



# Mayor and Common Council Borough of Flemington

July 27, 2020

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Online during COVID-19 Emergency

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## Call to Order (6:30 PM)

The meeting was called to order at 6:30 p.m. by Council President Giles-McCormick. Mayor Driver was absent.

## Executive Session (6:30 PM)

1. RESOLUTION 2020-135: EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING POTENTIAL SALE OF BOROUGH PROPERTY AT 144 MAIN ST. & ATTORNEY ADVICE REGARDING AN EMERGENT ISSUE WITH THE UNION HOTEL

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Vice President
<b>SECONDER:</b>	Jessica Hand, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Long, Runion, Tilly
<b>ABSENT:</b>	Michael Harris

Minutes kept separately.

The session ended at 6:58 p.m. Upon returning to open session, no action was taken.

## Work Session (7:00 PM)

Borough streetlight audit, acquisition and LED conversion - Tanko Lighting CEO Jason Tanko, Senior Project Advisor Lizzy Kay, and Energy Advisor Caroline McDonald discussed a proposal to do an audit of streetlights in the Borough. The plan would be for the Borough to purchase the lights and have Tanko Lighting upgrade the parking lot lights to LED. They gave a PowerPoint presentation indicating that by spending around \$30,000, the Borough would see a drop in costs of 71% in the first year.

A copy of the PowerPoint presentation is attached.

## Regular Meeting (7:30 PM)

This meeting is being held in conformance with the Open Public Meetings Act.

Flag Salute

Roll Call:

Attendee Name	Title	Status	Arrived
Caitlin Giles-McCormick	Council President	Present	
Jessica Hand	Council Member	Present	

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Michael Harris	Council Member	Present	7:00 PM
Jeremy Long	Council Member	Present	
Christopher Runion	Council Member	Present	
Kimberly Tilly	Council Vice President	Present	
Betsy Driver	Mayor	Absent	

## I. Mayor's Report

None.

## II. Council Members' Reports

### Council Member Runion

The Environmental Commission sent a memo to the Planning Board about the Hurilla project on Mine Street. Member Karen Giffen sent a memo to the Planning Board chair about the Shammy Shine project on Route 12. Anyone with questions about the Tanko Lighting presentation can reach out to him.

### Council Member Hand

She also attended the Environmental Commission meeting. She's looking for volunteers to join a committee on creating a community garden. She'll be meeting with the Citizens Working Group this week, along with Council Member Long.

### Council Vice President Tilly

The HPC heard 2 applications on July 15, for a porch and a fence. People can follow the HPC on Facebook for lots of information. The group is still looking for members- contact her, the Mayor, or the commission chairman, Don Eckel. Fire Dept. - for fundraising, they're partnering with the FCP on some events. Mediatech - Ms. Tilly noted the passing of Lou Hosta, a member of the Mediatech board.

### Council President Giles-McCormick

She discussed upcoming events at the Samuel Fleming House and Museum. FCP - The group is continuing to work with business about reopening. New banners are going up around town. There will be no corn and tomato festival this year. Much is on the horizon, including smaller gatherings. Administration - A resolution about hiring a firm to help search for a borough administrator is on the agenda.

### Council Member Long

The Planning Board met July 14 to finalize by-laws and citizen input regulations. It will vote on them at tomorrow night's meeting. Generally, they're following

Robert's Rules of Order, with the intent to balance board questions, attorneys, and citizens.

The Citizens Working Group will meet Wednesday in a hybrid meeting that's part remote and part socially-distanced. They're working to get a clear picture on how our police officers function.

Council Member Harris

Beautification - Planning is starting for the holiday light decorations.

DIY - They want to be involved with the Citizens board in discussions about policing.

Animal Control - He will be providing cost information to the Council, regarding the proposals received for services in the coming year.

Shade Tree - An ordinance on tonight's agenda would set terms for the commission. They'll be looking at dangerous trees in the community, trying to determine which are privately owned and which are owned by the Borough.

Environmental Commission - Electric vehicle charging stations are coming up on the agenda - the ordinance is about easements so that there's ADA access on Stangl.

### III. OEM Report

Ms. Giles-McCormick asked OEM Coordinator Brian McNally to give a report. He said it's the 20th week since the start of the pandemic. We're currently paused at Phase 2 of reopening. Local school districts are planning for the new school year; check their websites for updates.

### IV. Public Comments - Session I (up to 3 minutes each, for a maximum of 30 minutes)

Charles Pettibone, 3 1/2 Lloyd Ave., asked about participating in the citizen's committee. Ms. Hand said the membership of the committee is set for now, but people are encouraged to reach out to her or Council Member Long to share their ideas and concerns, and they will incorporate that information into their report to Council.

