



STOCKTON BOROUGH COUNCIL REGULAR MEETING MINUTES

Date: March 17, 2025– 7:00 P.M.

Held through Zoom

Mayor Aaron Lipsen., called the regular meeting of the Stockton Borough Council to order on March 17, 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

Mayor Lipsen led those in attendance in the pledge to the nation's flag. Mayor Lipsen asked for a moment of silence for two losses to the Stockton community: a lifetime resident of Stockton, and former firefighter, Wayne Wallace, who donated the first river rescue boat to the fire company; and longtime resident, former firefighter and fire chief, Ted Vanselous, who was also the husband of former Borough clerk Elaine and father-in-law of former Council Person Ken Kozuhowski. We thank them for their service and send our deepest condolences to their families and friends.

ROLL CALL

Present: Councilperson William Brown, Councilperson Fisher, Councilperson Kate Meltzer, Council President Michael Mann, Mayor Aaron Lipsen, Borough Attorney Lisa Maddox and Borough Clerk, Laurie A. Courter

Absent: Councilperson Folz.

APPROVAL OF MINUTES

Motion made by Hunt and seconded by Mann to approve the following minutes; all were in favor.

- January 6, 2025 Re-Org Minutes
- January 22, 2025 Regular and Executive
- February 10, 2025 Regular and Executive

CORRESPONDENCE

Mayor Lipsen noted the following correspondence:

- New Jersey DOT-Horizontal Curve Safety Sign Rt 29. Mayor Lipsen reported that new signage will be installed in town in the next year and half, Mayor Lipsen stated that chevron signs warning drivers travelling south before the curve before at the Prallsville Mill, another one near intersection of Route 523 that meets Route 29 and another one coming northbound from Lambertville.

OLD BUSINESS

Pedestrian and Traffic Safety –Mayor Lipsen reported the following:

- New signs along Rt. 29 will be coming next year with new speed limits.
At the Borough's request related to pedestrian safety, the NJDOT traffic department did a study on improved lighting along Route 29 across from the Eagle Gas Station and the crosswalk at the intersection of Route 523 and the intersection along Route 29 and Bridge Street. They will put together lighting designs and this has been sent to JCP&L who will provide a cost estimate. Discussions are being done with the budget committee about moving forward with parking. Pedestrian and traffic safety is going to be done through our engineering firm. Discussion ensued regarding setting a budget for the parking study.

NEW BUSINESS

- Open Space Grant Proposal -Mayor Lipsen recused himself and turned the chair over to Council President Mann. Mann asked for input on the grant proposal. Meltzer reported that she has been working with the grounds committee. A recent open space grant proposal is being proposed with a parking lot upgrade, along with a stone and asphalt path. With an upcoming study-Ms. Meltzer suggested to take a holistic look and wait for the study. Ms. Meltzer gave some ideas such as a toddler area, in getting it cleaned up in that area. Installing a water line. As well as a pavilion that will have water. Stated that this needs to move quickly due to a timeline with the grant money. Mayor Lipsen retook the chair explaining he recused himself due to the location where he lives.
- Cannabis Request for Application- Hunt reported on the ordinance that was passed at last December's meeting. A timeline was established for an RFA (request for applications). They are in the process of selection for applications. There are various requirements in the RFA. This needs to be issued very soon to meet timelines. It will be posted on the website and advertised`. Attorney Maddox explained that this matter will be subject to a brief discussion in executive session in case any council members have any legal questions or to also review what is being released. The RFA will be released on borough's website this week. It will have all the details and timelines for anyone interested in applying.

OEM Report

- Mayor Lipsen gave the following report for OEM:
- Coordinator and Deputy participated in the County Storm update on February 17, 2025.
- Coordinator and Deputy attend the Hunterdon County OEM meeting on February 26, 2025.

- Coordinator and Deputy attend the H5N1 Bird Flu update presented by Hunterdon County, on February 28, 2025. Continue to review the Boro Emergency Operation Plan, with each Annex Coordinator, and update as necessary.
- Continue to promote Register Ready, and encourage the community to sign up.
- Coordinator and Deputy will be attending an updated Incident Command Class in March.

