



STOCKTON BOROUGH COUNCIL REGULAR MEETING MINUTES November 20, 2023 – 7:00 P.M.

Mayor Aaron Lipsen., called the regular meeting of the Stockton Borough Council to order on November 20, 2023, at 7:04 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 faxed 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.

Mayor Lipsen announced that website problems delayed agenda posting online.

ROLL CALL

Present: Councilperson William Brown, Councilperson Peter Folz, Councilperson Ken Kozuhowski, Council President Michael Mann, Mayor Aaron Lipsen, Borough Attorney Michael Butler (*phone in*), Borough Clerk, Laurie A. Courter

Absent: Councilperson Rebecca Hendricks

Excused: Councilperson Tom Hunt.

Mayor Lipsen announced a moment of silence to honor the passing of Gloria Garefino, dear friend, and Stockton's oldest living resident.

PLEDGE OF ALLEGIANCE

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

RESOLUTION

A motion made by Mann and seconded by Folz to approve Resolution 2023-95, Appointment of L. Courter, Registered Municipal Clerk and Registrar.

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

Ayes: 4

Nays: 0

Motion passes.

**RESOLUTION #23-95
BOROUGH OF STOCKTON
COUNTY OF HUNTERDON
RESOLUTION APPOINTING
REGISTERED MUNICIPAL CLERK AND LOCAL REGISTRAR**

WHEREAS, N.J.S.A. 40A:9-133 requires that every municipality shall have a municipal clerk appointed for a three-year term by the governing body; and

WHEREAS, N.J.S.A. 26:8-11, et. seq. requires the governing body shall also have a Local Registrar; and

WHEREAS, vacancies have occurred in these positions; and

WHEREAS, Laurie A. Courter has been certified as a Registered Municipal Clerk and a Certified Municipal Registrar in accordance with the law of the State of New Jersey; and

WHEREAS, N.J.S.A. 40A:9-133 provides for a Municipal Clerk to be appointed for a term of three (3) years;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Washington that Laurie A Courter, RMC/CMR be appointed Municipal Clerk for a term of three (3) years in accordance with N.J.S.A. 40A:9-133 with appointment being retro back to November 3, 2023 and with an annual salary of \$23,000.00.

BE IT FURTHER RESOLVED that Laurie A. Courter, RMC/CMR will also carry out the duties of Local Registrar.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Local Government Services, Department of Community Affairs and New Jersey State Health Department, State Registrar.

OPEN PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

Mayor Lipsen opened the floor to public comment.

Foley 11 Bridge Street -stated that she is here to initiate the process in changing an ordinance regarding parking in a commercial area. Stated that the ordinance was changed by the previous council, and she is looking to change it back. Ms. Foley continued stating that it would protect the downtown from condos and would be a good first step in protecting our downtown and the residents living downtown. Ms. Foley stated that she will also present this to the planning board at their next meeting. Mayor Lipsen responded that the planning board is in the process in reviewing their Re-Examination and stated that would be a good forum to discuss this and get community input on parking issues.

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

ORDINANCES

Introduction on Ordinance No. 23-13 (tabled)

Mayor Lipsen stated that Ordinance 23-13 will be tabled, the state is giving more time in compliance of adopting an ordinance.

Introduction on Ordinance 23-14

Mayor Lipsen read Ordinance No. 23-14 by title.

Discussion: penalties: Kozuhowski recommended at least \$500; if it goes into storm water it can hinder and impact impervious surfaces that are already creating a problem especially south end of town. A consensus for the fine is minimum of \$500 to \$1000.

A motion by Kozuhowski and seconded by Folz to introduce Ordinance No. 23-14 and move forward with a public hearing set for December 18, 2023.

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

Ayes: 4

Nays: 0

Motion passes.

Ordinance # 23-14

Illicit Connection Ordinance

SECTION I. Purpose:

An ordinance to prohibit illicit connections to the municipal separate storm sewer system(s) operated by the Borough of Stockton so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on corresponding definitions in the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A-1.2.

