



STOCKTON BOROUGH COUNCIL Regular Meeting Minutes

April 17, 2023 – 7:00 PM
Borough Hall, 2 South Main Street, Stockton, NJ

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.

Meeting Called to order at 7:05 PM by Mayor Lipsen.

ROLL CALL:

PRESENT: Mayor Lipsen, Councilperson Hunt, Councilperson Folz, Councilperson Brown, Councilperson Hendricks

ABSENT: Council President Mann, Councilperson Kozuhowski

ALSO PRESENT: Borough Attorney, Michael Butler

FLAG SALUTE:

Mayor Lipsen led the flag salute.

APPOINTMENT:

- **APPOINTMENT OF SPECIAL DEPUTY CLERK-RESOLUTION 2023-46**

Councilperson Hunt made a motion, seconded by Councilperson Brown to approve Resolution 2023-46.

Roll Call: Aye: Folz, Brown, Hunt, Mann, Hendricks

Nay: None

Abstain: None

Motion Carried

WHEREAS, the Borough Clerk Monica Orlando resigned; and

WHEREAS, the Borough Deputy Clerk Tiffany Crivelli is not available for the April 17, 2023, Stockton Borough Council meeting; and

WHEREAS, there is a need to continue business as usual for the Borough Council Meeting.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Stockton that Diane S.

McDaniel, shall serve as the Special Deputy Borough Clerk for the April 17, 2023, Stockton Borough Council Meeting; and

BE IT FURTHER RESOLVED, that Diane McDaniel is responsible for taking minutes in connection with the Open Public Session and Executive Session; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

ORDINANCE- Public Hearing/Adoption

Mayor Lipsen read Ordinance No. 2023-02 by title.

Motion made by Hunt and seconded by Hendricks to open the public hearing for Ordinance 23-02; all were in favor,

Mayor Lipsen noted that Borough residents can find a FAQ sheet pertaining to water/sewer rates and water/sewer information on the Borough website. All Borough residents own the water system including members of Council, the Water Supervisor, and Utility Collector along with all employees who work on the system. There are approximately 227 Borough residents who are users and repairs are divided among everyone. This year, everyone is charged a \$400.00 yearly flat fee and \$3.85 per one thousand gallons of usage. These fees are comparable with other water companies. Sewer usage is determined by how much is sent to Lambertville for processing and then is divided by all users and that determines the rate

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

Motion made by Hunt and seconded by Hendricks to adopt Ordinance 23-02.

Roll call: Brown, Folz, Hendricks, and Hunt.

Ayes: 4, Nays: 0

Motion passes.

Ordinance No. 2023 - 02

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE
PRESCRIBING CHARGES, RENTALS, RULES AND REGULATION FOR THE
MUNICIPAL WATER SYSTEM FOR THE BOROUGH OF STOCKTON, COUNTY OF
HUNTERDON, STATE OF NEW JERSEY

BE IT ORDAINED, BY THE COMMON COUNCIL OF THE BOROUGH OF STOCKTON,
IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY that the foregoing Ordinance
be amended as follows:

Section IV is amended to read: The following rates are hereby adopted for the use of water in the Borough of Stockton Water System based on meter readings:

All size meters: A rate of \$3.85 per thousand gallons

Section VII. Flat Rates - is amended to read:

The flat rate user charge per year for all size meters is \$400.00 (currently \$300.00)

This Ordinance shall take effect upon its passage, approval and publication as provided by law

ORDINANCE- INTRODUCTION

Mayor Lipsen read Ordinance No. 2023-03 by title.

A motion by Hunt, seconded by Hendricks to introduce Ordinance No. 2023-03 with a Public Hearing date of May 15, 2024

The Introduction of Ordinance No. 2023-03 was approved by roll call vote.

Brown: Yes; Folz: Yes; Hendricks: Yes; Hunt: Yes

ORDINANCE 23-03

**CALENDAR YEAR 2023 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14
)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Stockton in the County of Hunterdon finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$5,216.62 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Stockton, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Stockton shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$5,216.62, and that the CY 2023 municipal budget for the Borough of Stockton be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

INTRODUCTION OF THE 2023 BUDGET

A motion by Hendricks, seconded by Hunt to introduce the 2023 Budget

CFO McDaniel noted that this year's tax rate went down, but that there is 3 cent increase which equates to approximately \$30 per quarter. CFO McDaniel stated the increase in water service did help. Discussion ensued with inquiries from residents Pat Slack regarding what percentage of the budget was for water and sewer. CFO McDaniel stated that is a separate budget. Mike Odenwald inquired about the surplus and deficient. CFO McDaniel stated that the surplus is \$700,000 and only \$220,000 was used.

