



Mayor and Common Council Borough of Flemington

July 13, 2020

Online during COVID-19 Emergency

Executive Session (6:00 PM)

1. RESOLUTION 2020-127: TO RETIRE INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING MATTERS INVOLVING POLICE PROCEDURES

RESULT:	ADOPTED [5 TO 0]
MOVER:	Michael Harris, Council Member
SECONDER:	Jessica Hand, Council Member
AYES:	Giles-McCormick, Hand, Harris, Long, Tilly
AWAY:	Christopher Runion

Minutes from this session are kept separately.

Executive Session ended at 6:58 p.m. and council returned to open session. No action was taken.

Work Session (7:00 PM)

Mid- year financial review, with CFO William Hance

Mr. Hance presented slides and discussed revenues and expenses through the first half of 2020.

Receipts from water fees are lower than usual, (41% rather than 50%) and we've spent about half the year's budget.

Sewer receipts show we've collected about 51% of fees, and spent about 19% of the budget. That's mainly because RTMUA fees remain mostly outstanding.

In the Current Fund, court receipts are at about 22% to 26%, rather than the 50% in a typical year.

Tax collection is at 96.44%, consistent with previous years. We were lucky with the bond and note sale in January- shortly after that the market collapsed.

Construction Code fees are at about 51%, which means people are still doing projects on their houses. Mr. Harris moved to close the work session, seconded by Mr. Long. All voted in favor. The session ended at 7:20 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	Present	
Jeremy Long	Council Member	Present	
Christopher Runion	Council Member	Late	6:05 PM
Kimberly Tilly	Council Vice President	Present	
Betsy Driver	Mayor	Present	

I. OEM Report

Mr. McNally sent a written update to council in lieu of attending the meeting. There is not a lot of new information. Masks are now required outside if people are unable to maintain social distancing.

II. Mayor's Report

Jack Cust is now the owner of the Union Hotel. People can expect to see work starting soon on getting the building stabilized.

144 Main St. - The prospective buyer has discovered 2 additional tanks on the property - the Borough will be meeting with DEP on how to address this.

She's had a meeting with the state DOT, the police chief and a planning board representative over better signage and pavement markings at the Route 202 circle.

At a state Economic Development meeting a few weeks ago, the Opportunity Zone grant was discussed. The FCP director and council's FCP liaison are working to figure out how to get the charettes going.

Significant rainfall on Friday - over 4 inches - caused an overflow on N. Main St. The DEP was notified. It's the first time it's happened since 2018. There was also some flooding on Mine Street.

III. Council Members' Reports

Council Vice President Tilly

HPC meets Wednesday and will consider a couple of applications.

Library - the renovation is going well, and curbside pickup continues.

DPW - They met on the 10th. Topics included garbage, handicapped parking spots, bushes and cleanup at Borough Hall. Plants are in the pots and in hanging baskets on Main Street. There is discussion about re-stripping Bonnell, Brown and Broad streets.

Redevelopment - This committee has met several times.

Council Member Runion

Environmental Comm. - Meets next Monday and will review several site plans that are before the Planning Board. He's been working with the borough attorney on drafting an ordinance regarding the electric vehicle charging stations.

Council Member Hand

She's been researching information for the Community Garden effort.

Council President Giles-McCormick

Fleming House - They're hosting outdoor yoga on Tuesday evenings; an ice cream social is moving from July to Aug. 15, 1-4 p.m.

FCP - the flower pots are now full. DPW is watering them. There are new pots on the light poles on Main Street, and new banners are coming in, too.

Events - planning is starting for the Corn-Tomato-Beer fest, and a Thursday night event is planned at the end of July.

Opp. Zone - The committee is meeting this week to discuss how to use the grant. Rental Assistance is available through the state DCA - the deadline to sign up is Friday.

The Borough's new website is in the works.

Development - Courthouse Square discussions are proceeding.

Council Member Harris

Schools - The Governor has released a reopening plan.

Shade Tree - Met at the Samuel Fleming House. The group has a new chair, Nancy Schermerhorn. He and the borough attorney are working on an ordinance setting out new terms for members.

Animal Control - There is rabies in the Borough; people should be aware of their animals and where they are.

Environmental Comm. - Mr. Runion had a vendor for the electrical vehicle charging stations come in and speak to the group. They're getting language for the charging station ordinance from another community, to save some expense.

Courts - The attorney is recommending updating the ordinance describing what offenses require court appearances, so fewer people would have to physically come to court.

Council Member Long

The Planning Board meets tomorrow. There's one application, from Shammy Shine. They will continue their discussion about rules for citizen input.

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

No comments.

V. Approval of Minutes

Motion To: **Approve Minutes: June 22, 2020 Regular Council Meeting**

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

Consent Agenda

Moved: Harris Seconded: Tilly All members voted in favor.

1. RESOLUTION 2020-128: AUTHORIZING RENEWAL OF LIQUOR LICENSE 1009-32-003-014 FOR STAGECOACH LIQUORS, LLC FOR 2020-2021

Regular Agenda

1. ORDINANCE 2020-2: ORD. 2020-2 AS AMENDED: ESTABLISHING THE MIXED-USE MULTI-FAMILY OVERLAY DISTRICT

Motion to open public hearing: Harris, seconded by Long. All voted to open public hearing.

Robin Lapidus, FCP executive director, said the FCP supports the addition of the proposed overlay in this area.

Jim Coleman, representing Namdar Realty and Mason Asset Management, said they support this overlay and think it will add tremendous value to the town, and will help their efforts to renovate Liberty Village.