- a. Domestic sewage - waste and wastewater from humans or household operations.
- b. Illicit connection – any physical or non-physical connection that discharges domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater) to the municipal separate storm sewer system operated by the [insert name of municipality], unless that discharge is authorized under a NJPDES permit other than the Tier A Municipal Stormwater General Permit (NJPDES Permit Number NJ0141852). Non-physical connections may include, but are not limited to, leaks, flows, or overflows into the municipal separate storm sewer system.
- c. Industrial waste - non-domestic waste, including, but not limited to, those pollutants regulated under Section 307(a), (b), or (c) of the Federal Clean Water Act (33 U.S.C. §1317(a), (b), or (c)).
- d. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch

basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater. **NOTE:** In municipalities with combined sewer systems, add the following: “MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources.”

- e. NJPDES permit – a permit issued by the New Jersey Department of Environmental Protection to implement the New Jersey Pollutant Discharge Elimination System (NJPDES) rules at N.J.A.C. 7:14A
- f. Non-contact cooling water - water used to reduce temperature for the purpose of cooling. Such waters do not come into direct contact with any raw material, intermediate product (other than heat) or finished product. Non-contact cooling water may however contain algaecides, or biocides to control fouling of equipment such as heat exchangers, and/or corrosion inhibitors.
- g. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- h. Process wastewater - any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product. Process wastewater includes, but is not limited to, leachate and cooling water other than non-contact cooling water.
- i. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

SECTION III. Prohibited Conduct:

No person shall discharge or cause to be discharged through an illicit connection to the municipal separate storm sewer system operated by the Borough of Stockton any domestic sewage, non-contact cooling water, process wastewater, or other industrial waste (other than stormwater).

SECTION IV. Enforcement:

This ordinance shall be enforced by the Zoning Officer and NJ State Police.

SECTION V. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of \$500-\$1000.

SECTION VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the 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.

Introduction on Ordinance 23-15

Mayor Lipsen read Ordinance No. 23-15 by title.

Discussion: penalties: A consensus for the fine is minimum of \$100 to \$2000.

A motion by Mann and seconded by Folz to introduce Ordinance No. 23-15 and move forward with a public hearing set for December 18, 2023.

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

Ayes: 4

Nays: 0

Motion passes.

Ordinance #23-15

Improper Disposal of Waste Ordinance

SECTION I. Purpose:

An ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system (MS4) operated by the so as to protect public health, safety Borough of Stockton and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater. **NOTE:** In municipalities with combined sewer systems, add the following: "MS4s do not include combined sewer systems, which are sewer systems that are designed to carry sanitary sewage at all times and to collect and transport stormwater from streets and other sources."
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow

removal equipment.

SECTION III. Prohibited Conduct:

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by **[insert name of municipality]** is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

SECTION IV. Exceptions to Prohibition:

- a. Water line flushing and discharges from potable water sources
- b. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters)
- c. Air conditioning condensate (excluding contact and non-contact cooling water)
- d. Irrigation water (including landscape and lawn watering runoff)
- e. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows
- f. Residential car washing water, and residential swimming pool discharges
- g. Sidewalk, driveway and street wash water
- h. Flows from fire fighting activities
- i. Flows from rinsing of the following equipment with clean water:
 - Beach maintenance equipment immediately following their use for their intended purposes; and
 - Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.

Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

SECTION V. Enforcement:

This ordinance shall be enforced by the Zoning Officer and NJ State Police.

SECTION VI. Penalties:

Any person(s) who continues to be in violation of the provisions of this ordinance, after being duly notified, shall be subject to a fine of \$100-\$2000.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the 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 VIII. 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.

ORDINANCES-2nd Reading Public Hearing/Adoption

Motion made by Folz and seconded by Brown to open the public hearing for Ordinance 23-06; all were in favor,

Nina Brander 6 Church Street, inquired about the fines and asked if there is any coordination of fines, asked if each town is standardized with the fines. Mayor Lipsen responded that there is a lot of flexibility with regards to the fines but added that the wording of the ordinance is what DEP is required to have in the ordinances.

Brown added that the DEP provides the model ordinance restrictions; the range is embodied in the jurisdiction of the municipal court, similar to restrictions for criminal acts.

