



BOROUGH OF FLEMINGTON
REGULAR COUNCIL MEETING
SEPTEMBER 11, 2023

Mayor Karrow called the meeting to order at 7:04 p.m. announcing that all laws governing Open Public Meetings Act have been met and that this meeting has been duly advertised.

SALUTE TO THE FLAG

Mayor Karrow stated a notice was provided as required. The annual meeting notice is on file in the Office of the Municipal Clerk for public inspection.

ATTENDANCE ROLL CALL:

Councilman Malik Johnston	Absent
Councilman Tony Parker	Absent
Councilwoman Elizabeth Rosetti	Present
Councilwoman Susan Engelhardt	Present
Council Vice President Kim Tilly	Present
Council President Jeremy Long	Present
Mayor Marcia Karrow	Present

Also Present:

Carla Conner, Borough Clerk
Chris Corsini, Borough Attorney

MAYOR'S REPORT:

Mayor Karrow reported the 2022 Audit had no comments or recommendations from the Auditors. Mayor Karrow requested that the Auditor from Suplee Clooney come to the next meeting and give a short presentation of the audit.

COUNCIL MEMBER REPORTS

COUNCIL PRESIDENT LONG:

Council President Long reported the Courts should have reports to share at the next meeting and thanked the Police Department for an incident that happened during the NJ Jazz Fest at Stangle.

COUNCILMAN PARKER:

Council President Long read Councilman Parker's report in his absence. Councilman Parker is pleased to share that the Borough newsletter has been published and is hoping to deliver them to businesses in the Borough.

Council President Long motion to amend the consent agenda to add the resolution to recognize National Heritage Month, and was seconded by Council Vice President Tilly with a vote of all ayes.

COUNCIL VICE PRESIDENT TILLY:

Council Vice President Tilly amended the consent agenda to revise Resolution 2023-159. Council President Tilly reported that September 17, 2023 there will be a Live Like Linda bake sale fundraiser at the Firehouse to support cancer patients in the community and Lone eagle will hosting a fundraiser for the Fire Department on October 7, 2023. Council Vice President Tilly also reported she will be running the Halloween candy program this year again. All donated candy will be dropped off at Borough Hall and dispersed on October 29, 2023 and the registration form will be posted on the Borough website. Council Vice President

COUNCILWOMAN ROSETTI:

No report given.

COUNCILWOMAN ENGELHARDT:

Councilwoman Engelhardt the Planning Board discussed the Ordinances that are the agenda tonight and thanked the Construction Official, John Tillotson for attending the Planning Board meeting. Councilwoman Engelhardt reported FRIS Board of Education meeting is August 28, 2023 and orientation is August 22, 2023 and Central District BOE meeting is August 21, 2023 and a parent orientation on August 28, 2023. Councilwoman Engelhardt stated she would help Councilman Parker get the NAACP into the schools. Councilwoman Engelhardt continued that the Samuel Fleming House has relaunched their website.

PUBLIC COMMENTS – SESSION I:

Robin Lapidus, from FCP thanked Council for coming and volunteering at the Corn Festival and gave a report on the festival, discussed the NJ Jazz Festival and other events with the FCP. The Christmas parade date has changed to Saturday, December 2, 2023.

Tony Krevet from Flemington Borough stated the grass at the old Agway is four feet high and is an eyesore coming into Flemington, he would like someone from the Borough to go to Hunter Hills Building C & D and look at the discarded barbeque grills, vegetation and leaves that is piling up and he would like dumpsters in the Agway property since the property is not being used to dump household items instead of buying bulk tickets.

Maureen Keelen from Flemington Borough apologized for her behavior at her last public comment. Ms. Keelen asked Councilman Johnston to step down from Council. Ms. Keelen stated Mr. Humphrey was the nicest man and was shocked he was blamed for any problems that were in the Clerk's office.

APPROVAL OF MINUTES:

April 10, 2023

Regular Session

A **MOTION** was made by Council Vice Present Tilly to approve the minutes, seconded by Council President Long, with a vote of all ayes.

April 24, 2023

Regular Session

A **MOTION** was made by Council Vice Present Tilly to approve the amended minutes, seconded by Council President Long, with a vote of all ayes.

