



Mayor and Common Council Borough of Flemington

January 27, 2020

Council Meeting Room

Call to Order: 6:30 PM

Mayor Driver called the meeting to order. This meeting is being held in conformance with the Open Public Meetings Act. A motion was immediately made to go into Executive Session.

Executive Session (6:30 PM)

1. RESOLUTION 2020-32: RESOLUTION TO RETIRE INTO EXECUTIVE SESSION FOR THE PURPOSE OF OBTAINING LEGAL ADVICE REGARDING THE COURTHOUSE SQUARE PROJECT

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Caitlin Giles-McCormick, Council Member
AYES:	Giles-McCormick, Hand, Long, Runion, Tilly
EXCUSED:	Michael Harris

Minutes kept separately.

Work Session (7:00 PM)

The work session was not held; the executive session continued until 7:25 p.m.

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	
Michael Harris	Council Member	Late	7:25 PM
Jeremy Long	Council Member	Present	
Christopher Runion	Council Member	Present	
Kimberly Tilly	Council Vice President	Present	
Betsy Driver	Mayor	Present	

I. Mayor's Report

Mayor Driver noted the new audio system in Borough Hall, and said the borough's redevelopment attorney has replied to a September letter from the attorney for the Friends of Historic Flemington LLC. The response is on the hotel page of the borough website.

She outlined her activities, including a 1/14 meeting with JCP&L officials regarding traffic control during electrical line work, Gov. Murphy's legislation about permitting alcohol sales in small theaters, meeting with representatives for the developer of the Nilkanth Agway property - a March 25 presentation will be held at the historic courthouse at 7 p.m.

The Reaville Ave. sewer replacement project was done in one week.

Two offers have been received for the property at 144 Main St.

II. Council Members' Reports

Council President Giles-McCormick

Samuel Fleming House - a proclamation is on the agenda for tonight's meeting, honoring the group's volunteers.

FCP - Lots of meetings are happening - they're working on 2- and 3-year plans for economic development, retaining businesses, and beautification.

Opportunity Zone Committee - There should be a resolution coming in a month or so about getting the grant started to hold charettes regarding the borough's future.

DPW - Progress is being made on street repairs. Their response time to issues is wonderful.

Council Member Hand

She mentioned her work on the Census committee, spoke of events planned over the weekend, and said she's looking forward to working in the community.

Council Member Harris

Park Ave. residents complained to him about the DPW's staging area for the work on Reaville Ave.

Animal Control - Licenses are due now. He's looking into having three-year licenses that match up with rabies vaccinations.

DIY - they have a terrific jazz series planned.

Beautification - Removal of the snowflakes was due to start today.

Council Member Long

Planning Board - there's a lot on the agenda this year, including a master plan update, and community charettes.

Census - This involves a lot of organizing; issues include communication and trust in the immigrant community.

He thanked the DPW director for giving him a tour of the town, its wells and facilities, and the Police Chief for showing him that department's operations.

Council Member Runion

The Environmental Commission meets Wednesday. They're continuing efforts toward Sustainable Jersey certification this year; we're 60 points shy of bronze-level status.

He asked about progress on the Comcast franchise renewal. Mayor Driver said due to a recent court ruling, Comcast had to make some changes in its proposed contract; she expects to receive it soon.

Council Vice President Tilly

She outlined recent activities, including a meeting with the DPW on 1/8 regarding the Reaville Ave. sewer work, which has been completed; a 1/9 DPW-led tour of the borough; a meeting of the HPC on 1/8, where new member Adrienne Fusaro was welcomed. Property maintenance issues have prompted the inclusion of Resolution 44 on tonight's agenda, accepting the current official's resignation. The Borough is accepting resumes for the position through Wednesday, Jan. 29.

Library- There's a new book drop, and the Little Library has been relocated to Tuccamirgan Park. A pre-bid meeting is set for tomorrow at the library regarding interior renovations.

Fire Dept. - In October, with the Red Cross, they handed out 57 smoke alarms.

Redevelopment - there have been very many meetings and calls so far this year.

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

Tony Previte, 45 N. Main St., said the north end of the Borough has been a dumping ground. He asked how many lawsuits are continuing against the Borough, and their status. Mayor Driver said there are 4 suits that are moving through the court system. Mr. Harris urged proactive action.

Joey Novick, 11 E. Main St., asked for a period of silence in honor of International Holocaust Remembrance Day today. Ms. Giles-McCormick moved and Ms. Tilly seconded a motion to add a period of silence after the conclusion of voting on the meeting minutes from the reorganization. Mayor Driver suggested it be 75 seconds long, in honor of the 75th anniversary of the freeing of Aushwitz. All voted in favor.

Tony Critelli, who gave his address as Flemington, commented on borough officials' attendance at school board meetings, the charge for busing to the high school when borough children aren't bused, alternatives to Comcast, and his support for a shared services study.

