



## **STOCKTON BOROUGH COUNCIL REGULAR MEETING MINUTES**

Date: January 22, 2025 – 7:00 P.M.

Held through Zoom

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Mayor Aaron Lipsen., called the regular meeting of the Stockton Borough Council to order on January 22, 2025 at 7:00 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 transmitted 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.

### **PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**

Mayor Lipsen led those in attendance in the pledge to the nation's flag followed by a moment of silence for Joan Ireland, a long time a resident of the area, and resident of Stockton, and also for Mr. Jocosa, the father of former council member and local resident, Adam Jocosa.

### **ROLL CALL**

Present: Councilperson William Brown, Councilperson Fisher, Councilperson Peter Folz, Councilperson Hunt, Councilperson Kate Meltzer and Mayor Aaron Lipsen. Borough Attorney Lisa Maddox and Borough Clerk, Laurie A. Courter were also present.

Absent, Council President Michael Mann

### **APPROVAL OF MINUTES**

Motion made by Folz and seconded by Hunt as amended (December) to approve the following minutes, all were in favor.

December 16, 2024 (Regular)

December 16, 2024 (Executive)

### **CORRESPONDENCE**

Mayor Lipsen noted the following correspondence:

Delaware Township Fire Company filed and recorded certificate of merger-the two fire companies, Stockton and Delaware completed their merger.

Hunterdon Board of County Commissioners-Resolution of Support-H.R 4333 & Senate Bill 1631, asking for new laws related to drone enforcement on a local level. Mayor Lipsen stated that they can continue the discussion of this issue at the next meeting, after looking more into it.

**NEW BUSINESS**

**Mary Kate Herman Girl Scout Troop 81252, Delaware Township**

Mayor Lipsen stated that the Girl Scout project is still delayed, and she is not going to be presenting this evening.

Mayor Lipsen reported that he spoke with OEM and they are still helping us this last month with the cold snap. They have communicated with the County about emergency areas for people if cars break down and have plans in place for those type of emergencies.

**OPEN PUBLIC COMMENT – PRIVILEGE OF THE FLOOR**

Mayor Lipsen opened the floor to public comment.

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

**EXECUTIVE SESSION**

Mayor Lipsen stated that they will be entering into executive session now. Mayor Lipsen stated the following reasons for the executive session:

Updates on pending litigation, attorney client privileged discussion related to the affordable housing state requirements. Anticipated contract negotiations, potential sale of Borough real property. Mayor Lipsen added that they don't have any specific plans for selling anything right now. This is just discussions related to our future plans for those properties. Attorney client privilege related to the solid waste contract. Mayor Lipsen stated that they are expecting action on the solid waste contract and affordable housing resolutions following executive session.

**PAYMENT OF BILLS AND VOUCHERS RESOLUTION**

It was noted by Hunt that the resolution to pay bills should be made first. Mayor Lipsen apologized for skipping over and asked for a motion to approve the resolution.

Motion made by Hunt and seconded by Brown to approve Resolution 25-27.

Roll call: Brown, Fisher, Folz, Hunt, and Meltzer.

Ayes: 5

Nays: 0

Motion passes.

**Resolution #25-27**  
**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 \$49,424.19.

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

Mayor Lipsen reported that they have reformed and reconstituted some committees, so they need to start thinking about budget requests as they are planning for the year. Mayor Lipsen encouraged committees to meet and hopefully within the next month to come up with some basic plan. Mayor Lipsen also welcomed anyone to contact him or other council members if they need advice on how to do it.

**COMMITTEE REPORTS**

Mr. Brown stated that he wasn't sure the specific committee this would be part of but stated that he was asked to send out a letter to approximately 44 addresses in Stockton that are eligible for elevations funding from FEMA. The letter informs those residents of a public information meeting being held on February 5<sup>th</sup> via a virtual Teams meeting. The meeting will be describing the program, which is reasonably complex. Frenchtown has secured a consultant who will work with Frenchtown and Stockton residents in navigating the application.

Stockton School Committee: Mr. Hunt stated he is now the chair of the committee and attended a workshop called a Grantee Workshop held by the DCA. The NJ Historic Trust has already awarded Stockton for school purposes in the amount of \$43,000 for soft costs. Hunt reported that they have to submit initial paperwork by March 28<sup>th</sup> which is all very promising but requires a lot of work to be done.

Infrastructure Committee: Brown reported that they are waiting on the contractor for the emergency generator time frame when the generator will be supplied and installed. This could be three or four months, which they have to order from Caterpillar. Brown reported that Bob Ent was instrumental in what we needed and helped in assisting with this. Stockton will have an emergency back up with the old generator. This way a portable generator won't need to be transported.

