



Mayor and Common Council Borough of Flemington

FEBRUARY 12, 2024
7:00 p.m.

Council Meeting Room
Flemington Borough Hall, 38 Park Avenue, Flemington, NJ 08822

I. CALL TO ORDER

II. FLAG SALUTE

III. OPMA STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of February 12, 2024 was included in a list-of-meetings notice sent to the *Hunterdon County Democrat* and *Courier-News* on January 3, 2024, 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.

IV. ROLL CALL

Susan Engelhardt	Council Member
Adrienne Fusaro	Council Member
Trent Levitt	Council Member
Jeremy Long	Council President
Tony Parker	Council Member
Elizabeth Rosetti	Council Vice President
Marcia Karrow	Mayor

V. PRESENTATIONS

VI. MAYOR'S REPORT

VII. COUNCIL MEMBERS REPORTS

VIII. PUBLIC COMMENT - SESSION I

IX. APPROVAL OF MINUTES

Regular Session	November 6, 2023
Executive Session	November 6, 2023
Special Session	November 17, 2023
Regular Session	November 27, 2023
Executive Session	November 27, 2023
Special Session	November 30, 2023
Special Session	December 6, 2023
Regular Session	December 11, 2023
Executive Session	December 11, 2023
Special Session	December 29, 2023

X. CONSENT AGENDA

1. RESOLUTION 2024-36 – RESOLUTION APPROVING 2024 DATES FOR THE SIP & STROLL THROUGH THE FLEMINGTON COMMUNITY PARTNERSHIP
2. RESOLUTION 2024-37 - RESOLUTION APPROVING A REFUND OF OVERPAYMENT OF TAXES FOR BLOCK 16 LOT 9.01

XI. PUBLIC HEARING

FCP 2024 BUDGET

XII. REGULAR AGENDA

3. RESOLUTION 2024-38 - RESOLUTION OF THE BOROUGH OF FLEMINGTON COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH OF FLEMINGTON TO SUBMIT AN APPLICATION FOR 1.4 MILLION TO NEW JERSEY WATER BANK FOR MAIN STREET SEWER IMPROVEMENTS
4. RESOLUTION 2024-39 - RESOLUTION APPROVING THE AMENDED TEMPORARY BUDGET
5. RESOLUTION 2024-40 - RESOLUTION RECOGNIZING BLACK HISTORY MONTH

6. 2024-41 - RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT FOR MUTUAL AID FROM THE HUNTERDON COUNTY MUNICIPAL LAW ENFORCEMENT AGENCY(IES)

XIII. WORK SESSION

XIV. PUBLIC COMMENT - SESSION II

XV. PAYMENT OF BILLS

AUTHORIZING PAYMENT OF BILLS IN THE AMOUNT OF \$8,969,906.80

XVI. EXECUTIVE SESSION

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

1. CONTRACT NEGOTIATION - UPDATE ON LIBERTY VILLAGE
2. CONTRACT NEGOTIATION – CANNABIS LAWSUIT

XVII. ADJOURNMENT

RESOLUTION #2024-36

**RESOLUTION APPROVING 2024 DATES FOR THE SIP & STROLL THROUGH
THE FLEMINGTON COMMUNITY PARTNERSHIP**

WHEREAS, the Flemington Community Partnership holds a Sip & Stroll every third Thursday from March, 2024 through December, 2024; and

WHEREAS, the Flemington Community Partnership is requesting that the Mayor and Council approve the dates below for the Sip & Stroll for the third Thursday from 5:00pm to 9:00pm as follows:

- *March 14th, 2024 - potentially indoors
- *April, 18th, 2024
- *May 16th, 2024
- *June 20th, 2024
- *July 18th, 2024
- *August 15th, 2024
- *September 19th, 2024
- *October 17th, 2024
- *November 21st, 2024 - potentially indoors
- *December 19th, 2024 - indoors

WHEREAS, the Mayor and Council of the Borough of Flemington approves the dates for the 2024 Sip & Stroll.

Adopted: February 12, 2024

ATTEST:

Marcia A. Karrow, Mayor

Carla Conner, Borough Clerk

CERTIFICATION

I, Carla Conner, Borough Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 12th day of February, 2024.

Carla Conner, Borough Clerk

RESOLUTION #2024-37

**RESOLUTION APROVING A REFUND OF OVERPAYMENT OF TAXES FOR BLOCK
16 LOT 9.01**

WHEREAS, the State of New Jersey offered an assistance program for residents struggling to pay utility bills; and

WHEREAS, block 16 lot 9.01, 47 Court Street is a rental property; and

WHEREAS, the water and sewer account had become delinquent and was subject to tax sale due to the tenant's non-payment; and

WHEREAS, the property owner paid the unpaid balance to avoid tax sale as the property is his asset; and

WHEREAS, the State of New Jersey also made a payment on behalf of the tenant at that time creating a credit on the account; and

WHEREAS, the property owner has requested a refund of the credit balance in the amount of \$2,750.00.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that a refund in the amount of \$2,750.00 be given to Sal Latino, property owner of Block 16 Lot 9.01, 47 Court Street for an overpayment on account # 2103008-3.

Adopted: February 12, 2024

ATTEST:

Marcia A. Karrow, Mayor

Carla Conner, Borough Clerk

CERTIFICATION

I, Carla Conner, Borough Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 12th day of February, 2024.