Robert Shore, 47 Broad St., offered his help in negotiating a contract with Comcast to meet the needs of seniors and indigent residents, and said the shared services study should be taken seriously.

Steve Tuccio, 61 Elwood Ave., commented on the public agenda and said residents should know what's going on behind the scenes before decisions are cast in stone. He asked about enforcement of property maintenance issues at the Union Hotel, the trash/recycling situation, and the status of the escrow account in connection with the Courthouse Square project.

IV. Approval of Minutes

Motion To: **Approve Minutes: Jan. 2, 2020 Regular Council Meeting**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Caitlin Giles-McCormick, Council Member
SECONDER:	Michael Harris, Council President
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

V. Period of Silence to Honor Holocaust Victims

A 75-second period of silence was held for Holocaust Remembrance Day.

VI. Motion To: **Amend Agenda to move up consideration of Agenda Item 2020-1**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Caitlin Giles-McCormick, Council Member
SECONDER:	Michael Harris, Council President
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

VII. AGENDA ITEM 2020-1: PROCLAMATION: GOOD CITIZENS AWARD FOR FRIENDS OF FLEMING CASTLE

Ms. Giles-McCormick said much of what happens in the Borough is thanks to the efforts of volunteers. She and Mayor Driver gathered the board members of the Friends of Historic Flemington together and Ms. Giles-McCormick read the proclamation.

Consent Agenda

Moved: Harris Seconded: Hand Vote: All members voted in favor.

1. RESOLUTION 2020-33: AUTHORIZING A REFUND FOR SEWER CHARGES FOR A WATER LEAK
 2. RESOLUTION 2020-34: AUTHORIZING A STIPEND IN THE AMOUNT OF \$700.00 FOR STEVEN COTTONE FOR HIS EXTENSIVE EFFORTS WITH THE SHADE TREE COMMISSION FOR THE YEAR 2019
 3. RESOLUTION 2020-35: RESOLUTION REAFFIRMING THE COMMITMENT AND OBJECTIVES OF THE FLEMINGTON GREEN TEAM
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Regular Agenda

1. ORDINANCE 2020-1: FIRST READING: ELIMINATING THE OPTION OF APPEALING THE GRANT OF A "D" VARIANCE TO THE GOVERNING BODY AND AMENDING CHAPTER 14 ENTITLED "PLANNING BOARD AND HISTORIC PRESERVATION COMMISSION" OF THE GENERAL ORDINANCES OF THE BOROUGH OF FLEMINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

Mr. Harris moved to table the ordinance, seconded by Mr. Runion. Following discussion, Mr. Harris and Mr. Runion withdrew their motions.

RESULT:	INTRODUCED [4 TO 1]	Next: 2/24/2020 7:30 PM
MOVER:	Caitlin Giles-McCormick, Council Member	
SECONDER:	Kimberly Tilly, Council Member	
AYES:	Caitlin Giles-McCormick, Jessica Hand, Jeremy Long, Kimberly Tilly	
NAYS:	Christopher Runion	
ABSTAIN:	Michael Harris	

2. ORDINANCE 2020-2: FIRST READING: ESTABLISHING THE MIXED-USE MULTI-FAMILY OVERLAY DISTRICT

Ms. Tilly moved and Ms. Hand seconded a motion to amend the ordinance to include edits recommended by the Borough Attorney. Mr. Harris abstained on that motion; all other members voted yes. During council discussion, it was clarified that the overlay does not require mixed-use but adds it as an option, and the ordinance was amended as instructed by the Borough Attorney.

RESULT:	INTRODUCED [UNANIMOUS]	Next: 2/24/2020 7:30 PM
MOVER:	Caitlin Giles-McCormick, Council Member	
SECONDER:	Jeremy Long, Council Member	
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly	

3. ORDINANCE 2020-3: FIRST READING: PERMITTING SOCIAL CLUBS AND CERTAIN THEATER USES IN THE DOWNTOWN BUSINESS, DOWNTOWN II BUSINESS DISTRICT, AND THE VILLAGE ARTISAN SHOPPING DISTRICT

Ms. Tilly and Mr. Long made a motion to adopt the original ordinance. Following discussion, Ms. Giles-McCormick moved and Ms. Tilly seconded a motion to amend the ordinance to fix typos, and to remove references to cigar bars and lounges. All members voted in favor and the ordinance was amended. Ms. Tilly and Mr. Long withdrew their motions regarding the original ordinance.

RESULT:	INTRODUCED [UNANIMOUS]	Next: 2/24/2020 7:30 PM
MOVER:	Michael Harris, Council President	
SECONDER:	Christopher Runion, Council Vice President	
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly	

4. RESOLUTION 2020-36: RESOLUTION REFERRING ORDINANCES TO THE PLANNING BOARD IN ACCORDANCE WITH THE MUNICIPAL LAND USE LAW

There was discussion to fix the wording in Ordinance 2020-03 to remove references to cigar bars and lounges. Ms. Tilly made a motion to amend the resolution, seconded by Ms. Hand. All voted in favor.