OPEN PUBLIC COMMENT – PRIVILEGE OF THE FLOOR

Mayor Lipsen opened the floor to public comment.

Mike Odenwald inquired about having the feature on Zoom to be able to see who is attending the meeting. Inquired about two businesses opening up in the borough and concerned that they could be related to water challenges and a water leaks. Discussed issues with the parking study and asked why a study is being done and added it is not a good use of money for a town with limited funds. Stated his concerns with the cannabis ordinance related to his business. Expressed concern over the challenges of him opening his business and partnering with the borough but having a \$10,000 annual fee for a cannabis license and it will impact that business. Asked for a partnership and collaboration to make it good for the town.

Mayor Lipsen addressed Mr. Odenwald's concern regarding the Zoom settings and stated it is a common format used by multiple municipalities. Participants don't have to share their names if they don't comment. The water leak will be discussed in committee reports. There have infact been changes to parking, and there is no record of an old study, and there could be new opportunities to add parking and improve safety.

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

ORDINANCES 1st Reading

Motion made by Mann and seconded by Brown to introduce Ordinance 2025-01

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

Ayes: 5

Nays: 0

Motion passes.

Borough of Stockton

Ordinance No. 2025-01

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF STOCKTON, HUNTERDON COUNTY, STATE OF NEW JERSEY, ENTITLED "TAXATION", TO ADD AN ARTICLE DISABLED VETERAN PROPERTY TAX EXEMPTION

WHEREAS, pursuant to N.J.S.A. 54:4-3.30, the dwelling house and the portion of the lot that is reasonably necessary for enjoyment whereupon the same is erected, of any citizen and resident of this

State, honorably discharged or released under honorable circumstances, from active service, in time of war, in any branch of the Armed Forces of the United States, who has been or shall be declared by the United States Veterans Administration or its successor to have a service-connected disability declared by the United States Veterans Administration or its successor to be a total or 100 percent permanent and total disability, and not so evaluated solely because of hospitalization or surgery and recuperation, sustained through enemy action, or accident, or resulting from disease contracted while in such active service, shall be exempt from taxation on proper claim made therefor; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.31, upon review and approval of the required documentation by the municipal tax assessor, the assessor shall allow said exemption from taxation for the tax year in which the claim was filed; and

WHEREAS, pursuant to N.J.S.A. 54:4-3.32, the governing body of each municipality, by appropriate resolution, may return all taxes collected on property from prior years which would have been exempt had proper claim been timely made in writing; and

WHEREAS, the statutory intent to grant discretion to the governing body of every municipality has been affirmed by court decisions that have held that a municipality had discretion to grant or deny a taxpayer a retroactive refund of property taxes that has been paid for the effective date of the disability as determined by the United States Department of Veterans Affairs as set forth in N.J.S.A. 54:4-3.32; and

WHEREAS, the Borough Council desires to establish a formal policy providing that a retroactive refund of property taxes as set forth in N.J.S.A. 54:4-3.32 shall be limited to the current year of the submission of a proper claim to the tax assessor as required by N.J.S.A. 54:4-3.30.

NOW THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Stockton in Hunterdon County, State of New Jersey, as follows:

Section 1. Article Disabled Veteran Property Tax Exemption

A refund of property taxes pursuant to N.J.S.A. 54:4-3.32 shall be granted provided that the applicant submits a complete application to the tax assessor as required by N.J.S.A. 54:4-3.30. A retroactive refund shall be limited to the current year of the submission of the application to the tax assessor.

Section 2. This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

Section 3. Ordinances, resolutions, regulations or parts of ordinances, resolutions, and regulations inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Section 4. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

RESOLUTIONS

Motion made by Hunt and seconded by Meltzer to approve Resolution 25-34

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

Ayes: 5

Nays: 0

Motion passes.