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

Motion made by Mann and seconded by Kozuhowski to adopt Ordinance 23-06.

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

Ayes: 4

Nays: 0

Motion passes.

ORDINANCE NO. 23 - 06

AN ORDINANCE TO PROHIBIT THE FEEDING OF UNCONFINED WILDLIFE IN ANY PUBLIC PARK OR ON ANY OTHER PROPERTY OWNED OR OPERATED BY STOCKTON BOROUGH, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR FAILURE TO COMPLY

SECTION I. Purpose:

An ordinance to prohibit the feeding of unconfined wildlife in any public park or on any other property owned or operated by Stockton Borough so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different

meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Feed – to give, place, expose, deposit, distribute or scatter any edible material with the intention of feeding, attracting or enticing wildlife. Feeding does not include baiting in the legal taking of fish and/or game.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Wildlife – all animals that are neither human nor domesticated.

SECTION III. Prohibited Conduct:

- a. No person shall feed, in any public park or on any other property owned or operated by Stockton Borough, any wildlife, excluding confined wildlife (for example, wildlife confined in zoos, parks or rehabilitation centers, or unconfined wildlife at environmental education centers, or feral cats as part of an approved Trap-Neuter-Release program).

SECTION IV. Enforcement:

- a. This ordinance shall be enforced by the State Police for Stockton Borough.
- b. Any person found to be in violation of this ordinance shall be ordered to cease the feeding immediately.

SECTION V. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of no less than \$25.00 and no more than \$50.00 for each offense.

SECTION VI. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the 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 VII. 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.

Motion made by Brown and seconded by Kozuhowski to open the public hearing for Ordinance 23-07, all were in favor,

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

Motion made by Mann and seconded by Folz to adopt Ordinance 23-07.

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

Ayes: 4

Nays: 0

Motion passes.

ORDINANCE NO. 23 – 07

An Ordinance Requiring Dumpsters and Other Refuse Containers That Are Outdoors or Exposed To Stormwater To Be Covered At All Times And Prohibits The Spilling, Dumping, Leaking, Or Otherwise Discharge Of Liquids, Semi-Liquids Or Solids From The Containers To The Municipal Separate Storm Sewer System(S), If Any, Operated By The Stockton Borough and/or The Waters Of The State So As To Protect Public Health, Safety And Welfare, And To Prescribe Penalties For The Failure To Comply

SECTION I. Purpose:

An Ordinance Requiring Dumpsters and Other Refuse Containers That Are Outdoors or Exposed To Stormwater To Be Covered At All Times And Prohibits The Spilling, Dumping, Leaking, Or Otherwise Discharge Of Liquids, Semi-Liquids Or Solids From The Containers To The Municipal Separate Storm Sewer System(S), If Any, Operated By The Stockton Borough and/or The Waters Of The State So As To Protect Public Health, Safety And Welfare, And To Prescribe Penalties For The Failure To Comply

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” be always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by Stockton Borough or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Refuse container – any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
- d. Stormwater – means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

- e. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system(s) operated by Stockton Borough.

SECTION IV. Exceptions to Prohibition:

- a. Permitted temporary demolition containers
- b. Litter receptacles (other than dumpsters or other bulk containers)
- c. Individual homeowner trash and recycling containers
- d. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
- e. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

SECTION V. Enforcement:

This ordinance shall be enforced by the Zoning Official of Stockton Borough.

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of no less than \$50.00 and no more than \$500.00 for each offense.

SECTION VII. Severability:

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the 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 VIII. 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.

Motion made by Brown and seconded by Kozuhowski to open the public hearing for Ordinance 23-08, all were in favor.

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

Motion made by Mann and seconded by Brown to adopt Ordinance 23-08.

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

Ayes: 4

Nays: 0

Motion passes.

ORDINANCE NO. 23 – 08

AN ORDINANCE TO ESTABLISH REQUIREMENTS FOR THE PROPER DISPOSAL OF PET SOLID WASTE IN STOCKTON BOROUGH, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR FAILURE TO COMPLY.