June 26, 2023

Regular Session

A **MOTION** was made by Council Vice Present Tilly to approve the minutes, seconded by Council President Long, with a vote of all ayes.

June 12, 2023

Executive Session

A **MOTION** was made by Council Vice Present Tilly to approve the minutes, seconded by Council President Long, with a vote of all ayes.

June 26, 2023

Executive Session

A **MOTION** was made by Council Vice Present Tilly to approve the minutes, seconded by Council President Long, with a vote of all ayes.

Mayor Karrow gave an update on the YouTube channel and when the meetings will be posted.

CONSENT AGENDA:

1. RESOLUTION 2023-156 – RESOLUTION AUTHORIZING A REFUND OF \$127,000.00 TO BE PAID TO LEVIN MANAGEMENT FOR A TAX OVERPAYMENT HELD ON BLOCK 49 LOT 10

WHEREAS, the Borough was utilizing Municipal Software for its tax collection service; and

WHEREAS, Municipal Software was purchased by Edmunds Govtech; and

WHEREAS, the Borough had to convert to the new Edmunds Software for tax collection; and

WHEREAS, during the data conversion there were several issues; and

WHEREAS, properties owing a figure of more than 6 digits were converted wrong; and

WHEREAS, the 2023 final billing for block 49 lot 10 went out incorrectly; and

WHEREAS, the property management company paid \$251,707.50 on July 31, 2023; and

WHEREAS, only \$124,707.50 was due for the third quarter of 2023; and

WHEREAS, the management company has requested the additional funds be refunded rather than credited.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that a refund in the amount of \$127,000.00 payable to Levin Management is hereby approved.

BE IT FURTHER RESOLVED, the CFO is authorized to send a check in the amount of \$127,000.00 to Levin Management.

2. RESOLUTION 2023-157 – RESOLUTION AUTHORIZING A REFUND OF \$7,912.62 TO DAVID BOCK FOR A TAX OVER PAYMENT HELD ON BLOCK 38 LOT 15

WHEREAS, David Bock went online to pay his tax bill; and

WHEREAS, David Bock saw a total balance due on the Borough website which was for the 4th quarter of 2023 and the 1st and 2nd quarter of 2024; and

WHEREAS, David Bock mistakenly paid the whole year instead of the current quarter; and

WHEREAS, this payment was made by e-check through the Historic Flemington website; and

WHEREAS, David Bock contacted his bank to attempt to place a stop payment but could not as it was an ach debit; and

WHEREAS, Rebecca Newman, tax collector attempted to reject the payment through Edmunds and Northfield bank, but could not; and

WHEREAS, David Bock has requested a refund.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Flemington, County of Somerset, State of New Jersey that a refund in the amount of \$7,912.62 for a tax over payment on block 38 lot 5 is hereby approved.

BE IT FURTHER RESOLVED, that the CFO is authorized to process a check in the amount of \$7,912.62 payable to David Bock.

3. RESOLUTION 2023-158 – RESOLUTION AMENDING RESOLUTION #2023-111
APPROVING THE APPOINTMENT AND HIRING OF JOHN TILLOTSON AS
CONSTRUCTION OFFICIAL AND ZONING OFFICER

WHEREAS, the retirement of Jeff Klein left a vacancy in the Construction Code Official / Building Inspector / Zoning Official position, and

WHEREAS, candidates for his replacement have been interviewed and John Tillotson has been selected to fill this position.

NOW, THEREFORE, BE IT RESOLVED By the Mayor and Council of the Borough of Flemington that John Tillotson be hired effective June 5, 2023 and will be paid at an hourly rate of \$50 per hour for the period of June 5, 2023 through June 30, 2023 to work an average of nine hours per week.

BE IT FURTHER RESOLVED, that effective July 1, 2023 Mr. Tillotson will be paid a salary of \$52,000 for twenty hours per week of work and will receive sixty hours of paid time off per year. Also, upon obtaining the zoning officer certification his salary will be increased by \$2,000 to \$54,000 annually.

BE IT FUTHER RESOLVED, Mr. Tillotson shall be appointed for a term of four years effective June 5, 2023.

