



# Mayor and Common Council Borough of Flemington

August 10, 2020

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Online during COVID-19 Emergency

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*Note: Minutes reflect the action in this meeting from its start at 7:30 p.m. A recording of this meeting was inadvertently started late, following discussion of Ordinance 2020-12.*

## Work Session (Canceled)

## 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	Present	
Kimberly Tilly	Council Vice President	Present	
Betsy Driver	Mayor	Present	

### I. OEM Report

OEM Coordinator McNally reported there have been no new COVID-19 cases in the Borough in more than 6 weeks. The statewide transmission rate has again fallen below 1%, to 0.98%. The Governor has indicated that for the foreseeable future, there will be no indoor dining, due to problems with indoor air circulation. Storm Isaias left minimal damage in Flemington. The DPW and Police dealt well with road closures and cleanup.

### II. Mayor's Report

Mayor Driver said she'd be following up with JCP&L to verify their mapping in the Borough, since their reports show outages in Flemington, but Borough officials have not found any. She noted that during Isaias, the OEM reached out to people with special needs to ensure their safety.

Hotel - Mr. Cust has people in and out of the hotel trying to determine the best way to shore it up - internally or externally. Digging is part of the archaeological study being conducted.

Reopening - The committee is planning for the start of school, and how that will affect employees and staffing. We may have to reinstate partial work-from-

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home arrangements. There may be times when a staffer is alone in the office. She discussed procedures for visitors who refuse to wear a mask. At the request of the CFO, bill lists will be done once a month, as the Borough used to do, to make cash flow more predictable.

### III. Council Members' Reports

#### Council Member Hand

She and Mr. Long had their first meeting of the Citizens Working Group and it went well - she believes their work will have a positive impact on the town. Community Garden - She urged people to reach out to her to join the committee organizing this.

#### Council Vice President Tilly

Reopening - There have been a few committee meetings.

Redevelopment - This committee is still meeting.

Fire - They're holding a 50/50 raffle. In July there were 16 incidents, requiring 67 hours and 21 minutes of service. Members also spent 54 hours in training.

Library - The painting is done and the railing installed. The vestibule needs windows and doors. The summer reading program, held entirely online, was very successful.

Property Maintenance - there have been 2 complaints. She urged people to be good neighbors and keep their lawns mowed.

A fall townwide yard sale is being planned. A resolution should be on the agenda for the next meeting.

#### Council Member Runion

Electric Vehicle charging station - We're having the second reading tonight on an ordinance to accept an easement for sidewalks in the area where a charging station is planned.

Environmental Commission - For Sustainable Jersey certification, they need to update the natural resources inventory, which is used to inform the master plan.

Mayor Driver noted that conversations are continuing about how to do the master plan review to allow for public participation.

#### Council Member Harris

Shade Tree Commission - An ordinance is on the agenda to re-establish the commission, and a resolution appoints members for this year.

Schools - They're planning for the coming school year in light of COVID-19.

Animal Control - The ACO is working on getting out notices about license renewals and rabies vaccinations.

#### Council Member Long

Citizens Working Group - They're putting together questions for Police Chief Rotella, and will have him come to a meeting in the future to address them.

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Planning Board - By-laws and rules for participation were adopted. They've suggested a subcommittee be organized to look at their website, in light of the creation of a new Borough website.

Global Ag - They reviewed the proposed amendment to the redevelopment plan, and he will make a motion to amend the ordinance on tonight's agenda to accommodate the Planning Board's suggestions.

Administration - He's been talking to officials in area communities getting tips and strategies on how to hire a borough administrator. He said he thinks having a borough administrator will help make this community stronger and healthier for everyone, as we continue to recover from the COVID-19 pandemic.

Council President Giles-McCormick

She thanked Mr. Long for his exploratory work regarding a borough administrator, saying it's vital so we can work more efficiently.

Samuel Fleming House - A tree fell causing some minor damage to the gazebo and fencing; luckily it fell between the two houses that are close together.

Mayor Driver thanked the DPW for its quick work removing the tree. She listed some scheduled events.

FCP - They're doing business spotlights on Facebook and their website, boosting local businesses. They're working on parking communications and signage.

They're running a promotion on Saturdays, noon-4 p.m., "chill out" in Flemington.

The Filling Station will reopen soon at a new location in Turntable Junction.

Redevelopment - The committee has been meeting individually and with the redeveloper; the meetings have been productive.

#### 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: July 27, 2020 Regular Council Meeting**

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

Motion To: **Approve Minutes: July 27, 2020 Executive Session**

<b>RESULT:</b>	<b>APPROVED [5 TO 0]</b>
<b>MOVER:</b>	Caitlin Giles-McCormick, Council President
<b>SECONDER:</b>	Jessica Hand, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Long, Runion, Tilly
<b>ABSTAIN:</b>	Michael Harris

## Regular Agenda

### 1. SECOND READING, ORDINANCE 2020-12: AMENDING THE GLOBAL AGWAY REDEVELOPMENT PLAN

Mr. Long moved to amend to make two changes recommended by the Planning Board. Seconded by Mr. Harris.

