen and Mayor Nemeth suggested that Council continued to meet via Zoom for the time being. In response to a question raised by Mr. Vandegrift, Mr. Butler explained that there are issues with the title work and that there is no actual acquisition timeline yet. Ms. Hovan explained that considerable planning is required for the school, even if the title work was clean. Discussion continued in general terms about the school. Mr. Lipsen suggested that the Borough explore options such as meeting at the firehouse or another location. Mayor Nemeth said that the September meeting could be on Zoom. Ms. Hovan suggested the Mill as a site and Mr. Mann said he would inquire about the firehouse and the Mill. Ms. Hovan suggested to wait, since meeting in-person will require masks at this time.

Mayor Nemeth made the following appointments:

Appointments – Planning Board: Joseph Martino – Class IV, Thomas Hunt – Alternate #1

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

Mayor Nemeth said that he has the new crosswalk signs. Ms. Hovan said that the State has to approve signs on State roads. Mr. Lipsen said there used to be two on Bridge Street. Mayor Nemeth said that he would deliver them during the week and remove the old ones.

Mr. Lipsen said he is meeting with John Sowsian regarding a sinkhole on Glenwood and a drainage issue on Wilson Drive and that those areas will be addressed by the end of the year.

Mayor Nemeth announced that the next meeting would be held on September 13, 2021, via Zoom.

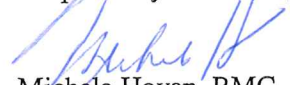
On motion by Mr. Mann, seconded by Mr. Vandegrift and carried, the meeting was adjourned at 8:22 pm.

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Respectfully submitted,



Michele Hovan, RMC  
Borough Administrator/Clerk