4. RESOLUTION 2023-159 – RESOLUTION APPROVING TWO FIREFIGHTER’S INTO THE
NJ STATE FIREMEN’S ASSOCIATION

WHEREAS, German Abarca has applied to be a member of the NJ. State Firemen’s Association,
and

WHEREAS, the applicant have undergone the required physical examination,

NOW, THEREFORE, BE IT REOLVED by the Mayor and Council of the Borough of
Flemington, in the County of Hunterdon and the State of New Jersey that the applicant be admitted
to active membership in the NJ State Firemen’s Association.

5. RESOLUTION 2023-160 - RESOLUTION AUTHORIZING THE RELEASE OF THE
REMAINING BALANCE OF \$4,564.69 IN THE DEVELOPER’S ESCROW AND \$3,401.50 IN
INSPECTION ESCROW ACCOUNTS FOR COUNTRYSIDE PLAZA INC., HELD IN TRUST
BY THE BOROUGH OF FLEMINGTON

WHEREAS, Country Side Plaza, Inc., 79 Route 202/31, Ringoes, NJ 08851 has requested the
release of the balance remaining in developer escrow account #E-72528 and inspection escrow
account #E-CNTRYINS; and

WHEREAS, said application has been dismissed without prejudice and clearances have been
received from the professionals involved authorizing the release of the escrow account;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of
Flemington, in the County of Hunterdon, State of New Jersey that the balance of the escrow account
posted in connection with Country Side Plaza Inc. application in the amounts of \$4,564.69 &
\$3,401.50 is hereby refunded to Country Side Plaza, Inc., c/o Asset Management Consultants, 12841
Fitzwater Drive, Nokesville, VA 20181.

6. RESOLUTION 2023-161 - RESOLUTION APPOINTING THREE NEW MEMBERS TO THE
CERT TEAM

WHEREAS, the Mayor and Council of the Borough of Flemington wishes to add three new
members to the CERT Team; and

WHEREAS, by the Mayor and Council of the Borough of Flemington that the following persons are hereby appointed to the CERT Team:

Frank A. White
John Paul Perry
Marc Hain

NOW THEREFORE BE IT RESOLVED, this Resolution will take effect immediately.

7, RESOLUTION 2023-162 - RESOLUTION APPROVING THREE ADDITIONAL DATES FOR SIP & STROLL THROUGH THE FLEMINGTON COMMUNITY PARTNERSHIP

WHEREAS, the Flemington Community Partnership holds a Sip & Stroll every third Thursday from April, 2023 through September, 2023; and

WHEREAS, the Flemington Community Partnership is requesting to extend the Sip & Stroll through the end of the year for the third Thursday from 5pm to 9pm as follows:

- October -- 10/19 -- a harvest theme with all-age scarecrow making
- November -- 11/16 -- a Friendsgiving-themed event with more indoor activities in Stangl Factory and including our new shops on Stangl Hammer and Stain & 3D Art Lab
- December -- 12/21-- Holiday Markets and Art Shows on Stangl

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

A **MOTION** was made by Council Vice Present Tilly to approve the amended Consent Agenda, seconded by Council Vice President Long and on Roll Call the following was recorded:

Councilwoman Susan Engelhardt	Yes
Council President Jeremy Long	Yes
Councilwoman Elizabeth Rosetti	Yes
Council Vice President Kim Tilly	Yes

Motion carried.

PUBLIC HEARING:

ORDINANCE 2023-23 AN ORDINANCE AMENDING THE ZONING MAP FOR
FLEMINGTON BOROUGH

A **MOTION** was made by Council Vice President Tilly to open the Public Hearing, second by Councilwoman Engelhardt.

There being no one from the public who wished to speak, Mayor Karrow closed the public hearing.

A **MOTION** was made by Council Vice President Tilly to close the Public Hearing, second by Council President Long.

A **MOTION** was made by Councilwoman Engelhardt to adopt the Ordinance, second by Council Vice President Tilly.

Councilwoman Rosetti	Yes
Councilwoman Engelhardt	Yes
Council Vice President Tilly	Yes
Council President Long	Yes

Motion carried.

