



# **Mayor and Common Council Borough of Flemington**

**November 14, 2022**

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**Council Meeting Room and Online**

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## **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 November 14, 2022 was included in a list-of-meetings notice sent to the Hunterdon County Democrat and Courier-News on January 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.

2. Roll Call

Roll Call:

Present: Long, Parker, Rosetti, Tilly, Driver

Absent (excused): Hand, Johnston

## **II. Executive Session to Discuss Legal Advice on Emergency Purchase (6:30 PM)**

1. RESOLUTION 2022-214: EXECUTIVE SESSION TO DISCUSS LEGAL ADVICE ON EMERGENCY PURCHASE FOR 200 MAIN STREET

Executive Session began at 6:30 PM.

Mr. Johnston joined as the meeting was in session.

Minutes of this Executive Session are available upon request from the Clerk's office.

Executive Session concluded at 6:52 PM.

Meeting was tabled until 7:30 PM, motion by Tilly, second by Long, vote was unanimous

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

### III. Work Session (7:00 PM)

No Work Session

### IV. Regular Meeting (7:30 PM)

OPMA Statement read again: This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of November 14, 2022 was included in a list-of-meetings notice sent to the Hunterdon County Democrat and Courier-News on January 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.

Flag Salute

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

#### 1. Mayor's Report

Mayor Driver announced that the Mayor and Council conducted an Executive Session to discuss emergency purchasing issues involving the dangerous conditions of the current Flemington Police Headquarters at 100 Main Street. Action will be taken during the public meeting.

There was no Work Session.

The Mayor congratulated all of the candidates that were elected for the Borough.

#### 2. Council Members' Reports

Council Member Rosetti

No Report

Council Member Johnston

No Report

Council Member Parker

No Report

Council President Long

Council President Long announced the Flemington Turkey Trot 5k race will be on November 24<sup>th</sup>. The Flemington Community Partnership had a number of successful events celebrating the Halloween season, with some existing from previous seasons and some new ones. The FCP has a full calendar of events on Main Street, Stangl and our shopping plazas. Passports that list all of the retail businesses in Flemington are back this year. If you collect 10 receipts you can enter to win a \$500 local prize package. It is time to make appointments for free pictures with Santa at the courthouse and Stangl. We're excited to have a Holiday Market at the filling station with cocoa and cookies before and after the parade on Main Street and holiday markets at Stangl at DIY. Main street retailers are working together to host events on Wednesday nights, in addition to a series of Thursday night holiday events. Check the FCP website for more information. The facade improvement grants are wrapping up and the FCP can't wait to show you the impact. The grants totaled \$45,000. The next round of improvement funding grants begins in March of 2023 and the FCP expecting increased number of applicants. The FCP is purchasing new large holiday decorations for Main Street and Stangl, both boxwoods and snowflakes are on the way. Although the Borough lost two beloved local businesses, two new businesses stepped up in their place, which is exciting for Flemington. At this point we will have a waiting list of businesses that we've cultivated for specific spots on Main Street. Please see the article on our website about the four new restaurants opening in May of 2023. Lastly, in addition to Partner of the Year Award from the Hunterdon County Economic Development, New Jersey Business Best 50 Women in Business for FCPS Executive Director, and Jersey's Best Destination of the Year for 2023, the FCP was just awarded the New Jersey American Planning Association's award for Great Places of the Year, Best Downtown for Historic Flemington. Congratulations to Councilman Tony Parker and soon to be Councilwoman Susan Engelhardt for their election wins, and to Mayor-Elect Marcia Karrow. We hope to continue our successes and growth under her tenure. And great thanks to Mayor Driver for leaving a legacy and energy that will be felt for years to come. Thank you for your hard work these past several years as both a member of Borough Council and as its Mayor. I can say with full confidence that you are a person got things done in Flemington. Thank you.

Council Member Tilly

Council Member Tilly reported the DPW meeting was held on November 9<sup>th</sup>. The Hopewell Avenue construction has started and the road closure signs are up. Please do not attempt to use the road. Bulk trash pickup is this Friday, November 18<sup>th</sup>. bulk stickers can be purchased at Borough Hall for a package of four for \$40. Saturday is the electronic waste at the Hunterdon County Complex on Route 12. Leaf collection

resumes Monday, please do not bag the leaves or put any sticks or branches mixed in with the leaves. Brush will be picked up separately.