RESOLUTION 2025-34

STOCKTON BOROUGH TO PRESERVE NEW JERSEY HISTORIC PRESERVATION

FUND ADMINISTERED BY THE NEW JERSEY HISTORIC TRUST

WHEREAS, The governing body of Stockton Borough desires to further historic preservation through a grant from the New Jersey Historic Trust, State of New Jersey in the amount of \$43,875 for the following project: District No. 98 Schoolhouse.

THEREFORE, the governing body authorizes Council President Mike Mann and Mayor Aaron Lipsen to execute a grant agreement with the State in an amount up to that awarded for the proposed project, and to seal the grant agreement.

Motion made by Hunt and seconded by Mann to approve Resolution 25-35

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

Ayes: 5

Nays: 0

Motion passes.

RESOLUTION 2025-35

**AUTHORIZING FINAL PAYMENT TO BE MADE TO DIAMOND CONSTRUCTION
FOR THE HILLTOP DRIVE & MOORE STREET IMPROVEMENTS PROJECT AND
APPROVING FINAL CHANGE ORDERS 1A AND 1B**

WHEREAS, by Resolution 2020-57 adopted on August 17, 2020, Stockton Borough awarded a contract to Diamond Construction for completion of the Hilltop Drive & Moore Avenue Improvements project (“Project”) for a total not to exceed amount of \$440,197.25; and

WHEREAS, construction was completed in January 2023 and to date, the Borough has paid Diamond Construction a total of \$421,239.99 through three separate payment requests; and

WHEREAS, Diamond Construction has submitted a request to the Borough for final payment in the amount of \$8,596.73, which includes retainage amounts from Payments 1, 2 and 3 previously made; and

WHEREAS, the Borough Engineer has confirmed that the final as-built contract price is \$429,836.72 (including the final payment of \$8,596.73), which is a reduction in the original not-to-exceed contract amount of \$10,360.53; and

WHEREAS, it appears that Diamond Construction did not submit the required maintenance bond in 2023 and the two-year maintenance period for the project as described in the Form of Maintenance Bond has elapsed; and

WHEREAS, the Borough Engineer’s review of available aerial imagery and a field inspection by the Engineer’s office indicates that the proposed improvements were satisfactorily constructed and remain in good condition, and therefore, recommends that this maintenance requirement be waived and no further action be required pursuant to bonding or maintenance of the improvements; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Stockton on this 17th day of March, 2025 as follows:

1. The recitals in the “Whereas” clauses are incorporated herein as if fully restated.
2. Final payment in the amount of \$8,596.73 is hereby approved to be made to Diamond Construction, which is inclusive of the retainage on this Project.
3. The final contract amount is reduced from \$440,197.25 to \$429,836.72.
4. The maintenance bond requirement is hereby waived based on the reasons provided by the Borough Engineer.
5. Change Order Nos. 1A and 1B are hereby approved.

Motion made by Hunt and seconded by Brown to approve Resolution 25-36

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

Ayes: 5

Nays: 0

Motion passes.

**RESOLUTION
2025-36**

TRANSFER APPROPRIATION

WHEREAS, various 2024 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2024 Budget Appropriation Reserve in the last two months of 2024; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Stockton in accordance with the provisions of N.J.S.A. 40A:4-59, that the Chief	Amount	To	Amount
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Financial Officer is hereby authorized to make the transfers listed below: From			
Planning Board-Engineering (2024)	1,000.00	Planning Board Legal (2024)	1,500.00
Garbage & Trash Removal (2024)	2,500.00	Planning Board Planner (2024)	2,000.00
Total	3,500.00	Total	3,500.00

PAYMENT OF BILLS AND VOUCHERS

Motion made by Brown and seconded by Hunt to approve Resolution 25-37

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

Ayes: 5

Nays: 0

Motion passes.

Stockton Borough Council Resolution #25-37 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 \$175,334.29

MAYORS REPORT, BOROUGH COUNCIL COMMENTS & COMMITTEE REPORTS

Community Outreach-Mann reported on the blood drive being held on June 5th. This will take place in the late afternoon early evening hours. They are looking for volunteers to help with the blood drive and set up.