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

5. RESOLUTION 2020-37: ADOPTING A DOMESTIC VIOLENCE POLICY UPDATING THE BOROUGH OF FLEMINGTON PERSONNEL POLICIES AND PROCEDURES MANUAL TO COMPLY WITH N.J.S.A. 11A:2-6A(B)(1)

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

6. RESOLUTION 2020-38: AUTHORIZING THE ABATEMENT OF INTEREST PAID ON COUNTY UTILITY BILLS

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

7. RESOLUTION 2020-39: AUTHORIZING THE RENEWAL OF TAXI LICENSES FOR 2020

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

8. RESOLUTION 2020-40: NAMING SSP ARCHITECTURAL GROUP THE ARCHITECT OF RECORD FOR THE BOROUGH OF FLEMINGTON, 2020

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

9. RESOLUTION 2020-41: HIRING M2 ASSOCIATES TO REHABILITATE WELL NO. 4

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

10. RESOLUTION 2020-42: AUTHORIZING THE MAYOR TO SIGN DOCUMENTS FOR SUBMISSION TO THE STATE DEP REGARDING THE BOROUGH-OWNED PROPERTY AT 144 MAIN STREET, BLOCK 38, LOT 1.01

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Caitlin Giles-McCormick, Council Member
SECONDER: Jeremy Long, Council Member
AYES: Giles-McCormick, Hand, Harris, Long, Runion, Tilly

11. RESOLUTION 2020-43: ADJUSTING THE BOROUGH CLERK'S HOURS

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

12. RESOLUTION 2020-44: ACCEPTING THE RESIGNATION OF WILLIAM SIDOTE, PROPERTY MAINTENANCE OFFICIAL

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

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

Joey Novick, 11 E. Main St., supported the extension of window hours at Borough Hall.

Rich Cornelison, 134 Main St., suggested 144 Main St. be turned into a security post with parking for a few cars, and restroom facilities for public use.

Tony Previte, 45 N. Main St., asked for action on creating a plan for the police station, and pursuing a study of shared services.

Robert Shore, 47 Broad St., supported the change in the clerk's hours, and discussed maintenance of the fence between his property and the 144 Main St. borough-owned property. He also asked for an update on the water tower project, and suggested eliminating council discussion from meetings and giving residents more time to comment. He suggested having the mayor serve as the property maintenance official. Mayor Driver said the water tower project got final site plan approval from Raritan Township's planning board in December. Steve Tuccio, 61 Elwood Ave., asked for an update on property maintenance at the Union Hotel, and the status of the escrow account. Mayor Driver said officials have been taking with the redeveloper about the escrow account; originally, bills weren't submitted correctly. Regarding the unsafe structure notice at the Union Hotel, we've been working with the owner to make sure it's secure and safe, and going on from there.

Robin Lapidus, exec. dir. of the FCP, said she was recently at a Brownfields conference, and old gas stations on the main street are very common. It's exciting that it could be something useful again. She commented on the multi-family, multi-use overlay, encouraging consideration of micro-units as well.

Robert Shore, 47 Broad St., spoke about designating the whole borough an area in need of rehabilitation, which would leverage grant money and relax some laws. He suggested creating incentives for people to turn multi-family homes back into single-family homes.

Tony Previte, 45 N. Main St., suggested having a creative message board in front of the Union Hotel.

Joey Novick, 11 E. Main St., spoke in opposition to Mr. Shore's suggestion about incentives to turn multi-family homes into single-family homes.

IX. Attorney's Report

Ms. St. Angelo said going forward, she intends to provide an attorney's report to council in advance of the meetings, which will include a to-do list. She noted that a seminar for council members is planned Sunday, Feb. 9, to go over OPMA, OPRA and ethics issues. It will be an executive session, so that council members can ask her questions.

A special civil lawsuit has been filed in connection with the police investigation of an incident; It's been referred to counsel for the borough's insurance company, and she expects it will be handled quickly.

X. Payment of the Bills

Motion To: **Pay the Bills in the Amount of \$2,240,592.85**

Mayor Driver noted that the original bill list of \$2,256,292.85 was revised to exclude Ck. 27491 for \$4,500.00, and Ck. 2084 for \$11,200.00. Ms. Tilly moved and Ms. Hand seconded a motion to approve the bill list as corrected by the Mayor. The total was therefore reduced to \$2,240,592.85.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Jessica Hand, Council Member
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

XI. Executive Session for a Personnel Matter Involving Property Maintenance, and for Any Other Applicable Matter Identified During the Regular Meeting (Action May Be Taken)

No need for executive session.

XII. Adjournment

Mayor Driver adjourned the meeting at 9:36 p.m.

Attest: _____
Sallie Graziano, Borough Clerk