ORDINANCE 2023-24 AN ORDINANCE AMENDING CODE 2623 OF THE CODE
"VILLAGE ARTISAN (VAS) DISTRICT"

A **MOTION** was made by Council Vice President Tilly to open the Public Hearing, second by Council President Long.

Robin Lapidus from FCP asked if the lines that are crossed out and text is added is that how the Ordinance is going to read.

Tony Krevet from Flemington Borough asked about the updated Zoning map. Councilwoman Engelhardt explained the updated Zoning map.

Mayor Karrow closed the public hearing.

A **MOTION** was made by Council Vice President Tilly to close the Public Hearing, second by Council President Long.

A **MOTION** was made by Councilwoman Engelhardt to adopt the Ordinance, second by Council Vice President Tilly.

Councilwoman Rosetti	Yes
Councilwoman Engelhardt	Yes
Council Vice President Tilly	Yes
Council President Long	Yes

Motion carried.

ORDINANCE 2023-25 AN ORDINANCE ENTITLED "PUBLIC ART COMMITTEE"

A **MOTION** was made by Council Vice President Tilly to open the Public Hearing, second by Council President Long.

There being no one from the public who wished to speak, Mayor Karrow closed the public hearing.

A **MOTION** was made by Council Vice President Tilly to close the Public Hearing, second by Councilwoman Engelhardt.

A **MOTION** was made by Councilwoman Engelhardt to adopt the Ordinance, second by Council President Long.

Councilwoman Rosetti	Yes
Councilwoman Engelhardt	Yes
Council Vice President Tilly	Yes
Council President Long	Yes

Motion carried.

ORDINANCE 2023-26 AN ORDINANCE AMENDING SECTION 1201 OF THE CODE ENTITLED "DEFINITIONS"

A **MOTION** was made by Council Vice President Tilly to open the Public Hearing, second by Councilwoman Tilly.

Robin Lapidus from FCP commented on what businesses should be specified.

Mayor Karrow closed the public hearing.

A **MOTION** was made by Council Vice President Tilly to close the Public Hearing, second by Council President Long.

A **MOTION** was made by Councilwoman Engelhardt to adopt the Ordinance, second by Council Vice President Tilly.

Councilwoman Rosetti	Yes
Councilwoman Engelhardt	Yes
Council Vice President Tilly	Yes
Council President Long	Yes

Motion carried.

REGULAR AGENDA:

8. RESOLUTION 2023-163 - RECOGNIZING NATIONAL HISPANIC HERTIGAGE MONTH

WHEREAS, each year Americans observe National Hispanic Heritage Month by celebrating the histories, cultures, and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean, and Central and South America; and

WHEREAS, observance of Hispanic Heritage began in 1968, was later expanded, and begins many significant anniversaries of independence for Latin American countries; and

WHEREAS, The United States has the 2nd largest population of Hispanic and Latinx people in the world; and

WHEREAS, Flemington Borough's residents of Hispanic heritage comprise just under 38% of the Borough's total population, according to 2020 Census estimates; and

WHEREAS, the Mayor and the Borough Council of the Borough of Flemington ask all individuals to celebrate the great diversity of the American people by recognizing residents and friends of Flemington with Hispanic and Latinx heritage who have helped make our Borough prosperous; and

WHEREAS, we encourage the work of those who dedicate their time and efforts to the furthering of a connected and strong local community by recognizing September 15th, 2023 through October 15th, 2023 as National Hispanic Heritage Month;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Borough Council hereby recognize September 15th, 2023 through October 15th, 2023 as National Hispanic Heritage Month in the Borough of Flemington.

A **MOTION** was made by Council President Long to approve the resolution. This Motion was seconded by Council Vice President Tilly and on Roll Call vote the following was recorded:

Councilwoman Rosetti	Yes
Councilwoman Engelhardt	Yes
Council Vice President Tilly	Yes
Council President Long	Yes

Motion carried.

9. RESOLUTION 2023-164 - AUTHORIZING AN INTERLOCAL AGREEMENT WITH FLEMINGTON-RARITAN REGIONAL SCHOOL DISTRICT FOR SCHOOL CLASS III LAW ENFORCEMENT OFFICERS

An Agreement between the Flemington-Raritan Regional School District (the School District), 50 Court St., Flemington, NJ and the Borough of Flemington (the Municipality), 38 Park Ave., Flemington, NJ.