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

4. Approval of Minutes

1. Motion To: **Approve Minutes: October 24, 2022 Regular Council Meeting**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Johnston, Long, Parker, Rosetti, Tilly
<b>EXCUSED:</b>	Jessica Hand

2. Motion To: **Approve Minutes: October 24, 2022 Executive Session**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Johnston, Long, Parker, Rosetti, Tilly
<b>EXCUSED:</b>	Jessica Hand

5. Consent Agenda

1. RESOLUTION 2022-215: AUTHORIZING AN ON-PREMISES 50-50 DRAW RAFFLE LICENSE FOR ST. MAGDALEN CHURCH
2. RESOLUTION 2022-216: IN SUPPORT OF THE FLEMINGTON AREA FOOD PANTRY'S EFFORT TO OBTAIN A USDA RURAL DEVELOPMENT GRANT TO AID IN THE ESTABLISHMENT OF A PANTRY ANNEX AT 47 EAST MAIN STREET IN THE BOROUGH OF FLEMINGTON
3. RESOLUTION 2022-217: AUTHORIZING THE BOROUGH OF FLEMINGTON TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2022 OF EMERGENCY MANAGEMENT PERFORMANCE GRANT AND EMERGENCY MANAGEMENT AGENCY ASSISTANCE
4. RESOLUTION 2022-218: AUTHORIZING THE MAYOR AND CLERK TO SUBMIT A GRANT APPLICATION IDENTIFIED AS TA-2023 MAIN STREET STREETScape PROJECT PHASE II
5. RESOLUTION 2022-219: APPROVING SUBMISSION OF A GRANT APPLICATION WITH THE APPLICATION FOR NEW JERSEY BOARD OF PUBLIC UTILITIES ELECTRIC VEHICLE TOURISM PROGRAM
6. RESOLUTION 2022-220: AUTHORIZING GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE FY 2024
7. RESOLUTION 2022-221: APPOINTING WILLIS TOWERS WATSON AS RISK MANAGEMENT CONSULTANT FOR THE BOROUGH OF FLEMINGTON FOR 2023

8. RESOLUTION 2022-222: AUTHORIZING TREE LIGHTING STREET CLOSURES ON DECEMBER 2, 2022
9. RESOLUTION 2022-223: AUTHORIZING HOLIDAY PARADE 2022 ROAD CLOSURES

### Regular Agenda ( Start)

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

1. ORDINANCE 2022-25: 2022-25 : 2ND READING AND PUBLIC HEARING ON AMENDMENT: IMPLEMENTING ONE-WAY LIMITS ON CORCORAN STREET AND NORTH PLACE

Ordinance 2022-25 was read by title by Mayor Driver

Opening of the public hearing was motioned by Council Member Tilly, seconded by Council President Long.

No public comments were made.

Closing of the public hearing was motioned by Council Member Tilly, seconded by Council President Long.

Note: Typographical error corrected in the Ordinance changing "westbound" to "eastbound". Publication of Ordinance and discussion at meeting indicated "eastbound."

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Johnston, Long, Parker, Rosetti, Tilly
<b>EXCUSED:</b>	Jessica Hand

2. ORDINANCE 2022-26: 2022-26 : 2ND READING AND PUBLIC HEARING: ESTABLISHING A MID-BLOCK CROSSWALK AT SPRING STREET

Ordinance 2022-26 was read by title by Mayor Driver

Opening of the public hearing was motioned by Council Member Tilly, seconded by Council President Long.

No public comments were made.

Closing of the public hearing was motioned by Council Member Tilly, seconded by Council President Long.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Johnston, Long, Parker, Rosetti, Tilly
<b>EXCUSED:</b>	Jessica Hand

3. ORDINANCE 2022-27: 2022-27 : 2ND READING AND PUBLIC HEARING:  
EMERGENCY EASEMENT FOR POLICE DEPARTMENT ACCESS

Ordinance 2022-27 was read by title by Mayor Driver

Opening of the public hearing was motioned by Council Member Tilly,  
seconded by Council President Long.

No public comments were made.