Introduction of the 2023 Budget was approved by roll call vote.

Brown: Yes; Folz: Yes; Hendricks: Yes; Hunt: Yes

Councilperson Hunt made a motion, seconded by Councilperson Hendricks to approve Resolution 2023-48.

Roll Call: Aye: Folz, Brown, Hunt, Hendricks

Nay: None

Abstain: None

Motion Carried

Resolution #23 – 48

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 \$

Councilperson Hunt made a motion, seconded by Councilperson Hendricks to approve Resolution 2023-49.

Roll Call: Aye: Folz, Brown, Hunt, Hendricks

Nay: None

Abstain: None

Motion Carried

Resolution #23 – 49 Stigma Free Communities

WHEREAS, it is widely recognized that mental health issues are at the core of the numerous violent events around the nation, where so many have been randomly killed, wounded, or traumatized and that one of the key factors in preventing violent actions from occurring in the first place is to provide greater access to mental health services that includes breaching the barrier of the stigma associated with mental illness; and,

WHEREAS, while a very small percentage of those in need of mental health care will ever turn violent, the stigma associated with the disease of mental illness is identified as the primary reason individuals fail to seek the help they need to recover from the disease; and,

WHEREAS, Stigma-Free Communities aim to inspire public interest and open dialogues about stigma, raise awareness of the disease of mental illness, and create a culture wherein residents who have the disease of mental illness feel supported by their community and neighbors, and feel free to seek treatment for the disease without fear of feelings of shame or disgrace, being stigmatized; and,

WHEREAS, the Borough Council of the Borough of Stockton wishes to lead our community in recognizing the need to eliminate the stigmatization of mental illness by designating Stockton Borough as a Stigma Free community, promoting awareness that there can be no “health” without mental health, breaking down barriers, and encouraging residents of all ages to be mindful of their mental health and to ask for help when needed, so recovery can begin, hope is inspired, and tragedies are avoided.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Stockton hereby designates Stockton Borough as a Stigma-Free Community, raising awareness of the resources available and encouraging those who may have need for mental health services to engage in care, as soon as the need is identified, and for all residents to demonstrate compassion, understanding, and support through the elimination of the stigma towards those living with mental illness,

BE IT FURTHER RESOLVED, that Stockton Borough joins with Hunterdon County and many of the communities in the county in becoming Stigma Free By '23.

OLD BUSINESS

a. Discussion/Update on June Event at Stockton Park: Celebrating the life of Cheryl Kennedy – Application Received

- Committee to assist
- Alcohol
- Fencing
- Locating Tent & Stage
- Post-event inspection
- Diane: Call construction office for permits.

b. Discussion / Update on Worman Road

- Status update: FEMA money has been encumbered. Awaiting updated engineering plan.
- Meeting with Chief Hendricks- "Gator" 6 Wheel ATV
- Spoke with Borough Engineer: Asked him to consider adjusting roadway within the right of way if beneficial
- Contacted JCPL: Supplemental tree trimming request
- Spoke with Delaware Township Mayor Herman

c. Discussion on Church Street Truck Traffic:

- Coming down Rt. 523, GPS navigation systems are directing cars and trucks to take Broad Street and Church Street when heading down Rt. 29 instead of using the intersection of Rt. 523 and Rt. 29.
- This is causing cars and 18 wheelers to travel down these narrow streets
- We received another resident complaint.
- I met with resident Marc Guttesman (leave name out of minutes) and we discussed the following course of action.
- Reinstall no-truck signs at the intersection of Broad & Rt. 523 along with a sign indicating No through traffic.
- Clear brush from the top of Church street to allow trucks to more easily make the turn without driving onto resident's yards. (I already did some of this last summer.
- Then, reevaluate the situation to see if this helps. The Council had considered making Church Street One-Way up the hill, but there would likely be resident resistance to this idea.

d. Water Authority:

- Bank stabilization project is going out to bid. In late summer, expect construction starting at 7AM. I requested a later start time.