David Rockafellow, property owner at 47 and 51 Route 12, said through the chat function of the meeting that he has concern over lighting, and traffic. He noted there are 3 residential homes in the area.

Motion to close hearing: Tilly, seconded by Giles-McCormick. All voted yes to close the hearing with the exception of Mr. Harris, who voted no.

Council discussion: Mr. Runion had questions about what the overlay would allow, and what was changing in the ordinance. Attorney St. Angelo said the existing ordinance's Section 2 was being changed by the addition of wording that is shown in bold and italics. Section 3 is entirely new. Mr. Runion said he was concerned about the potential for losing commercial uses to residential uses. Mr. Harris said a healthy mix of residential and commercial is desirable.

Mr. Long said the planning board will have to approve everything that's proposed, and the Planning Board has okayed the overlay. He said the overlay is a creative idea to stimulate the economy, and is in line with the more creative things we have to do to come out of this pandemic. Mr. Runion said Flemington's problem is not lack of housing, it's lack of commercial businesses and things to do. Mr. Harris said he questions the planning board's ability to perform a critical review of a project, maintaining standards for the Borough. Mr. Runion suggested language that would certify mixed use of a property. Ms. Giles-McCormick said Hunterdon has wonderful preserved farmland, and part of that is having more densely developed areas, so we can preserve the area around us. Businesses are saying there's not enough density to support them.

Attorney St. Angelo said if further exploration is desired, council might want to bring the planner in. Mayor Driver said this was written based on the 2015 Master Plan re-examination. It gives the Borough some control over the height and use, rather than having a developer go to the Planning Board and request a variance.

Mr. Long asked why people weren't raising these questions when this ordinance was first introduced. Mr. Runion said some of his concerns came up as he was contemplating his vote, and having debate in public is effective.

RESULT:	ADOPTED [4 TO 2]
MOVER:	Caitlin Giles-McCormick, Council President
SECONDER:	Christopher Runion, Council Member
AYES:	Caitlin Giles-McCormick, Jessica Hand, Jeremy Long, Kimberly Tilly
NAYS:	Michael Harris, Christopher Runion

2. FIRST READING, ORDINANCE 2020-11: 2020 SALARY ORDINANCE

RESULT:	INTRODUCED [UNANIMOUS]	Next: 7/27/2020 7:30 PM
MOVER:	Michael Harris, Council Member	
SECONDER:	Christopher Runion, Council Member	
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly	

3. FIRST READING, ORDINANCE 2020-12: AMENDING THE GLOBAL AGWAY REDEVELOPMENT PLAN

RESULT:	INTRODUCED [UNANIMOUS]	Next: 8/10/2020 7:30 PM
MOVER:	Christopher Runion, Council Member	
SECONDER:	Kimberly Tilly, Council Vice President	
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly	

4. RESOLUTION 2020-129: REFERRING ORD. 2020-12 TO PLANNING BOARD FOR REVIEW

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

5. RESOLUTION 2020-130: AUTHORIZING AN AMENDMENT TO THE COMMON INTEREST AGREEMENT BETWEEN THE BOROUGH OF FLEMINGTON AND THE RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY ("RTMUA")

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

6. RESOLUTION 2020-131: AUTHORIZING EXTENSION OF THE WINDOW TO USE ACCRUED TIME OFF, FOR MEMBERS OF TEAMSTERS LOCAL 469 AND PBA LOCAL 188

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

7. RESOLUTION 2020-132: AUTHORIZING THE CHIEF FINANCIAL OFFICER TO LEASE VEHICLES FOR THE POLICE DEPARTMENT AND THE OFFICE OF THE FIRE MARSHAL

CFO Hance said this helps space out the cost of vehicles over the next 5 years, and will allow us to keep a newer fleet. Maintenance costs should also be lower.

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

8. RESOLUTION 2020-133: ESTABLISHING AN AD-HOC CITIZENS' WORKING GROUP ON POLICE AND COMMUNITY RELATIONS

Appointees: Council members Jess Hand and Jeremy Long will be the Council liaisons to the group. Police Chief Jerry Rotella will be the main contact within the department. Dave Norton, Malik Johnston Jr., Lamar Brown, Nadia Quraishi, Amy Torres-Valverde and Pastor Ben Lee from the United Methodist Church on Main Street are members.

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

9. RESOLUTION 2020-134: DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$3,758,000 GENERAL OBLIGATION BONDS OF THE BOROUGH OF FLEMINGTON IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY AND PROVIDING FOR THEIR SALE TO THE UNITED STATES DEPARTMENT OF AGRICULTURE (THE "USDA") PURSUANT TO THE USDA RURAL DEVELOPMENT LOAN PROGRAM

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

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

Someone identified as "Robert" in the chat function asked when regular Council meetings will resume. Mayor Driver said meetings are being held online due to the small size of Borough Hall and the need for social distancing.

VII. Attorney's Report

Attorney St. Angelo is working on 3 ordinances to be introduced soon. One would reclassify which offenses require a court appearance; a second would provide for a sidewalk easement in connection with the electrical vehicle charging stations; and a third would allow for electrical vehicle charging stations as an accessory use in some zones, and also set parking regulations for the spots.

VIII. Payment of the Bills

Motion To: **Pay the Bills in the Amount of \$2,279,499.63**

*Mr. Harris voted to approve all bills except the \$3,300 invoice for general counsel, saying he hasn't seen an invoice he's asked for in connection with that expense.

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

IX. Executive Session for Any Other Applicable Matter Identified During the Regular Meeting

None needed.

X. Adjournment

Motion To: **Adjourn**

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

The meeting ended at 9:15 p.m.

Attest: _____
Sallie Graziano, Borough Clerk