Closing of the public hearing was motioned by Council Member Tilly, seconded  
by Council President Long.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Johnston, Long, Parker, Rosetti, Tilly
<b>EXCUSED:</b>	Jessica Hand

4. ORDINANCE 2022-28: 2022-28 : INTRODUCTION: ESTABLISHING NO-PARKING  
ZONES ON BROAD STREET

Ordinance 2022-28 was read by title by Mayor Driver

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 11/28/2022 7:30 PM</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member	
<b>SECONDER:</b>	Jeremy Long, Council President	
<b>AYES:</b>	Johnston, Long, Parker, Rosetti, Tilly	
<b>EXCUSED:</b>	Jessica Hand	

5. ORDINANCE 2022-29: 2022-29 : INTRODUCTION: REVISION OF WATER USE AND  
IRRIGATION FEES FOR 2023

Ordinance 2022-29 was read by title by Mayor Driver

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 11/28/2022 7:30 PM</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member	
<b>SECONDER:</b>	Jeremy Long, Council President	
<b>AYES:</b>	Johnston, Long, Parker, Rosetti, Tilly	
<b>EXCUSED:</b>	Jessica Hand	

6. RESOLUTION 2022-224: AUTHORIZING EMERGENCY PURCHASE PURSUANT TO N.J.S.A. 40A:11-6 AND EMERGENCY APPROPRIATION FOR CONSTRUCTION SERVICES RELATED TO THE BOROUGH POLICE DEPARTMENT

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Johnston, Long, Parker, Rosetti, Tilly
<b>EXCUSED:</b>	Jessica Hand

7. RESOLUTION 2022-225: SUPPORTING THE CEREMONIAL DESIGNATION OF THE "STANGL ARTS AND CULTURAL DISTRICT"

FCP Director Robin Lapidus described the grant monies associated with named arts and culture districts. She answered the question of boundaries by describing the zone to include parts of Min Street, Central Station, Fulper Road, the western end of Church Street near Turntable Junction, as well as Stangl Avenue.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Johnston, Long, Parker, Rosetti, Tilly
<b>EXCUSED:</b>	Jessica Hand

8. RESOLUTION 2022-226: AWARDING A PROFESSIONAL SERVICES CONTRACT TO CME ASSOCIATES FOR MAIN STREET PROJECT

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Johnston, Long, Parker, Rosetti, Tilly
<b>EXCUSED:</b>	Jessica Hand

9. RESOLUTION 2022-227: AWARDING CONTRACT TO FIRE AND SAFETY SERVICES, LTD. FOR THE PURCHASE OF PIERCE FIRE APPARATUS THROUGH THE HOUSTON-GALVESTON AREA COUNCIL COOPERATIVE PURCHASING PROGRAM

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

10. RESOLUTION 2022-228: AUTHORIZING BOROUGH ATTORNEY TO FORECLOSE CERTAIN PROPERTY FOR DELINQUENT TAXES IN THE BOROUGH OF FLEMINGTON

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

11. RESOLUTION 2022-229: AUTHORIZING EXECUTION OF A DEVELOPER'S AGREEMENT WITH BSD FLEMINGTON APARTMENTS, LLC

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

12. RESOLUTION 2022-230: CERTIFYING THAT ALL MEMBERS OF THE GOVERNING BODY OF THE BOROUGH OF FLEMINGTON, HUNTERDON COUNTY, HAVE REVIEWED THE 2022 BEST PRACTICES CHECKLIST INVENTORY AS PROMULGATED BY THE DEPARTMENT OF COMMUNITY AFFAIRS

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

13. RESOLUTION 2022-231: 2022-231 : INTRODUCTION: FLEMINGTON SPECIAL IMPROVEMENT DISTRICT BUDGET



<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Johnston, Long, Parker, Rosetti, Tilly
<b>EXCUSED:</b>	Jessica Hand

7. Public Comments - Session II (up to 3 minutes each, for a maximum of 30 minutes)
8. Attorney's Report
9. Payment of the Bills

Motion To: **Pay the Bills in the Amount of \$6,433,182.93**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Johnston, Long, Parker, Rosetti, Tilly
<b>EXCUSED:</b>	Jessica Hand

Adjournment

Motion To: **Adjourn**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Johnston, Long, Parker, Rosetti, Tilly
<b>EXCUSED:</b>	Jessica Hand