Cannabis Committee: Hunt reported that the committee has yet to meet will want to schedule a meeting soon. In meantime, they will have the Planner and Attorey come up with a timeline so they have a roadmap.

Grounds Committee: Meltzer reported that she would follow up with Adam (Engineer) to get the latest design around the grant for the pavement problem. She will be meeting with Matt and Peter to create a priority list on what they can do to have a path going forward. Lipsen added that for small jobs they have an employee who can do those things without going out to bid.

### **OPEN PUBLIC COMMENT FOR ITEMS ON THE AGENDA**

Mayor Lipsen opened the floor to public comment.

Steve Giocondo, asked the building and grounds committee to put on their agenda when the season permits, to take a look at some serious cracks on Glenwood Lane and Crestmont Circle and stated that they need to be tarred. Several of the cracks are about half an inch wide and deep and collecting debris. Mr. Giocondo suggested an inspection of Glenwood Lane, Crestmont Circle and Wilson Drive. Mayor Lipsen stated a contractor came out last year and looked at the cracks. Those cracks would be natural to that road and wouldn't have a big effect sealing, he will check with Engineer for his opinion.

Discussions:

Solid Waste: Attorney Maddox discussed and reviewed the process of going out to bid for solid waste. Ms. Maddox gave a history of the last contract and spoke on the options that were part of the latest bid. Discussions ensued regarding how many days per week for garbage pickup. Attorney Maddox continued in explaining the process to accept the bid and what option the borough wants. Mayor Lipsen thanked Attorney Maddox and Councilpersons Brown and Hunt on forming the bid specs. Purchasing new containers or using refurbished containers ensued and what the cost would be.

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

### **EXECUTIVE SESSION**

Mayor Lipsen stated that the public can stay within the Zoom meeting, and they will be meeting in executive session on another platform.

### **RESOLUTION 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:
  - Updates on pending litigation (N.J.S.A. 10:4-12b.(7))-Pasinyck v. Borough of Stockton
  - Matters falling under the attorney client privilege & potential litigation (N.J.S.A. 10:4-12b.(7))-- Affordable Housing
  - Anticipated/potential contract negotiations (N.J.S.A. 10:4-12b.(7)) – Potential sale of Borough real property (Borough Hall; Stockton School).
  - Matters falling under the attorney client privilege (N.J.S.A. 10:4-12b.(7)) – solid waste contracting. 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.

Motion-Return to regular session:

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

The council was in Executive Session until 8:50 PM. Mayor Lipsen gave a few minutes before resuming the meeting to give the public a chance to log back in.

**ACTION ON ITEMS FOLLOWING EXECUTIVE SESSION**

Motion made by Brown and seconded by Hunt to approve Resolution 25-28.

Roll call: Brown, Fisher, Folz, Hunt, and Meltzer.

Ayes: 5

Nays: 0

Motion passes.

**RESOLUTION 2025-28  
RESOLUTION AWARDING CONTRACT FOR SOLID WASTE AND RECYCLING  
COLLECTION AND DISPOSAL SERVICES TO REPUBLIC SERVICES OF NEW  
JERSEY, LLC D/B/A RARITAN VALLEY DISPOSAL**

WHEREAS, pursuant to a duly advertised notice to bidders, the Borough of Stockton solicited bid proposals for the “Solid Waste and Recycling Collection and Disposal Services” in accordance with the requirements of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*; and

WHEREAS, in response to the solicitation for bids, on January 3, 2025 the Borough received one (1) sealed bid from Republic Services of New Jersey, LLC d/b/a Raritan Valley Disposal, which bid contains two optional contract terms for the procurement of the solid waste and recycling services as follows:

	<b>Three Year Contract</b>	<b>Five Year Contract</b>
<b>Year 1</b>	\$78,675	\$78,675
<b>Year 2</b>	\$82,609	\$82,609
<b>Year 3</b>	\$88,392	\$88,392
<b>Year 4</b>	-	\$92,812
<b>Year 5</b>	-	\$97,452
<b>TOTAL</b>	<b>\$249,676</b>	<b>\$439,940</b>

WHEREAS, the bid also contains two options:

- Add Bulk Pick Up Once Per Year for the term of the contract for the additional annual cost of \$2,500 and/or
- Reduce the solid waste pick up from twice weekly to once weekly, which option would reduce the annual cost to the Borough by \$5,475; and

WHEREAS, the Municipal Attorney has reviewed the form of the bid and found it satisfactory and in compliance with all minimum requirements; and

WHEREAS, Council finds that it is in the best interest of the Borough to award a contract to Republic Services for a term of five years with no options; and