SECTION I. Purpose:

An ordinance to establish requirements for the proper disposal of pet solid waste in Stockton Borough, so as to protect public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Immediate – shall mean that the pet solid waste is removed at once, without delay.
- b. Owner/Keeper – any person who shall possess, maintain, house, or harbor any pet or otherwise have custody of any pet, whether or not the owner of such pet.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- d. Pet - a domesticated animal (other than a disability assistance animal) kept for amusement or companionship.
- e. Pet solid waste – waste matter expelled from the bowels of the pet; excrement.
- f. Proper disposal – placement in a designated waste receptacle, or other suitable container, and discarded in a refuse container which is regularly emptied by the municipality or some other refuse collector; or disposal into a system designed to convey domestic sewage for proper treatment and disposal.

SECTION III. Requirement for Disposal:

All pet owners and keepers are required to immediately and properly dispose of their pet's solid waste deposited on any property, public or private, not owned or possessed by that person.

SECTION IV. Exemptions:

Any owner or keeper who requires the use of a disability assistance animal shall be exempt from the provisions of this section while such animal is being used for that purpose.

SECTION V. Enforcement:

The provisions of this Article shall be enforced by the State Police for Stockton Borough.

SECTION VI. Violations and Penalty:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of no less than \$50.00 and no more than \$100.00 for each offense.

SECTION VII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the 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 VIII. 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.

Motion made by Brown and seconded by Kozuhowski to open the public hearing for Ordinance 23-09, all were in favor.

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

Motion made by Brown and seconded by Folz to adopt Ordinance 23-09.

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

Ayes: 4

Nays: 0

Motion passes.

ORDINANCE NO. 23 – 09

AN ORDINANCE TO ESTABLISH REQUIREMENTS TO CONTROL LITTERING IN STOCKTON BOROUGH, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR THE

FAILURE TO COMPLY

SECTION I. Purpose:

An ordinance to establish requirements to control littering in [insert name of municipality], so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Litter - any used or unconsumed substance or waste material which has been discarded, whether made of aluminum, glass, plastic, rubber, paper, or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can, or any top, cap or detachable tab of any bottle, jar or can, any unlighted cigarette, cigar, match or any flaming or glowing material or any garbage, trash, refuse, debris, rubbish, grass clippings or other lawn or garden waste, newspapers, magazines, glass, metal, plastic or paper containers or other packaging or construction material, but does not include the waste of the primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.
- b. Litter Receptacle – a container suitable for the depositing of litter.
- c. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

SECTION III. Prohibited Acts and Regulated Activities:

1. It shall be unlawful for any person to throw, drop, discard, or otherwise place any litter of any nature upon public or private property other than in a litter receptacle, or having done so, to allow such litter to remain.
2. Whenever any litter is thrown or discarded or allowed to fall from a vehicle or boat in violation of this ordinance, the operator or owner, or both, of the motor vehicle or boat shall also be deemed to have violated this ordinance.

SECTION IV. Enforcement:

This ordinance shall be enforced by the State Police for Stockton Borough.

SECTION V. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of no less than \$50.00 and no more than \$300.00 for each offense.

SECTION VI. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the 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 VII. 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.

Motion made by Folz and seconded by Kozuhowski to open the public hearing for Ordinance 23-10, all were in favor,

Nina Brander 6 Church Street asked to define yard waste collection, asked for an explanation and asked what the town is collecting. Mayor Lipsen stated a new garbage contract will be made, but for right now, they will take whatever you put there.

Eileen Foley asked if someone blows leaves into the street is that an offense? Mayor Lipsen stated yes. Ms. Foley asked about the leaves that fall into the street that come from the trees on the Bridge Street and who would be responsible for picking up those leaves. Attorney Butler stated that this is different than leaves falling off trees. This is someone who is on purpose blowing leaves into the street.

If leaves are dropping onto someone's property they cannot blow onto the street, they must pick them up. If you are actively putting it into the public right away, then you would be in violation.

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 Mann to adopt Ordinance 23-10.

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

Ayes: 4

Nays: 0

Motion passes.