Infrastructure Committee- Brown reported that they are close to identifying where the leak is on Route 29 near the church and school. The NJDOT doesn't take any claim to the leak but it is close to the curb box. The town will need to go into Rt 29 to replace the service line leading to the customers service line. This could take two days to do the repairs along with installing a new fire hydrant. This job will require flagging. Mayor Lipsen added that the Borough found out that this leak was ours and not the NJDOT's responsibility three weeks ago. They are working with the NJDOT, and they have been responsive with communicating with the Borough. The Borough will be working with contractors and will have plans and estimate costs. Once this is repaired there should be a long term solution.

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OPEN PUBLIC COMMENT FOR ITEMS ON THE AGENDA

Mayor Lipsen opened the floor to public comment.

Kristin asked about submitting a notice of pothole inquiry with NJDOT about the pothole in front of St. Agnes and asked if she should submit it being that its already being addressed. Mayor Lipsen replied and stated that they already know about it but if its getting worse than submit another report to them or himself. Kristin added that it's an issue when commuting because of cars parked on the southbound part of Route 29.

Mike Odenwald voiced his opinion on being a challenge not knowing who the participants are on the meeting and added that this is completely suppression. Stated that procedures are being ignored with public transparency and the Sunshine Act. Stated that there is procedural mishandling. Added that there is a problem with the way the town is participating. Asked what the process for applicants is to ask questions for clarification for things that are stated with regards to the applications (cannabis). Hunt responded that when the RFA is issued he will find a specific Q&A timeline for that. It will be provided for everyone. Mr. Odenwald expressed his opinion on the scoring and concerns if the town does not grant a resolution of support after going through the application and the fee being paid. Mr. Odenwald stated that at a minimum for scoring is the applicant owning property and having sufficient parking.

Mayor Lipsen reiterated that the Zoom webinar format is a standard use in many municipalities and there are no legal problems with it. Stated that if someone comes to a public meeting, they don't have to sign in or provide their names. Stated that as far as details related to the ordinance that will become available later this week.

Michelle Purcell-Bridge Street stated that the Christmas trees are still at the firehouse on the property. Stated that there is an old oil drum on the riverbank near Bridge Street. Mayor Lipsen stated that the borough did not advertise about having residents dump their Christmas trees at the firehouse. In the past the fire company arranged for picking up of the trees. Stated that the DEP should be contacted regarding the drum on the riverbank as well as Bulls Island and the Canal Commission.

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

EXECUTIVE SESSION

A motion by Mann and seconded by Hunt to approve a Resolution to go into executive session, all were in favor.

Attorney Maddox stated that the rationale for having this discussion about the cannabis request for applications during executive session is to obtain the advice of counsel.

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 WE BE 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:
 - Cannabis Request for Application- Matters falling within the attorney-client privilege (N.J.S.A. 10:4-12.b(7)).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 Brown and seconded by Hunt to exit the executive session was unanimously approved by voice vote.

ACTION ON ITEMS FROM EXECUTIVE SESSION

Motion

Motion made by Mann and seconded by Brown to allow Cannabis Committee to advertise a request for applications and for the committee to make amendments or changes to the application and post the related application to the borough website.

Roll call: Brown, Hunt, Mann and Meltzer.

Ayes: 4

Nays: 0

Motion passes.

At this time Mayor Lipsen turned over the chair to Council President Mann.

Councilperson Meltzer stated that she wanted to make sure there wasn't anything else needed before she contacts the Engineer for updates to the grant proposal, that she spoke on earlier. Attorney Maddox added that this should be part of the normal engineering services and shouldn't incur anything substantial. Ms. Meltzer stated that she will get the timeline frame and get back to council on that.

Mayor Lipse retook the chair.

NEXT MEETING April 21, 2025

ADJOURNMENT

A motion was made by Hunt and seconded by Brown to adjourn the meeting at 8:37 pm, all were in favor.

Laurie A. Courter

Laurie A. Courter, Borough Clerk