NEW BUSINESS

- a. FEMA Assistance Submitted for Hurricane Ida Damaged Stormwater Drainage on Wilson Drive
- 36" drainage pipe running from 2 Wilson Drive to 1 Broad Street
 - Pipe is functional but sinkholes developed due to partial pipe collapse and destruction of the bottom of the piping.
 - Deadline had actually passed but our County representative believes that we could still get Ida assistance for this repair.
 - We applied for an in-kind replacement of 36" corrugated galvanized piping.
 - Cost of replacement would likely be about \$150,000-\$250,000 depending on upgrades.
 - Ferreiro engineering cost for application \$235.50 (several phone calls and two versions of the letter)
 - If the application is approved, we can discuss mitigation upgrades since the pipe is likely undersized and corrugated piping is obsolete.

MAYOR'S REPORT, BOROUGH COUNCIL COMMENTS, & COMMITTEE REPORTS

1. **Trap Rock Quarry** on Rt. 29 has applied to resume operations which would include blasting.
2. **April 25, 7PM: Community Outreach Meeting.** I have had that publicly announced so that a quorum may attend. We need to discuss organization of the meeting, issue to be discussed, invitations, Facebook Page
3. **Planning Board:** has authorized preliminary approval for the Stockton Inn. They may begin interior renovations and they may begin exterior work once final landscaping, and drainage plans are approved with our Borough Professionals (Engineer and Planner).

4. **Notice from our Animal Control Officer:** Some wild animals in Stockton have shown signs of having medical issues. To maintain pet safety, our animal control officer is recommending that residents avoid leaving pet food outside, near your homes, since this could attract wild animals with illnesses.
5. **School Tours:** Next weekend?
6. **Monica:** very much appreciated get well gifts. She will not be back until June 1
7. **Gloria Garefino Day:** April 2. 60 People in attendance. Thank you to Fire Company. Wonderful event – very much appreciated.
8. Fire Company Banquet Upcoming – Looking for volunteers
9. **Other appreciation:** ie. Lorraine Smith
10. **D&R Canal Park:** New Superintendent, short staffed, unlikely to remove promised trees this year.
11. **Street Painting:** Estimate request has been made for street painting
12. Met Landscaper John Sowsian about Street repairs, etc.
13. No updates from the NJ DEP or NJ DOT
14. For the first time ever, Delaware Township has invited children and grandchildren of Stockton Borough residents to participate in their Summer Recreation Program (July \$40 weekly) – Posted on the website.
15. Councilperson Bill Brown, Fire Company Representative Brian Hewitt, Delaware Township resident and Stormwater Committee member Debbie King met with NCRS a division of the USDA. Three representatives (2 engineers) spent close to four hours examining the Rt. 523 drainage corridor. It was evident that they had done considerable background research and that they have a high level of technical skill. They plan to continue to closely examine the watershed, and they will likely return for future site visits. They can provide free engineering and possible funding assistance for stormwater mitigation.

APPROVAL OF MINUTES:

March 20, 2023 Regular and Executive Session Minutes- Executive Session TABLED until May 15,2023

EXECUTIVE SESSION:

- **To Enter into Executive Session -Resolution 2023-50**

Councilperson Hunt made a motion, seconded by Councilperson Brown to approve Resolution 2023-50 to Enter into Executive Session to discuss litigation. Attorney-Client Privilege, and matters involving the Purchase, Lease or Acquisition of Real Property (***Entered Executive Session at 8:12 PM***).

Roll Call: Aye: Folz, Brown, Hunt, Hendricks

Nay: None

Abstain: None

Motion Carried

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:
 - a. Real Estate
3. The discussion is anticipated to take approximately 30 Mins. Action may be taken.
4. It is intended at this time that the above-stated subject matter will be made public when the matter has been resolved.
5. This resolution shall take effect immediately.

Councilperson Hunt made a motion, seconded by Councilperson Folz, to return to Public Session. **(Returned to Public Session at 8:28 PM.)**

Roll Call: Aye: Folz, Brown, Hunt, Hendricks

Nay: None

Abstain: None

Motion Carried

POTENTIAL ACTION ON ITEMS FROM EXECUTIVE SESSION:

No Action from Executive Session

NEXT MEETING – Monday, Monday May 12, 2023, 7:00 pm Regular Meeting at Borough Hall, 2 S Main Street

Councilperson Hunt made a motion, seconded by Councilperson Folz to adjourn **(8:33 PM)**.

Roll Call: Aye: Folz, Hunt, Brown, Hendricks

Nay: None

Abstain: None

Motion Carried

Meeting Adjourned at 8:33 PM.

Respectfully Submitted:

Diane S. McDaniel