ORDINANCE NO. 23 – 10

AN ORDINANCE TO ESTABLISH A YARD WASTE COLLECTION AND DISPOSAL PROGRAM STOCKTON BOROUGH, SO AS TO PROTECT PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PRESCRIBE PENALTIES FOR THE FAILURE TO COMPLY.

SECTION I. Purpose:

An ordinance to establish a yard waste collection and disposal program in Stockton Borough, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- a. Containerized – means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Street – means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.
- d. Yard Waste – means leaves and grass clippings.

SECTION III. Yard Waste Collection

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and shall not be placed closer than 10 feet from any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this ordinance. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

SECTION IV. Enforcement:

The provisions of this ordinance shall be enforced by the Zoning Official or Construction Official.

SECTION V. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of no less than \$50.00 and no more than \$100.00 for each offense.

SECTION VI. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be independent section, subsection, sentence, clause and phrase, and the 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 VII. 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.

Motion made by Mann and seconded by Brown to open the public hearing for Ordinance 23-11, all were in favor,

Hearing no 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 Mann to adopt Ordinance 23-11.

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

Ayes: 4

Nays: 0

Motion passes.

ORDINANCE NO. 23 – 11

An Ordinance Requiring The Retrofitting Of Existing Storm Drain Inlets Which Are In Direct Contact With Repaving, Repairing, Reconstruction, Or Resurfacing Or Alterations Of Facilities On Private Property, To Prevent The Discharge Of Solids And Floatables (Such As Plastic Bottles, Cans, Food Wrappers And Other Litter) To The Municipal Separate Storm Sewer System(S) Operated By The Borough of Stockton, if any, So As To Protect Public Health, Safety And Welfare, And To Prescribe Penalties For The Failure To Comply

SECTION I. Purpose:

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Borough of Stockton, if any, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different

meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- a. Municipal separate storm sewer system (MS4)– a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by [insert name of municipality] or other public body, and is designed and used for collecting and conveying stormwater.
- b. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
- c. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
- d. Waters of the State – means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

SECTION III. Prohibited Conduct:

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or
2. Is retrofitted or replaced to meet the standard in Section IV below prior to the completion of the project.

SECTION IV. Design Standard:

Storm drain inlets identified in Section III above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, “solid and floatable materials” means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section V.3 below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches or is no greater than 0.5 inches across the smallest dimension.

- c. Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.
2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches or be no greater than two (2.0) inches across the smallest dimension.
3. This standard does not apply:
 - a. Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - b. Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - i. A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 - ii. A bar screen having a bar spacing of 0.5 inches.
 - c. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or
 - d. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

SECTION V. Enforcement:

This ordinance shall be enforced by the Zoning Official of the Borough of Stockton.

SECTION VI. Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of no less than \$50.00 and no more than \$300.00 for each offense.

SECTION VII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the 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 VIII. 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.

Motion made by Mann and seconded by Kozuhowski to open the public hearing for Ordinance 23-12, all were in favor.

Hearing no public comment, motion made by Mann and seconded by Brown to close the public hearing, all were in favor.

Motion made by Folz and seconded by Kozuhowski to adopt Ordinance 23-12.

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

Ayes: 4

Nays: 0

Motion passes.

ORDINANCE NO. 23 – 12

An Ordinance Establishing Requirements for The Storage of Salt and Other Solid De-Icing Materials on Properties Not Owned or Operated by The Municipality (Privately-Owned), Including Residences, In the Borough of Stockton to Protect the Environment, Public Health, Safety and Welfare, And to Prescribe Penalties for Failure to Comply

SECTION I. Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in Stockton Borough to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. “Storm drain inlet” means the point of entry into the storm sewer system.
- D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 - 3. The structure shall be erected on an impermeable slab;
 - 4. The structure cannot be open sided; and
 - 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
 - F. “Resident” means a person who resides on a residential property where de-icing material is stored.

SECTION III. Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:
 - 1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;

2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 5. Containers must be sealed when not in use; and
 6. The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 - April 15.
- C. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION IV. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

SECTION V. Enforcement:

This ordinance shall be enforced by the Zoning Official during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines of no less than \$50.00 and no more than \$500.00 for each offense.