WHEREAS, the School District and Municipality desire to provide the services of Class III Special Law Enforcement Officers (“Class III SLEOs”) assigned to the School District; 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, both parties recognize the potential benefits of this program to the citizens of the Municipality and to the students and staff of the School District; and

WHEREAS the Municipality has, by Ordinance 2019-20, created the position of Class III SLEO; and

WHEREAS, it is in the best interests of the School District and the Municipality to establish this program;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that the Municipality shall employ and assign to the School District one Class III SLEOs to perform law enforcement duties at certain Flemington-Raritan Regional School District schools, as set forth in the attached Memorandum of Understanding.

A **MOTION** was made by Council President Long to approve the resolution. This Motion was seconded by Council Vice President Tilly and on Roll Call vote the following was recorded:

Councilwoman Rosetti	Yes
Councilwoman Engelhardt	Yes
Council Vice President Tilly	Yes
Council President Long	Yes

Motion carried.

10. RESOLUTION 2023-165 - RESOLUTION AUTHORIZING PS&S TO DESIGN MECHANICALS FOR A NEW HVAC SYSTEM FOR THE PROCESSING CENTER ON THE FIRST FLOOR OF THE NEW POLICE FACILITY, NTE \$7,500

WHEREAS, the Borough of Flemington's new Police facility is in need of a HVAC for the Processing Center; and

WHEREAS, it has been determined that PS&S is most qualified to design mechanicals for the new HVAC system; and

WHEREAS, the Borough has received or will receive a Business Registration certificate and Affirmative Action compliance statement from the firm prior to entering into a contract.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington authorizes PS&S to design mechanicals for a new HVAC system for the Processing Center on the first floor of the new Police facility, NTE \$7,500.

A **MOTION** was made by Council President Long to approve the resolution. This Motion was seconded by Council Vice President Tilly and on Roll Call vote the following was recorded:

Councilwoman Rosetti	Yes
Councilwoman Engelhardt	Yes
Council Vice President Tilly	Yes
Council President Long	Yes

Motion carried.

PUBLIC COMMENTS – SESSION II:

Tony Krevet from Flemington Borough asked when the roads will be paved. Mayor Karrow explained the schedule for paving.

APPROVAL TO PAY THE BILLS:

AUTHORIZING PAYMENT OF THE BILLS IN THE AMOUNT OF \$1,525,214.23

A *MOTION* was made by Council Vice President Tilly to pay the bills. This Motion was seconded by Council President Long and on Roll Call vote the following was recorded:

Councilwoman Rosetti	Yes
Councilwoman Engelhardt	Yes
Council Vice President Tilly	Yes
Council President Long	Yes

Motion carried.

EXECUTIVE SESSION:

BE IT RESOLVED that the Mayor and Council will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.

The general nature of the subject to be discussed in this session is as follows:

1. Negotiations – Liberty Village and Cardinal
2. Litigation – Cannabis License
 - It is unknown precisely when the matters discussed in this session will be disclosed to the public.
 - Matters concerning litigation may be announced upon the conclusion of any trial or settlement of the litigation. Other matters may be made public when the need for confidentiality no longer exists.

The Mayor and Council entered into Executive Session and a *MOTION* was made by Council Vice President Tilly, seconded by Councilwoman Engelhardt and on Roll Call vote the following was recorded:

Councilwoman Rosetti	Yes
Councilwoman Engelhardt	Yes
Council Vice President Tilly	Yes
Council President Long	Yes

Motion carried.

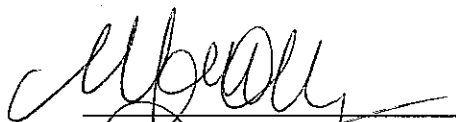
Council President Long read a statement asking Councilman Jonhston to step down since he has missed more than eight consecutive meetings.

ADJOURNMENT

A **MOTION** was made by Council President Long to adjourn the meeting. and was seconded by Council Vice President Tilly with a vote of all ayes.

ATTEST:


Carla Conner, Borough Clerk


Marcia Karrow, Mayor

Adopted: November 27, 2023