



Mayor and Common Council Borough of Flemington

September 12, 2022

Council Meeting Room and Online

I. Call to Order

1. Statement regarding OPMA

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of June 13, 2022 was included in a list-of-meetings notice sent to the Hunterdon County Democrat and Courier-News on Jan. 5, 2022, posted on the bulletin board at Borough Hall on that date, and has remained continuously posted as required. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Borough Clerk.

II. Work Session (7:00 PM)

The Council had no items to discuss.

III. Regular Meeting (7:30 PM)

Flag Salute

Attendee Name	Title	Status	Arrived
Jessica Hand	Council Vice President	Present	
Malik Johnston	Council Member	Absent	
Jeremy Long	Council President	Present	
Tony Parker	Council Member	Present	
Elizabeth Rosetti	Council Member	Excused	
Kimberly Tilly	Council Member	Present	
Betsy Driver	Mayor	Present	

1. Mayor's Report

Mayor Driver attended the 911 ceremony at the historic courthouse steps. Thank you to Council President Long and Council Member Parker for also attending an always moving annual ceremony. Dewey Avenue reconstruction has resumed after receiving the waiver from the state regarding concrete vendors requirements. Hopewell Avenue, is blocked pending utility construction, including water mains, sewer mains, pavement, curbing and sidewalks, starting next week. The older water tank has been fully painted, sanitized and is being filled. Jazz festival was held over the weekend and was a great time. Elizabethtown Gas has delayed their main Street project, now starting on September 19th. The Agway/Global Ag Redevelopment Committee continues hash out a Captiva RDA and a Nilkanth/Cardinal RDA.

2. Council Members' Reports

Council Vice President Hand

No Report

Council Member Johnston

Mr. Parker enjoyed the Jazz Festival and looks forward to attending every year.

Council President Long

Mr. Long reported several Police Reports. On August 29th individuals charged with falsifying a police report after reporting her vehicle struck by another vehicle on the other vehicles left. Upon investigating, camera footage showed that female's vehicle was not struck. Police also saw three arrests on DUIs and two overdoes. On September 2nd, a male was charged with shoplifting, and the police responded to a fire at a business at 4 Fulper. The cause of the fire was deemed accidental. On September 3rd, a male was charged with taking merchandise from a store without attend to pay. On September 9th, a male subject was charged with improper behavior, possession of a weapon, and terroristic threats to kill. A knife was used and taken into possession. Sunday's Cops versus Explorers kickball game was postponed and is rescheduled for September 25th at 2:00 pm at the baseball fields near William Street. As always, if you see something say something and call the police at 908-782-3434 non-emergency number.

FCP held the Central Jersey Jazz Fest this past Friday, with a great stage of incredible talent, great weather, great crowds, and the FCP is grateful for the increase in funding received from the Hunterdon County Cultural and Heritage Foundation. Do not miss the upcoming DIY jazz series this fall, the Salsa Night Festival produced Hunterdon Helpline this Saturday, the 17th and Stangl please join the fun and show your support. The second annual Stangl Festival is on the first of October, with great beers, bands and farm-to-table food. The annual kids Halloween Parade is Thursday, October 27th on Main Street. The FCP is sponsoring a Halloween house and business decorating contest this year with prizes, more info and signup sheet coming soon. The FCP is also launching the homeowner grant program in the south end of the Borough, with the grants for homeowner occupied property. Homeowners can request a \$1,000 grant to be spent on materials to improve their property with paint, water, landscaping, etc. Please visit lovetflemington.com for the homeowner application or inquire at Borough Hall or the borough website.

Council Member Parker

Council Member Rosetti

Council Member Tilly

On August 30th the DPW met with Elizabethtown Gas regarding the gas main replacement project. As Mr. Long mentioned, there was fire on September 2nd at Turntable Junction, and want to say a special thank you to the owners of Halo Salon. They were very hospitable to all of the emergency services personnel. Jazz Fest was fun and was very well attended this year. Looking forward to the Explorers please kickball game, and will see everyone in Md. Tilly's CERT role at the Salsa Fest.

Attorney's Report

For 200 Main Street we have gotten the consent order and discharge paperwork from the state of New Jersey that is going to be held in escrow pending closing. Right now we have a hard date set for October 4th, but we are trying to move that up to move the FPD as soon as possible.