Carla Conner, Borough Clerk

RESOLUTION 2024-38

RESOLUTION OF THE BOROUGH OF FLEMINGTON COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH OF FLEMINGTON TO SUBMIT AN APPLICATION FOR 1.4 MILLION TO NEW JERSEY WATER BANK FOR MAIN STREET SEWER IMPROVEMENTS

WHEREAS, the Borough of Flemington (hereinafter the "Borough") plans to submit to the New Jersey H₂ Loans Clean Water Program an application for financing for Main Street Sewer Improvements (hereinafter the "Program"); and

WHEREAS, the Borough wishes to pursue through the Program funding for the replacement of sewer mains, laterals, cleanouts, manholes, and other improvements for Main Street from Church to the Route 12 Circle; and

WHEREAS, it is in the best interest of the Borough to pursue this project actively and diligently, for reasons associated with the health, safety, and welfare of the community serviced by the Borough; and moreover, pursue funding with and through H₂ Loans Clean Water program for the sewer work.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Flemington County of Hunterdon, State of New Jersey, as follows:

1. All necessary action, including the filing of formal applications, be taken to pursue with New Jersey H₂ Loans actual funding for replacement of sewer mains and appurtenances for Main Street from Church to Route 12 Circle.
2. The Borough is authorized to accept all funding through the New Jersey H₂ Loans Clean Water Program.
3. The Borough's Municipal Clerk shall publish an appropriate notice of intention to file an application with New Jersey H₂ Loans Clean Water program for funding for the proposed projects in the Borough's official newspaper with sixty (60) days of the Borough's submission of an application for funding to H₂ Loans.
4. The duly authorized representatives of the Borough, including the Borough's Special Projects Engineer, Solicitor, and Auditor, be authorized to execute all documentation in furtherance of the preparation of the necessary documents to be submitted to New Jersey H₂ Loans Clean Water Program. Further, the Mayor of the Borough is hereby authorized to execute the necessary documents in order to provide the application to H₂ Loans.

Adopted: February 12, 2024

ATTEST:

Marcia A. Karrow, Mayor

Carla Conner, Borough Clerk

CERTIFICATION

I, Carla Conner, Borough Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 12th day of February, 2024.

Carla Conner, Borough Clerk

RESOLUTION #2024-40

RESOLUTION RECOGNIZING BLACK HISTORY MONTH

WHEREAS, every February, Black History Month is recognized to not only encourage the study of African American life and history but also act as a reminder that Black history is an integral part of the history of the United States of America; and

WHEREAS, what began as a week recognizing Black History, championed by Dr. Carter G. Woodson and minister Jesse E. Moorland in 1926, when they founded the Association for the Study of African American Life and History (ASALH) evolved into a month by 1976, after official recognition by then President Gerald Ford; and

WHEREAS, each year, the Association presents a new theme, and the theme for 2024 is African American and the Arts; and

WHEREAS, for African Americans, the arts have been a means to express joy and sorrow, assert humanity, or communicate in a way that reaffirms one another; and

WHEREAS, Alvin Ailey, Colman Domingo, Michaela Jaé Rodriguez, Billie Holiday, and others made it clear Black and LGBTQ+ people not only exist but could do so openly; and

WHEREAS, women like Eartha Kitt, Maya Angelou, Queen Latifah, Audra MacDonald, Viola Davis, and more not only exhibited Black women aren't a monolith but there isn't a limit, standard, or any imposed glass ceiling that could hold their talent back from the applause of the masses; and

WHEREAS, as with every Black History Month, there is also a need to remember Black History is not only American History, but the contributions of Black Americans go beyond those who provide entertainment. Michael Jackson popularized the Super Bowl halftime show as a must-see event; James E. West's patents from 1962, utilized in 90% of all microphones today, allowed over 133 million people to hear his set list, and

WHEREAS Mark Dean, while working at IBM, developed the first gigahertz chip that laid the foundation for the technology required to hear, see, and experience entertainment on a computer or phone, and Valerie Thomas, a NASA data analyst, advanced the 3D technology used in theaters across the nation and the world.

NOW THEREFORE, BE IT RESOLVED on behalf of the Flemington Borough Council, highlight these names in honor of Black History Month and ask the public to further educate themselves on those named and the many others who have shaped our country and the world.

Adopted: February 12, 2024

ATTEST:

Marcia A. Karrow, Mayor

Carla Conner, Borough Clerk

CERTIFICATION

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Carla Conner, Borough Clerk

RESOLUTION #2024-41

RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT FOR MUTUAL AID FROM THE HUNTERDON COUNTY MUNICIPAL LAW ENFORCEMENT AGENCY(IES)

WHEREAS, the Hunterdon County Municipal Law Enforcement Agency(ies) desires to provide aid to other municipalities in the County of Hunterdon during an emergency by assigning resources to the affected area; and

WHEREAS, the Uniform Shared Services and Consolidations Act, N.J.S.A. 40A:65-1, et seq. authorizes local governmental entities to enter into an agreement, among other things, for the sharing of services; and

WHEREAS, all parties recognize the potential benefit of this agreement and the intent to aid other municipalities in the County of Hunterdon during an emergency by assigning resources to the affected area.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Flemington recognize the potential benefit of this agreement and the intent to aid other municipalities in the County of Hunterdon during an emergency by assigning resources to the affected area.

Adopted: February 12, 2024

ATTEST:

Marcia A. Karrow, Mayor

Carla Conner, Borough Clerk

CERTIFICATION

I, Carla Conner, Borough Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 12th day of February 12, 2024.

Carla Conner, Borough Clerk