Trent Levitt, 47A Park Ave., discussed light pollution and said if Council is considering redoing the streetlights, mitigating light pollution should be a top priority. He urged Council to adopt the County's model lighting ordinance.

### V. Approval of Minutes

Motion To: **Approve Minutes: July 13, 2020 Regular Council Meeting**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Harris, Council Member
<b>SECONDER:</b>	Kimberly Tilly, Council Vice President
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

Motion To: **Approve Minutes: July 13, 2020 Executive Session**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Harris, Council Member
<b>SECONDER:</b>	Jessica Hand, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

## Consent Agenda

Moved by Harris; Seconded by Hand. All voted yes to approve.

1. RESOLUTION 2020-136: AUTHORIZING THE RENEWAL OF PLENARY RETAIL DISTRIBUTION LIQUOR LICENSE NUMBER 1009-44-004-007 FOR FLEMINGTON CENTRAL LIQUORS, DBA LITTLE BROTHERS BEVERAGE, FOR THE TERM 2021-2021
2. RESOLUTION 2020-137: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE 2019-003 HELD ON BLOCK 50 LOT 2.01; 71 REAVILLE AVENUE

## Regular Agenda

1. ORDINANCE 2020-11: 2020 SALARY ORDINANCE

Open Public hearing: moved by Tilly, seconded by Harris. All voted yes to open public hearing.

Charles Pettibone, 3 1/2 Lloyd Ave., had a budgeting question and attempts were made to reach the CFO.

Close public hearing: moved by Tilly, seconded by Hand. All voted yes to close the public hearing except Mr. Harris, who voted no. The hearing was closed. Mr. Pettibone said he still had a question.

Ms. Tilly moved to adopt the ordinance, seconded by Mr. Harris.

Discussion ensued about tabling the vote on this ordinance to allow for consultation with the CFO, and reopening the public hearing before holding the vote. Ms. Tilly and Mr. Harris withdrew their motion and second to adopt.

Ms. Tilly moved to table the ordinance, seconded by Mr. Harris. All members voted yes to table the ordinance.

Later in the meeting, after the vote on Resolution 2020-144, Attorney St. Angelo reported reaching the mayor for answers to the budgeting question that was raised earlier.

Mr. Harris moved to reopen the public hearing on the ordinance, seconded by Ms. Hand. All members voted yes to reopen the public hearing.

Attorney St. Angelo said the original budget included 2.5% raises for most non-union employees, but that was backed down to 2% in light of the budget effects of the COVID-19 pandemic. An increase of greater than 2% is allowed for the public defender, to keep that salary in line with other public defender salaries in the region.

Charles Pettibone, 3 1/2 Lloyd Ave., said his question had been answered.

Motion to close public hearing: Hand, seconded by Runion. All voted yes to close the public hearing.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Vice President
<b>SECONDER:</b>	Jessica Hand, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

2. ORDINANCE 2020-13: FIRST READING: RE-ESTABLISHING THE TERMS OF THE SHADE TREE COMMISSION

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 8/10/2020 7:30 PM</b>
<b>MOVER:</b>	Jeremy Long, Council Member	
<b>SECONDER:</b>	Michael Harris, Council Member	
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly	

3. ORDINANCE 2020-14: ACCEPTING THE DEDICATION OF AN EASEMENT ON BLOCK 35, LOT 10 FOR THE CONSTRUCTION, MAINTENANCE AND USE OF A PUBLIC PEDESTRIAN SIDEWALK

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 8/10/2020 7:30 PM</b>
<b>MOVER:</b>	Christopher Runion, Council Member	
<b>SECONDER:</b>	Michael Harris, Council Member	
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly	

4. ORDINANCE 2020-15: ADDING CERTAIN OFFENSES TO THE LOCAL SUPPLEMENTAL VIOLATIONS BUREAU SCHEDULE

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 8/10/2020 7:30 PM</b>
<b>MOVER:</b>	Michael Harris, Council Member	
<b>SECONDER:</b>	Kimberly Tilly, Council Vice President	
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly	

5. RESOLUTION 2020-138: AUTHORIZING ROBERT MARTUCCI, P.E. TO SUBMIT AN APPLICATION TO THE STATE HISTORIC PRESERVATION OFFICE FOR THE HOPEWELL AVENUE IMPROVEMENT PROJECT

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Harris, Council Member
<b>SECONDER:</b>	Kimberly Tilly, Council Vice President
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

6. RESOLUTION 2020-139: AUTHORIZING AN INTERLOCAL AGREEMENT WITH FLEMINGTON-RARITAN REGIONAL SCHOOL DISTRICT FOR SPECIAL CLASS III LAW ENFORCEMENT OFFICERS