SECTION VII. 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 VIII. 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.

RESOLUTIONS

A motion by Mann seconded by Kozuhowski to adopt Resolution #23-96.

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

Ayes: 4

Nays: 0

Motion passes.

**BOROUGH OF STOCKTON
County of Hunterdon**

**RESOLUTION #23-96
APPROVING THE 2023 MUNICIPAL BEST PRACTICES INVENTORY**

WHEREAS, the Department of Community Affairs, Division of Local Government Services requires municipality to complete the Best Practice Inventory; and

WHEREAS, the Borough of Stockton has complied with the request to complete the Best Practice Inventory Worksheet:

WHEREAS, the Chief Administrative Officer and the Chief Financial Officer of every municipality must both certify the inventory using the Online FAST platform; and

WHEREAS, the Municipal Clerk must certify that the Inventory and the results will be discussed at a public meeting; and

NOW, THEREFORE, BE IT RESOLVED that the Borough of Stockton's Best Practice Inventory Worksheet has been reviewed by the Governing Body at a public meeting held on November 20, 2023; submitted to the Division by the required date; and the Chief Administrative Officer, Chief Financial Officer, and Municipal Clerk are hereby authorized to prepare the necessary certifications.

A motion by Kozuhowski and seconded by Folz to adopt Resolution #23-97.

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

Ayes: 4

Nays: 0

Motion passes.

Discussion: Brown discussed his research and the advantage of the Borough of Stockton joining co-op. He explained that the bidding laws were complex, stating that there is a statute that permits purchasing off co-op arrangements. Due to volume and vetting, the Borough would have assurance that it's a good, reliable vendor and that it's a good price.

**RESOLUTION FOR MEMBER PARTICIPATION
IN A COOPERATIVE PRICING SYSTEM**

**A RESOLUTION AUTHORIZING THE BOROUGH OF STOCKTON
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT**

RESOLUTION NUMBER 23-97

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Educational Services Commission of New Jersey, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on November 20, 2023 the governing body of the Borough of Stockton County of Hunterdon, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Stockton

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

A motion by Folz and seconded by Mann to adopt Resolution #23-98.

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

Ayes: 4

Nays: 0

Motion passes.

**Resolution #23-98
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 \$315,143.46.

OLD BUSINESS

- **Discussion / Update on Worman Road**

Mayor Lipsen gave an update and stated he went to the engineer's office in Chester, NJ, to look over plans; the plans were completed, he reviewed the schematics, and added we are now at the stage at tonight's meeting of approving payment for the DEP permits. Once they get approvals from us, mail some things out certified to some people, the DEP reviews the plans.

Mayor Lipsen stated that he will contact people we know to expedite the process as soon as possible. Construction will hopefully start in Spring.

Brown added that it is a complex process. The council thanked Mayor Lipsen for going to visit the engineer.

- **Discussion / Update on Tier A Stormwater Update**

Mayor Lipsen reported that they are finalizing details for a contract with an engineering company to fulfill Tier A requirements that are due this year. Emailing back and forth and moving forward quickly

- **Discussion/ Update Garbage Bid Update**

Mayor Lipsen reported that they hired a professional regarding bid specs. By the next meeting, we should be ready to go out to bid. What we have right now is a manual pick up model. Garbage prices have skyrocketed. We will ask for same proposal again but look at automated pick up with one container each and they dump it. We could add yard waste with proposal. Some hybrid bid specs could include manual garbage and automated recycling. We are looking at what we have. Kozuhowski asked if they could go with another company. Mayor Lipsen responded that it will go out to bid with bid laws. We must make sure our bid specs are clear and concise. It is a learning process, and he added that council will have to review bids and that residents could be upset with high prices of manual pick up or the cultural change of using automated collection.