Planner Lelie suggested another amendment, to the percentage of affordable housing allowed in each of the two buildings.

Mr. Long and Mr. Harris withdrew their original motions.

Mr. Long moved and Mr. Harris seconded amending the ordinance to make the three suggested changes. All voted in favor of amending the ordinance.

Attorney St. Angelo confirmed that at the next council meeting, we will have to have final adoption of the ordinance as amended.

Motion to open public hearing: Giles-McCormick, seconded by Harris. All members voted yes to open the hearing. There were no comments.

Motion to close public hearing: Tilly, seconded by Long. All members voted yes to close the hearing.

<b>RESULT:</b>	<b>AMENDED &amp; ADOPTED</b>	<b>Next: 8/24/2020 7:30 PM</b>
<b>MOVER:</b>	Jeremy Long, Council Member	
<b>SECONDER:</b>	Kimberly Tilly, Council Vice President	
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly	

### 2. SECOND READING, ORDINANCE 2020-13: RE-ESTABLISHING THE TERMS OF THE SHADE TREE COMMISSION

Motion to open public hearing: Harris, seconded by Giles-McCormick. All members voted yes to open the hearing. No one commented.

Motion to close public hearing: Tilly, seconded by Harris. All members voted yes to close the public hearing. Mr. Harris thanked residents and the DPW for their willingness to volunteer.

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

3. SECOND READING, ORDINANCE 2020-14: ACCEPTING THE DEDICATION OF AN EASEMENT ON BLOCK 35, LOT 10 FOR THE CONSTRUCTION, MAINTENANCE AND USE OF A PUBLIC PEDESTRIAN SIDEWALK

Motion to open public hearing: Harris, seconded by Tilly. All voted yes to open the public hearing. Attorney St. Angelo clarified that the location is at the Stangl Factory.

Motion to close public hearing: Giles-McCormick, seconded by Harris. All voted yes to close the hearing.

Council discussion: Mayor Driver and Mr. Runion discussed whether there was communication with the property owner. Attorney St. Angelo advised that this ordinance allows the Borough to accept an easement if one is agreed upon.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Vice President
<b>SECONDER:</b>	Jeremy Long, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

4. SECOND READING, ORDINANCE 2020-15: ADDING CERTAIN OFFENSES TO THE LOCAL SUPPLEMENTAL VIOLATIONS BUREAU SCHEDULE

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

Attorney St. Angelo noted that the changes listed were recommended by the Administrative Office of the Courts, and supported by the municipal prosecutor and the Police Chief.

Mr. Harris said this is also a part of the court's reopening procedure amid COVID-19 - more people can make payments without making a court appearance.

No comments were made by the public.

Motion to close public hearing: Giles-McCormick, seconded by Tilly. All members voted yes to close the public hearing.

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

5. RESOLUTION 2020-145: AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION WITH BROAD PACKAGE LIQUOR LICENSE NUMBER 1009-32-001-005 FOR FLEMINGTON CENTRAL LIQUORS FOR THE TERM 2020-2021

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

6. RESOLUTION 2020-146: AUTHORIZING TORRES LANDSCAPING TO ABATE HAZARDS AT 59 MINE STREET AND AUTHORIZING THE CHARGES TO BE COLLECTED BY THE TAX COLLECTOR

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Vice President
<b>SECONDER:</b>	Caitlin Giles-McCormick, Council President
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

7. RESOLUTION 2020-147: APPOINTING BOROUGH RESIDENTS JOHN GORMAN, ZACH PEREZ, SANDY BORUCKI, NANCY SCHERMERHORN, MIKE DELUCA AND EDNA PEDRICK TO POSITIONS ON THE SHADE TREE COMMISSION FOR 2020

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

#### VI. Mayor's Appointment to Environmental Commission

Mayor Driver announced her appointment of Trent LaVette to the Environmental Commission, at the request of the commission's chair, Mr. Runion.

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

No comments.

#### VIII. Attorney's Report

She has asked the tax assessor to prepare a summary of tax appeals and how they've been resolved, and will present that at a future meeting.

#### IX. Payment of the Bills

Motion To: **Pay the Bills in the Amount of \$2,795,798.84**

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<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Vice President
<b>SECONDER:</b>	Jessica Hand, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

## Executive Session

Mayor Driver asked for an executive session for attorney advice regarding legal implications due to the late start for recording this meeting. Moved by Giles-McCormick, seconded by Tilly. All members voted yes to go into executive session.

The session began at 8:50 p.m. and ended at 8:55 p.m.

As the executive session was inadvertently recorded, Ms. Tilly moved and Ms. Hand seconded waiving the confidentiality of the executive session. All members voted to approve waiving the confidentiality.

In the executive session, Attorney St. Angelo advised that the Open Public Meetings Act does not require that meetings be recorded. The resolution that Council passed on recording meetings includes allowances for technical difficulties.

### X. Adjournment

Motion To: **Adjourn**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Vice President
<b>SECONDER:</b>	Jessica Hand, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

The meeting was adjourned at 8:56 p.m.

Attest: \_\_\_\_\_  
Sallie Graziano, Borough Clerk