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

Marcia Karow of 61 Elwood Avenue shared that Anne Thomas had passed. Ms. Thomas was a pillar of the community and a lovely human being so she will be hugely missed in the neighborhood.

4. Approval of Minutes

1. **Monday, August 22, 2022**

5. Consent Agenda

1. RESOLUTION 2022-192: BINGO LICENSE FOR THE FLEMINGTON WOMAN'S CLUB
2. RESOLUTION 2022-193: REFUNDING TEMPORARY FOOD CONCESSION PERMIT FEES FOR VENDORS OF SALSA NIGHT ON SEPTEMBER 17, 2022
3. RESOLUTION 2022-196: AN ORDINANCE ACCEPTING AN ACCESS EASEMENT FOR THE PUBLIC OVER SIDEWALKS LOCATED ON BLOCK 22, LOT 4 AND BLOCK 24, LOT 2

Regular Agenda (Start)

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

1. Motion To: **TABLE: ORDINANCE 2022-13: ESTABLISHING BUSINESS INSURANCE REGISTRATION (tabled, 2nd reading on 9/27/2022)**

COMMENTS - Current Meeting:

Ordinance 2022-13 is tabled and the 2nd Reading & Public Hearing will be on Tuesday, September 27, 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Jessica Hand, Council Vice President
AYES:	Jessica Hand, Jeremy Long, Tony Parker, Kimberly Tilly
ABSENT:	Malik Johnston
EXCUSED:	Elizabeth Rosetti

2. Motion To: **TABLE: ORDINANCE 2022-14: AMENDING CHAPTER VII TRAFFIC, SCHEDULE XII PARKING RESTRICTED FOR USE BY HANDICAPPED PERSONS, BY ADDING A SPOT ON CAPRNER STREET ((tabled, 2nd reading on 9/27/2022))**

COMMENTS - Current Meeting:

Ordinance 2022-14 is tabled and the 2nd Reading & Public Hearing will be on Tuesday, September 27, 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Tony Parker, Council Member
AYES:	Jessica Hand, Jeremy Long, Tony Parker, Kimberly Tilly
ABSENT:	Malik Johnston
EXCUSED:	Elizabeth Rosetti

3. ORDINANCE 2022-15: ORDINANCE AMENDING SECTION 1404 OF THE BOROUGH CODE REGARDING THE HISTORIC PRESERVATION COMMISSION

RESULT:	INTRODUCED [UNANIMOUS]	Next: 9/27/2022 7:30 PM
MOVER:	Kimberly Tilly, Council Member	
SECONDER:	Jeremy Long, Council President	
AYES:	Jessica Hand, Jeremy Long, Tony Parker, Kimberly Tilly	
ABSENT:	Malik Johnston	
EXCUSED:	Elizabeth Rosetti	

4. ORDINANCE 2022-16: AN ORDINANCE AUTHORIZING AN AGREEMENT FOR THE ACQUISITION OF LEASEHOLD INTEREST, AND NON-EXCLUSIVE GROUND LEASE AGREEMENT, BETWEEN THE BOROUGH OF FLEMINGTON AND 307(L) FLEMINGTON LAND HOLDINGS, LLC FOR PROPERTY KNOWN AS BLOCK 44, LOT 6 IN THE BOROUGH OF FLEMINGTON

RESULT:	INTRODUCED [UNANIMOUS]	Next: 9/27/2022 7:30 PM
MOVER:	Kimberly Tilly, Council Member	
SECONDER:	Tony Parker, Council Member	
AYES:	Jessica Hand, Jeremy Long, Tony Parker, Kimberly Tilly	
ABSENT:	Malik Johnston	
EXCUSED:	Elizabeth Rosetti	

5. ORDINANCE 2022-17: ADDING SECTION 9B-10 OF THE CODE OF THE BOROUGH OF FLEMINGTON ENTITLED "ABANDONED AND FORECLOSED PROPERTY REGISTRATION AND MAINTENANCE" REGARDING THE REGISTRATION OF VACANT AND FORECLOSED PROPERTIES TO BE CONSISTENT WITH P.L. 2021, C. 444

