



# Mayor and Common Council Borough of Flemington

November 28, 2022

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Council Meeting Room and Online

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## I. Swearing In Ceremony (6:15 PM)

Swearing in of Tony Parker

Mr. Parker was administered the Oath of Office by Mayor Driver at 6:15 PM, witnessed by Council President Long, Council Member Tilly, and Clerk Humphrey.

## II. Call to Order

Roll Call at 6:31 PM:

Present: Hand, Long, Parker, Rosetti, Tilly, Driver

Absent: Johnston

Statement regarding OPMA

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of November 28, 2022 was included in a list-of-meetings notice sent to the Hunterdon County Democrat and Courier-News on Jan. 5, 2022, 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.

Flag Salute

## III. Executive Session (6:30 PM)

RESOLUTION 2022-232: EXECUTIVE SESSION TO DISCUSS LABOR NEGOTIATIONS WITH THE PBA

Executive Session Began at 6:34 PM.

**In attendance:** Driver, Hand, Long, Parker, Rosetti, Tilly, St. Angelo, Humphrey;

**Absent:** Johnston

Executive Session Adjourned at 7:03 PM.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Hand, Long, Parker, Rosetti, Tilly
<b>ABSENT:</b>	Malik Johnston

#### IV. Work Session (7:00 PM)

Presentation by Beth McManus on Citizen's Advisory Committee & Global Agway Redevelopment Plan

The Mayor and all Council Members were in attendance.

#### V. Regular Meeting (7:30 PM)

Mayor Driver Read the OPMA Statement.

Attendee Name	Title	Status	Arrived
Jessica Hand	Council Vice President	Present	
Malik Johnston	Council Member	Present	
Jeremy Long	Council President	Present	
Tony Parker	Council Member	Present	
Elizabeth Rosetti	Council Member	Present	
Kimberly Tilly	Council Member	Present	
Betsy Driver	Mayor	Present	

##### Mayor's Report

The Mayor expressed hopes that everybody will join Flemington's Annual Christmas Parade and the Annual Tree Lighting Events on Friday and Sunday. The redevelopment committee met today regarding the Captiva property on the redevelopment agreement. It is expected the both Captiva and Cardinal/Nilkanth will be on the agenda for the next Council Meeting depending upon developments over the next 10 days.

##### Council Members' Reports

###### Council Vice President Hand

Council Member Hand provided an update that the community garden fencing is coming along nicely thanks. The next step is putting in the garden beds.

###### Council Member Johnston

Council Member Johnston reported that five new trees (Maples and Oaks) will be installed at Tuccamirgan Park. The Library's new website is now up and running, where people can download books, audio books, magazines and movies. Movies are typically three days and books for three weeks. On December 14th, the Library will host bedtime stories starting at 5:00 pm.

### Council President Long

Council President Long shared the recent Police Department activities. On the November 26th a Honda Accord was parked and left unlocked at the Planet Fitness parking lot, and a wallet was stolen from the car. More than \$1,000 of merchandise was purchased at Walmart using the credit cards. The Police ask everyone not to leave valuables in plain sight in your vehicle. Cover up and put valuables in the trunk if you have one. Also, don't leave your packages on the front doorstep for long periods of time. If you're going to be travelling, make arrangements with the delivery companies or have a trusted friend in or neighbor bring them in. In another report, a resident responded to an ad for an apartment rental which turned out to be a fraudulent scam. On the 22nd another theft occurred when three individuals entered the store filled their reusable bags and left the store with the stolen merchandise at a cash value of over \$2,000. The detective bureau is working with the company in the apprehension of these individuals. The Police Department invites everyone to join them and the Cub Scout Pack 61 on Friday, December 2nd at 7:00 PM for the Annual Christmas Tree lighting to be held at the monument. And don't forget about the Annual Holiday Parade presented by the Hunterdon County Chamber of Commerce on Main Street on December 4<sup>th</sup> starting at 5:00 PM.