WHEREAS, the annual cost for the selected contract term shall be as follows: base contract amount year 1 (\$78,675), year 2 (\$82,609), year 3 (\$88,392), year 4 (\$92,812) and year 5 (\$97,452), for a total not to exceed amount of \$439,940; and

WHEREAS, in accordance with the law, the payment of the annual contract amount beyond the first year of the contract shall be subject to the annual appropriations for each subsequent year of the term; and

WHEREAS, the Chief Financial Officer has certified the availability of adequate funds as required by law in the following accounts Recycling (#10RC10) and Garbage Removal (#10TE10).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Stockton, Hunterdon County, as follows:

1. The contract for Solid Waste and Recycling Collection and Disposal Services is hereby awarded to Republic Services of New Jersey, LLC d/b/a Raritan Valley Disposal, 9 Frontage Road, Clinton, New Jersey, as the lowest responsive and responsible bidder, for a term of five years, for total not to exceed contract amount of \$439,940
2. The Mayor and Clerk are hereby authorized and directed to execute a contract consistent herewith on behalf of the Borough subsequent to Republic Services' timely compliance with all post-award requirements.
3. A copy of this Resolution, and the executed contract, shall be placed on file in the office of the Municipal Clerk.

Motion made by Folz and seconded by Hunt to approve Resolution 25-29.

Roll call: Brown, Fisher, Folz, Hunt, and Meltzer.

Ayes: 5

Nays: 0

Motion passes.

**RESOLUTION 2025-29**  
**ADOPTING FAIR SHARE AFFORDABLE HOUSING OBLIGATIONS FOR THE**  
**FOURTH ROUND**

**WHEREAS**, the New Jersey Supreme Court, through its rulings in Southern Burlington County NAACP v. Mount Laurel, 67 N.J. 151 (1975) and Southern Burlington County NAACP 14 v. Mount Laurel, 92 N.J. 158 (1983), has determined that every municipality in New Jersey has a constitutional obligation to provide through its land use regulations a realistic opportunity for its fair share of its region's present and prospective needs for housing for low- and moderate-income families; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed P.L. 2024, c.2 into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.); and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1f.(1)(b), each municipality must adopt a binding resolution no later than January 31, 2025 determining its present and prospective fair share obligation for the Fourth Round; and

**WHEREAS**, pursuant to Administrative Directive #14-24 issued by the Administrative Office of the Courts on December 13, 2024, "[a] municipality seeking a certification of compliance with the [Fair Housing Act] shall file an action in the form of a declaratory judgment complaint and Civil Case Information Statement (Civil CIS) in the county in which the municipality is located" within 48 hours of adopting the municipal resolution of fair share obligations; and

**WHEREAS**, pursuant to N.J.S.A. 52:27D-304.1d., the New Jersey Department of Community Affairs issued "a report on the calculations of regional need and municipal obligations for each region of the State" on or about October 18, 2024 (the "DCA Report"); and

**WHEREAS**, the DCA Report set the municipal obligation for the Borough of Stockton as follows:

Present Need: 0

Prospective Need: 20

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough



of Stockton, Hunterdon County, New Jersey, as follows:

1. The Borough of Stockton hereby determines, based on the DCA Report and advice of the Municipal Planner and Attorney, to adopt the obligations set forth in the DCA Report as its binding Fourth Round Affordable Housing Obligations subject to adjustments made to account for decisions of a court of competent jurisdiction, lack of availability of public water or sewer infrastructure or capacity (i.e. a durational adjustment), or lack of vacant land. Any such adjustments will be adopted as part of the municipality's Fourth Round Housing Element and Fair Share Plan.
2. The Municipal Clerk and Municipal Attorney are authorized to take all actions required by N.J.S.A. 52:27D-304.1f.(1)(b), including:
  - a. Filing a declaratory judgement action with the Superior Court and filing a copy of this Resolution with the Department of Community Affairs within forty-eight hours following adoption of this Resolution.
  - b. Publishing this Resolution on the Borough's website.
3. The Municipal Attorney, Municipal Planner, and such other municipal officials as may be necessary or required are authorized to take all actions to draft documents necessary to comply with all Fourth Round affordable housing obligations, including drafting a Housing Element and Fair Share Plan, an Affordable Housing Trust Spending Plan, and effectuating ordinances and resolutions.
4. This Resolution shall take effect immediately.

#### **NEXT MEETING**

Mayor Lipsen stated that the next meeting is February 10, 2025, it is the second Monday instead of the third due to the holiday.

#### **ADJOURNMENT**

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

The meeting adjourned at 8:55 PM.

*Laurie A. Courter*

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Laurie A. Courter, Borough Clerk