**RESULT:** **ADOPTED [UNANIMOUS]**  
**MOVER:** Michael Harris, Council Member  
**SECONDER:** Kimberly Tilly, Council Vice President  
**AYES:** Giles-McCormick, Hand, Harris, Long, Runion, Tilly

7. RESOLUTION 2020-140: AWARDING A CONTRACT FOR ANIMAL CONTROL SERVICES FOR THE TERM AUGUST 1, 2020 THROUGH JULY 31, 2021

Mr. Harris presented some figures for animal control services in 2018 and 2019, and discussed the quality of services provided. He expressed satisfaction with the contractor currently serving the Borough.

**RESULT:** **ADOPTED [5 TO 0]**  
**MOVER:** Michael Harris, Council Member  
**SECONDER:** Jeremy Long, Council Member  
**AYES:** Giles-McCormick, Harris, Long, Runion, Tilly  
**ABSTAIN:** Jessica Hand

8. RESOLUTION 2020-141: AUTHORIZING A 1-MONTH EXTENSION OF THE ANIMAL CONTROL CONTRACT WITH ADVANCED ANIMAL CONTROL, LLC

**RESULT:** **WITHDRAWN [5 TO 0]**  
**MOVER:** Michael Harris, Council Member  
**SECONDER:** Kimberly Tilly, Council Vice President  
**AYES:** Giles-McCormick, Harris, Long, Runion, Tilly  
**ABSTAIN:** Jessica Hand

9. RESOLUTION 2020-142: SUPPORTING STUDY AT 144 MAIN STREET (BLOCK 38, LOT 1.01)

**RESULT:** **ADOPTED [UNANIMOUS]**  
**MOVER:** Kimberly Tilly, Council Vice President  
**SECONDER:** Michael Harris, Council Member  
**AYES:** Giles-McCormick, Hand, Harris, Long, Runion, Tilly

10. RESOLUTION 2020-143: AUTHORIZING ISSUANCE OF A REQUEST FOR PROPOSALS TO PERFORM A SEARCH FOR A BOROUGH ADMINISTRATOR

Mr. Harris questioned the need for an administrator, saying Council Members should step up. Mr. Long said we're the county seat. He's lived in several towns in Hunterdon, and has seen that towns like Clinton and High Bridge that have an administrator are working more efficiently. He said the Council did talk about the cost of this, and budgeted for it. Mr. Runion said Flemington has the lowest median income in the county and we need to consider our expenses, but also look at this as an investment for the future. We've been getting the low end of

the stick in terms of pricing on contracts, etc., and we could highlight the savings in the future.

<b>RESULT:</b>	<b>ADOPTED [5 TO 1]</b>
<b>MOVER:</b>	Michael Harris, Council Member
<b>SECONDER:</b>	Christopher Runion, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Long, Runion, Tilly
<b>NAYS:</b>	Michael Harris

11. RESOLUTION 2020-144: APPROVING THE FIRST AMENDMENT TO THE AMENDED AND RESTATED REDEVELOPMENT AGREEMENT DATED DECEMBER 12, 2017, BETWEEN THE BOROUGH OF FLEMINGTON AND FLEMINGTON CENTER URBAN RENEWAL, LLC

There was general discussion about the narrow nature of this amendment, which would allow a demolition permit so the building facade can be shored up and preserved, protecting public health and safety.

Mr. Harris said it's a big step for progress, and a requirement to proceed with the project. Mr. Runion asked what happens if there's a collapse. Attorney St. Angelo said this is designed to prevent that from happening.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Vice President
<b>SECONDER:</b>	Christopher Runion, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

VI. Public Comments - Session II (up to 3 minutes each, for a maximum of 30 minutes)

Charles Pettibone, 3 1/2 Lloyd Ave., discussed ways for enhancing pedestrian safety. Ms. Tilly mentioned that some of the crosswalks can be repainted to improve their visibility.

Carolyn Murphy, the Borough's animal control officer, thanked Mr. Harris for his report and thanked Council for their support. She encouraged anyone with concerns or questions to call her or email her.

IX. Attorney's Report

Attorney St. Angelo said she and Mr. Runion are working on an ordinance about electric vehicle charging stations, which will be ready for consideration in the near future.

X. Executive Session for any other applicable matter identified during the regular meeting (Action may be taken)

None needed.

XI. Adjournment

Motion To: **Adjourn**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Harris, Council Member
<b>SECONDER:</b>	Jeremy Long, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

The meeting was adjourned at 9:46 p.m.

Attest: \_\_\_\_\_  
Sallie Graziano, Borough Clerk