RESULT:	INTRODUCED [UNANIMOUS]	Next: 9/27/2022 7:30 PM
MOVER:	Kimberly Tilly, Council Member	
SECONDER:	Jeremy Long, Council President	
AYES:	Jessica Hand, Jeremy Long, Tony Parker, Kimberly Tilly	
ABSENT:	Malik Johnston	
EXCUSED:	Elizabeth Rosetti	

6. ORDINANCE 2022-18: AMENDING THE DOWNTOWN BUSINESS (DB) ZONE TO INCLUDE BLOCK 14 LOTS 11, 12, A PORTION OF 13, 14, 15, 16, 17, 17.01 & 20 AND BLOCK 18 LOTS 1, 2, 3 & 4

RESULT:	INTRODUCED [UNANIMOUS]	Next: 10/11/2022 7:30 PM
MOVER:	Kimberly Tilly, Council Member	
SECONDER:	Tony Parker, Council Member	
AYES:	Jessica Hand, Jeremy Long, Tony Parker, Kimberly Tilly	
ABSENT:	Malik Johnston	
EXCUSED:	Elizabeth Rosetti	

7. ORDINANCE 2022-19: AN ORDINANCE ACCEPTING AN ACCESS EASEMENT FOR THE PUBLIC OVER SIDEWALKS LOCATED ON BLOCK 22, LOT 4

RESULT:	INTRODUCED [UNANIMOUS]	Next: 9/27/2022 7:30 PM
MOVER:	Kimberly Tilly, Council Member	
SECONDER:	Jeremy Long, Council President	
AYES:	Jessica Hand, Jeremy Long, Tony Parker, Kimberly Tilly	
ABSENT:	Malik Johnston	
EXCUSED:	Elizabeth Rosetti	

8. RESOLUTION 2022-194: AUTHORIZING THE EXPANSION OF THE CONSTRUCTION CONTRACTOR CONTRACT WITH REIVAX CONTRACTING CORP. BY \$99,157, IN CONNECTION WITH THE WATER AND SEWER IMPROVEMENT PROJECT FOR HOPEWELL AND DEWEY AVENUE

Vote to approve was 3 votes for, 1 vote to abstain. Mr. Parker wished to have more information regarding the cause for the Change Order. Resolution 2022-194 is tabled to a future meeting.

RESULT:	TABLED [3 TO 0]	Next: 9/27/2022 7:30 PM
MOVER:	Kimberly Tilly, Council Member	
SECONDER:	Jeremy Long, Council President	
AYES:	Jessica Hand, Jeremy Long, Kimberly Tilly	
ABSTAIN:	Tony Parker	
ABSENT:	Malik Johnston	
EXCUSED:	Elizabeth Rosetti	

9. RESOLUTION 2022-195: AUTHORIZING THE EXPANSION OF THE CONSTRUCTION CONTRACTOR CONTRACT WITH REIVAX CONTRACTING CORP., IN CONNECTION WITH THE DEWEY AVENUE ROAD IMPROVEMENT PROJECT

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Jeremy Long, Council President
AYES:	Jessica Hand, Jeremy Long, Tony Parker, Kimberly Tilly
ABSENT:	Malik Johnston
EXCUSED:	Elizabeth Rosetti

7. Public Comments - Session II (up to 3 minutes each, for a maximum of 30 minutes)
No Comments

8. Payment of the Bills

Motion To: **Pay the Bills in the Amount of \$384,851.18**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Jeremy Long, Council President
AYES:	Jessica Hand, Jeremy Long, Tony Parker, Kimberly Tilly
ABSENT:	Malik Johnston
EXCUSED:	Elizabeth Rosetti

Executive Session for Any Other Applicable Matter Identified During the Regular Meeting (Action May Be Taken)

1. RESOLUTION 2022-198: EXECUTIVE SESSION, POTENTIAL LITIGATION

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Jeremy Long, Council President
AYES:	Jessica Hand, Jeremy Long, Tony Parker, Kimberly Tilly
ABSENT:	Malik Johnston
EXCUSED:	Elizabeth Rosetti

Adjournment

Motion to Adjourn by Council Member Tilly; Seconded by Council President Long; Vote was unanimous.

Motion To: **Motion to Adjourn**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Jeremy Long, Council President
AYES:	Jessica Hand, Jeremy Long, Tony Parker, Kimberly Tilly
ABSENT:	Malik Johnston
EXCUSED:	Elizabeth Rosetti