The FCP is filling planters with boxwoods and will have a decorative bow on them. The "Filling Station" will be up for the parade and other Saturday and Thursday nights during the holiday season. On December 2 from 4:00 to 6:00 PM they will have the Stangl Arts and Cultural District naming and ribbon cutting event. Holiday season snowflakes have been installed on Main Street and they look nice. Mr. Long attended the League of Municipalities Conference got some great insights, and hopefully will be implementing some of those ideas.

### Council Member Parker

Council Member Parker attended the New Jersey League of Municipalities Conference last week, where I networked mayors, state senators, and newly elected officials. He is working to build a networking group of public officials, as well as making increased community involvement a priority for 2023.

### Council Member Rosetti

Council member Rosetti noted that she walked around the town this holiday weekend was so positive about the progress in the Borough.

### Council Member Tilly

Council Member Tilly addressed accusations regarding her involvement in the Corn Beer and Tomato event. She stated that she never used her political position to coerce anyone into holding an event that they didn't want. She was not involved in any conversation with anyone regarding the organization of the Corn Beer and Tomato

event. She stated that her only involvement included volunteering for the Fire Department all day, serving beer and breaking down the beer area, as well as helping to count tickets in evening. She also helped the FCP break down tables and chairs in the beer area in an effort to get the DPW guys home a little earlier.

She congratulated Council Member Tony Parker on his reelection. And she thanked everyone that supported the Flemington Fire Department this weekend with the coin toss fundraising event.

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

Marcia Karrow of 61 Elwood Avenue asked questions about Resolution 2022-241, including what accounts were used to certify the funds and for the courtesy of not appointing anybody to the Planning Board and providing her the opportunity as she takes office ins 2023. She expressed her concern for the Ordinance for the Cardinal/Nilkanth Re-development Plan, including the elevation level next of five stories to Park Avenue, the public access to the parklet, the sewer and stormwater infrastructure needed for the project being built over a Culvert. She urged the Council not to pass the Ordinance or the Resolution.

**Approval of Minutes**

Motion To: **Approve Minutes: November 14, 2022 Regular Council Meeting**

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Jeremy Long, Tony Parker, Elizabeth Rosetti, Kimberly Tilly
<b>ABSTAIN:</b>	Jessica Hand, Malik Johnston

Motion To: **Approve Minutes: November 14, 2022 Executive Session**

<b>RESULT:</b>	<b>APPROVED [4 TO 0]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Jeremy Long, Tony Parker, Elizabeth Rosetti, Kimberly Tilly
<b>ABSTAIN:</b>	Jessica Hand, Malik Johnston

**Consent Agenda**

1. RESOLUTION 2022-233: AUTHORIZING THE REFUND OF THE 2022 REORG DINNER FEE OF \$25.00

**RESULT:**       **APPROVED [UNANIMOUS]**  
**MOVER:**       Kimberly Tilly, Council Member  
**SECONDER:**   Jeremy Long, Council President  
**AYES:**         Hand, Johnston, Long, Parker, Rosetti, Tilly

2. RESOLUTION 2022-234: AUTHORIZING A STREET OPENING ESCROW RETURN, 35 BROWN STREET

**RESULT:**       **APPROVED [UNANIMOUS]**  
**MOVER:**       Kimberly Tilly, Council Member  
**SECONDER:**   Jeremy Long, Council President  
**AYES:**         Hand, Johnston, Long, Parker, Rosetti, Tilly

3. RESOLUTION 2022-235: CHANGING THE 2023 REORG MEETING DATE

**RESULT:**       **APPROVED [UNANIMOUS]**  
**MOVER:**       Kimberly Tilly, Council Member  
**SECONDER:**   Jeremy Long, Council President  
**AYES:**         Hand, Johnston, Long, Parker, Rosetti, Tilly

4. RESOLUTION 2022-236: AUTHORIZING BOROUGH CLERK AS THE FUND COMMISSION FOR STATEWIDE INSURANCE

**RESULT:**       **APPROVED [UNANIMOUS]**  
**MOVER:**       Kimberly Tilly, Council Member  
**SECONDER:**   Jeremy Long, Council President  
**AYES:**         Hand, Johnston, Long, Parker, Rosetti, Tilly

### Regular Agenda ( Start)

This meeting is being held in conformance with the Open Public Meetings Act.

5. RESOLUTION 2022-237: CREATING THE PLAN ENDORSEMENT CITIZENS' ADVISORY COMMITTEE

**RESULT:**       **APPROVED [UNANIMOUS]**  
**MOVER:**       Kimberly Tilly, Council Member  
**SECONDER:**   Jeremy Long, Council President  
**AYES:**         Hand, Johnston, Long, Parker, Rosetti, Tilly

6. ORDINANCE 2022-30: 1ST READING: AMENDING A PORTION OF THE "GLOBAL AGWAY REDEVELOPMENT PLAN"

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 12/12/2022 7:30 PM</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member	
<b>SECONDER:</b>	Jeremy Long, Council President	
<b>AYES:</b>	Hand, Johnston, Long, Parker, Rosetti, Tilly	

7. ORDINANCE 2022-28: 2ND READING AND PUBLIC HEARING: ESTABLISHING NO-PARKING ZONES ON BROAD STREET

Vote to Open Public Hearing: Unanimous

Karen Dey of 143 Broad Street, asked if the Borough's Traffic Study included the speed of vehicles on the section of Broad Street names in this Ordinance. She commented on the safety concerns due to speeding drivers. Mayor Driver responded that speeding is an issue throughout the Borough, and recommended that Council President Long discuss speed enforcement with the Police Chief.

Vote to Close Public Hearing: Unanimous

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Hand, Johnston, Long, Parker, Rosetti, Tilly

8. ORDINANCE 2022-29: 2ND READING AND PUBLIC HEARING: REVISION OF WATER USE AND IRRIGATION FEES FOR 2023

Vote to Open Public Hearing: Unanimous

No public comments

Vote to Close Public Hearing: Unanimous

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Hand, Johnston, Long, Parker, Rosetti, Tilly

9. RESOLUTION 2022-238: SUPPORT FOR EXPANDED SALE OF MEDICAL AND RECREATIONAL CANNABIS BY AUNT MARY'S DISPENSARY, LLC

**RESULT:** **ADOPTED [5 TO 0]**  
**MOVER:** Kimberly Tilly, Council Member  
**SECONDER:** Jeremy Long, Council President  
**AYES:** Hand, Long, Parker, Rosetti, Tilly  
**ABSTAIN:** Malik Johnston

10. RESOLUTION 2022-239: PBA CONTRACT, 2023-2025

Tabled based on questions raised during Executive Session.

**RESULT:** **TABLED [UNANIMOUS]** **Next: 12/12/2022 7:30 PM**  
**MOVER:** Kimberly Tilly, Council Member  
**SECONDER:** Jeremy Long, Council President  
**AYES:** Hand, Johnston, Long, Parker, Rosetti, Tilly

11. RESOLUTION 2022-240: CONFIRMING SUPPORT OF A CANNABIS DISPENSARY BY MCGRAW HOLDINGS NEW JERSEY, INC.

**RESULT:** **ADOPTED [UNANIMOUS]**  
**MOVER:** Kimberly Tilly, Council Member  
**SECONDER:** Jeremy Long, Council President  
**AYES:** Hand, Johnston, Long, Parker, Rosetti, Tilly

12. RESOLUTION 2022-241: AWARDING UNION HOTEL MAIN STREET WATER AND SEWER IMPROVEMENT PROJECT TO REIVAX

**RESULT:** **ADOPTED [UNANIMOUS]**  
**MOVER:** Kimberly Tilly, Council Member  
**SECONDER:** Jeremy Long, Council President  
**AYES:** Hand, Johnston, Long, Parker, Rosetti, Tilly

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

Attorney's Report

Payment of the Bills

Motion To: **Pay the Bills in the Amount of \$684,777.35**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Hand, Johnston, Long, Parker, Rosetti, Tilly

Adjournment

Motion To: **Adjourn**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Member
<b>SECONDER:</b>	Jeremy Long, Council President
<b>AYES:</b>	Hand, Johnston, Long, Parker, Rosetti, Tilly