- **Discussion / Update on Sewer Generator and Grant assistance Update**

Brown gave update- he coordinated with Congressman Kean's office related grant assistance for a new sewer pump station generator. They emailed a document with links that the congressional research service has prepared. A lot of the links are not helpful but some may be. The League of Municipalities has a subscription service that has a grant database, and this may make sense to join. It is not that much to join if we are already a member of the League. He talked to USDA; they checked the eligibility of the town based on population but not median income. Our income is high, making us ineligible for many programs. We would have to get into funding a loan with an interest rate of 3.875%. The length of the term agreement could be up to 40 years based on the useful life of the asset. This long term could be a significant benefit. In order to do something with USDA, need engineering and environmental impact report to qualify for the funds. There are funds there available if you want to prepay the loan; there is no penalty for prepayment. Since Stockton is so small, we do not do bonds, but we can do short-term notes. The generator would be \$125,000; that

has gone up since 2019 from \$92,000. USDA would help us. The DEP is harder to contact; they had a changeover in their office. The other source of federal monies, for stormwater or clean water, we must go back to DEP to get those funds. NJ has Environmental Infrastructure Trust. They have a lot of money for low interest loans; sometimes they subsidize interest rates too. This is something we need; there are other emergent priorities and the immediate one is replacing shut-off valves on the water tank.

- **Discussion on Water Meter**

Mayor Lipsen explained that for the last several decades the Borough has been keeping water expenditures very low; we have a very old water system. We need to decide whether to begin investing in meters or look for an alternate approach and billing without meters. We have a new staff of people doing readings. They are being very methodical and are developing a prioritization list for meter replacement.

Our new assistant water operator looked for and found a possible funding source. The Borough engineer can also seek funding from the NJ DEP for this and other water needs. This would not be quick and may not be comprehensive. Old meters that are operational are more durable than modern meters. Roughly \$80,000 would be the parts cost for self-reading meters. This would save money on meter reading and for billing. Due to financial constraints, upgrades would likely need to be done in stages. We have aging meters. Some of the meters are difficult to read or are need of repair and old. We must decide with the Infrastructure Committee and are looking for council and public suggestions about whether to begin investing or to move toward a meter-less system.

Council members supported meter upgrades in phases.

When residents challenge bills, we send out the assistant operator; if the borough is wrong, we issue a refund. Recently, some residents' meters were checked, but no equipment problems were found. There could be multiple causes of unusually high water bills including water leaks and estimated readings. The mayor explained that, just this week, two of his own toilets were found to be leaking and needed repair. The Borough will try to avoid estimated readings in future. Several people are not paying their bills because they don't like their readings. If people don't pay, we can't pay our staff; this can have huge impacts. Policy discussions ensued. Looking at next year having the possibility of returning to pre-COVID practice of charging interest to those choosing not to pay on time.

- **Discussion/Update-NJDOT Mid-Block Crosswalk Project**

Mayor Lipsen stated that the previous resolution supporting this project failed when a resident requested historic fixtures. He stated that he shared pictures and sent a request to the DOT. He discussed having a new ordinance at next meeting adding consideration for those types of fixtures.

- **Discussion / Update on Stockton School**

Attorney Butler gave an update and stated that we are getting close to being able to accept the transfer of the school property over to the borough. An item that needed to be taken care of was taken care of: the transfer had to be approved by the NJ Historic Preservation Office. The school district had to file an application. That application has been reviewed and approved. The NJ Historic Preservation Office has authority to do the transfer. One remaining item is access to the property, and they are working with the Diocese to finalize the license agreement.

Open public comment of old business

Aasman, 6 Church Street, asked about water meters on how they will be read.

Foley, 11 Burdge Street-liked the idea of phasing it in (water meter replacement costs) in doing it that way, added that she opposed charging individual residents to install new meters.

NEW BUSINESS

- **Acknowledgement of resignation of Tiffany Crivelli**

Mayor Lipsen thanked former Deputy Clerk Tiffany Crivelli for her service, election help, and transition. Mayor Lipsen stated that we all wish her the best with her new beginnings and added that she will always be a friend of the borough.

- **Discussion on Cannabis Dispensary Ordinances**

Mayor Lipsen stated that the council had chosen to opt out of sales and dispensaries in the borough during the past administration. He stated that we don't have to opt in; we have the option of opting in. If we chose to opt in, we would seek proposals and it would be the council's decision to accept. For transparency, a businessperson reached out to him about having a dispensary in Stockton. He stated that he would not weigh in on either side of issue and that he wanted to get the feeling of the council. Discussions of parking and financial benefits ensued and used Lambertville and Phillipsburg as examples of dispensaries that are open.

- **Discussion -Lorraine Smith Pollinator Gardens (Mayor Lipsen recused)**

Mayor Lipsen recused himself. Council President Mann explained Lorraine Smith had planted a garden at the park and she has some ideas for continuing her planting. Mann read through them and stated that it is very educating about what can be done. She is looking to increase some of the planting and to spread out into a little more area; it is all very positive. There is no cost to the borough. Brown added that he believes she's a Master Gardener, very high level, and added that it sounds like a great idea. Kozuhowski recommended that the area be designated as a pollinator garden and have it as a draw for Stockton Park.

MAYORS REPORT, BOROUGH COUNCIL COMMENTS & COMMITTEE REPORTS**Committee Reports**

Playground Committee: Mann reported on some issues needing correcting that were found at the park. Concerned about a request to purchase equipment and will follow through with this. Reported that he and Hunt went through the playground extensively and stated that they can do the basics, but that fencing is a bigger item and could use grant money for that.

Mayor Lipsen thanked the following:

- Donation of park bench from Surinder Singh.
- Thanked Christine Ferrero and Sally Horner for taking down ribbons from the Tie the Town Pink event.
- Well emergency: thanked Robert Ent, Mike Schneider, Brian Hewitt, Bill Brown, and Tom Hunt for their help in communicating with the public and getting water to pump to those affected after the main well pump burned out.
- Thanked Stockton Fire Company, NJ DOT, and NJ State Police for help clearing up downed trees that fell onto Route 29 causing power outages. Mayor Lipsen added that JCP&L has moved Stockton up on their list for tree trimming within 30 days.

Mayor Lipsen asked whether the council supported a resolution to allow phone-in option for council members. The council agreed to the idea.

OPEN PUBLIC COMMENT FOR ITEMS ON THE AGENDA

Mayor Lipsen opened the floor to public comment.

Aasman, 6 Church Street-inquired about cannabis dispensary and added that Council would not have to say yes, but to automatically saying no seems shortsighted with guns and alcohol stores here.

Foley-11 Bridge Street-stated she is against a dispensary in town. Stated that we don't need all these people coming into town and added that we don't have a police force.

Mike Odenwald, Stockton resident, read his letter of intent of giving a professional perspective of cannabis and how Stockton could be part of it all and get significant tax revenue for the borough.

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

Mayor Lipsen commented on cannabis and stated that if the town does decide to opt in there is a clear and careful legal process which involves advertising and accepting proposals and council decides who to go with. The council would have the choice of who they want to go with.

EXECUTIVE SESSION

A motion by Brown, seconded by Kozuhowski to approve Resolution #23-100 was unanimously approved by voice vote.

**RESOLUTION NO. 23 – 100
TO ENTER INTO EXECUTIVE SESSION**

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this governing body is of the opinion that such circumstances presently exist,

NOW, THEREFORE BE IT RESOLVED by the Council of Stockton Borough, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - Contract Services
 - Contractual-Professional Services
 - Bid Specs
 - Personnel-Deputy Clerk Position
 - Property Acquisition

The discussion is anticipated to take approximately 30 minutes. Action may be taken.

3. It is intended at this time that the above-stated subject matter will be made public when the matter has been resolved.
4. This resolution shall take effect immediately.

A motion by Mann and seconded by Kozuhowski to exit the executive session was unanimously approved by voice vote.

The council was in Executive Session from 8:55 PM– 9:24 PM.

ACTION ON ITEMS FROM EXECUTIVE SESSION

No action is being taken.

NEXT MEETING

Monday December 18, 2023, at 7:00 PM Regular Meeting

ADJOURNMENT

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

The meeting adjourned at 9:25 PM.

Laurie A. Courter

Laurie A. Courter, Borough Clerk

Approved: