



BOROUGH OF FLEMINGTON  
REGULAR COUNCIL MEETING  
FEBRAURY 12, 2024

Mayor Karrow called the meeting to order at 7:00 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:**

Councilwoman Susan Engelhardt	Present
Councilwoman Adrienne Fusaro	Present
Councilman Trent Levitt	Present
Councilman Jeremy Long	Present
Councilman Tony Parker	Present
Councilwoman Elizabeth Rosetti	Present
Mayor Marcia Karrow	Present

**Also Present:**

Carla Conner, Borough Clerk  
Chris Corsini, Borough Attorney

Motion carried.

**MAYOR'S REPORT:**

Mayor Karrow reported the bid for the new Police building was held on February 8, 2024 with six bids admitted and the bid will be awarded to the lowest bidder who is most responsible and responsive bidder.

**COUNCIL MEMBER REPORTS**

**COUNCILWOMAN ENGELHARDT:**

Councilwoman Englehardt reported she will attend the Fleming Museum Board meeting on February 15, 2024 and Councilwoman Rosetti and herself have met to develop some grants opportunities. Councilwoman Engelhardt also reported RFIS is looking for five volunteers from the Borough to read to the children during the first week of March and RFIS held interviews for the Borough district representative and chose Mr. Cain for the rest of 2024.

Councilwoman Engelhardt continued that she attended the ribbon cutting for Axeiom located at the Shoppes at Flemington.

**COUNCILWOMAN FUSARO:**

Councilwoman Fusaro reported the DPW meeting was postponed one week due to the weather, the Planning Board meeting will be held on February 13, 2024 and a Library Committee meeting will be held February 16, 2024.

**COUNCILMAN LEVITT:**

Councilman Levitt reported the Historic Preservation Commission will hold a meeting on February 21, 2024 and they are still looking for residents who want their house to be on the tour on June 1, 2024. Councilman Levitt also reported Animal Control Solutions had two calls for the month of January and he thanked Mayor Karrow for reappointing him to the Environmental Commission.

**COUNCIL PRESIDENT LONG:**

Council President Long reported he will be attending the Fire Department meeting on February 13, 2024, and he shared how many calls the Fire Department had for the month of January.

**COUNCILMAN PARKER:**

Councilman Parker reported he is working on updating the Policy and Procedure manual with the Police Department and the Police Department has seen an increase of packages being stolen off of resident's porches and checks out of resident's mail boxes. Councilman Parker also reported he did a radio interview with WDER for the Black History Month celebration which will be held on February 24, 2024 at Stangle.

Councilman Parker introduced a Resolution on Black History Month.

**1. RESOLUTION 2024-40 - RESOLUTION RECOGNIZING BLACK HISTORY MONTH**

**WHEREAS**, every February, Black History Month is recognized to not only encourage the study of African American life and history but also act as a reminder that Black history is an integral part of the history of the United States of America; and

**WHEREAS**, what began as a week recognizing Black History, championed by Dr. Carter G. Woodson and minister Jesse E. Moorland in 1926, when they founded the Association for the Study of African American Life and History (ASALH) evolved into a month by 1976, after official recognition by then President Gerald Ford; and

**WHEREAS**, each year, the Association presents a new theme, and the theme for 2024 is African American and the Arts; and

**WHEREAS**, for African Americans, the arts have been a means to express joy and sorrow, assert humanity, or communicate in a way that reaffirms one another; and

**WHEREAS**, Alvin Ailey, Colman Domingo, Michaela Jaé Rodriguez, Billie Holiday, and others made it clear Black and LGBTQ+ people not only exist but could do so openly; and

**WHEREAS**, women like Eartha Kitt, Maya Angelou, Queen Latifah, Audra MacDonald, Viola Davis, and more not only exhibited Black women aren't a monolith but there isn't a limit, standard, or any imposed glass ceiling that could hold their talent back from the applause of the masses; and

**WHEREAS**, as with every Black History Month, there is also a need to remember Black History is not only American History, but the contributions of Black Americans go beyond those who provide entertainment. Michael Jackson popularized the Super Bowl halftime show as a must-see event; James E. West's patents from 1962, utilized in 90% of all microphones today, allowed over 133 million people to hear his set list, and

**WHEREAS** Mark Dean, while working at IBM, developed the first gigahertz chip that laid the foundation for the technology required to hear, see, and experience entertainment on a computer or phone, and Valerie Thomas, a NASA data analyst, advanced the 3D technology used in theaters across the nation and the world.

**NOW THEREFORE, BE IT RESOLVED** on behalf of the Flemington Borough Council, highlight these names in honor of Black History Month and ask the public to further educate themselves on those named and the many others who have shaped our country and the world.

A **MOTION** was made by Council President Long to approve the Resolution, seconded by Councilwoman Engelhardt and on Roll Call the following was recorded:

Councilwoman Engelhardt	Yes
Councilwoman Fusaro	Yes
Councilman Levitt	Yes
Councilman Long	Yes
Councilman Parker	Yes
Council Vice President Rosetti	Yes

Motion carried.

**COUNCIL VICE PRESIDENT ROSETTI:**

Council Vice President Rosetti reported she talked to Dave Giuliani, Property Maintenance Officer and as of right now there are no complaints in the Borough and she reminded residents to clear their sidewalks after a snow storm per the Borough Ordinance. Council Vice President Rosetti also attended the Shade Tree Commission meeting and they discussed resubmitting the Community Forestry Plan.

**PUBLIC COMMENTS – SESSION I:**

Michael Kohns from the Flemington-Raritan Baseball stated the 50-year lease will be expiring in six years and would like the Borough and Flemington-Raritan Baseball to discuss a new lease for the field.

**APPROVAL OF MINUTES:**

Regular Session

November 6, 2023

A **MOTION** was made by Council President Long to approve the minutes, seconded by Councilman Parker with a vote of all ayes except Councilwoman Fusaro and Councilman Levitt abstaining.

Executive Session

November 6, 2023

A **MOTION** was made by Council President Long to approve the minutes, seconded by Councilwoman Engelhardt with a vote of all ayes except Councilwoman Fusaro and Councilman Levitt abstaining.

Special Session

November 17, 2023

A **MOTION** was made by Council President Long to approve the minutes, seconded by Councilwoman Engelhardt with a vote of all ayes except Councilwoman Fusaro and Councilman Levitt abstaining.

Regular Session

November 27, 2023

A **MOTION** was made by Council President Long to approve the minutes, seconded by Councilwoman Engelhardt with a vote of all ayes except Councilwoman Fusaro and Councilman Levitt abstaining.

Executive Session

November 27, 2023

A **MOTION** was made by Council President Long to approve the minutes, seconded by Councilwoman Engelhardt with a vote of all ayes except Councilwoman Fusaro and Councilman Levitt abstaining.

Special Session

November 30, 2023

A **MOTION** was made by Council President Long to approve the minutes, seconded by Councilwoman Engelhardt with a vote of all ayes except Councilwoman Fusaro and Councilman Levitt abstaining.

Special Session

December 6, 2023

A **MOTION** was made by Council President Long to approve the minutes, seconded by Councilwoman Engelhardt with a vote of all ayes except Councilman Parker, Councilwoman Fusaro and Councilman Levitt abstaining.

Regular Session

December 11, 2023

A **MOTION** was made by Council President Long to approve the minutes, seconded by Councilwoman Engelhardt with a vote of all ayes except Council Vice President Rosetti, Councilwoman Fusaro and Councilman Levitt abstaining.

Executive Session

December 11, 2023

A **MOTION** was made by Council President Long to approve the minutes, seconded by Councilwoman Engelhardt with a vote of all ayes except Council Vice President Rosetti, Councilwoman Fusaro and Councilman Levitt abstaining.

Special Session

December 29, 2023

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

**CONSENT AGENDA:**

2. RESOLUTION 2024-36 – RESOLUTION APPROVING 2024 DATES FOR THE SIP & STROLL THROUGH THE FLEMINGTON COMMUNITY PARTNERSHIP

**WHEREAS**, the Flemington Community Partnership holds a Sip & Stroll every third Thursday from March, 2024 through December, 2024; and

**WHEREAS**, the Flemington Community Partnership is requesting that the Mayor and Council approve the dates below for the Sip & Stroll for the third Thursday from 5:00pm to 9:00pm as follows:

- \*April, 18<sup>th</sup>, 2024
- \*May 16<sup>th</sup>, 2024
- \*June 20<sup>th</sup>, 2024
- \*July 18<sup>th</sup>, 2024
- \*August 15<sup>th</sup>, 2024
- \*September 19<sup>th</sup>, 2024
- \*October 17<sup>th</sup>, 2024
- \*November 21<sup>st</sup>, 2024 - potentially indoors
- \*December 19<sup>th</sup>, 2024 - indoors

**WHEREAS**, the Mayor and Council of the Borough of Flemington approves the dates for the 2024 Sip & Stroll.

3. RESOLUTION 2024-37 - RESOLUTION APPROVING A REFUND OF OVERPAYMENT OF TAXES FOR BLOCK 16 LOT 9.01

**WHEREAS**, the State of New Jersey offered an assistance program for residents struggling to pay utility bills; and

**WHEREAS**, block 16 lot 9.01, 47 Court Street is a rental property; and

**WHEREAS**, the water and sewer account had become delinquent and was subject to tax sale due to the tenant's non-payment; and

**WHEREAS**, the property owner paid the unpaid balance to avoid tax sale as the property is his asset; and

**WHEREAS**, the State of New Jersey also made a payment on behalf of the tenant at that time creating a credit on the account; and

**WHEREAS**, the property owner has requested a refund of the credit balance in the amount of \$2,750.00.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that a refund in the amount of \$2,750.00 be given to Sal Latino, property owner of Block 16 Lot 9.01, 47 Court Street for an overpayment on account # 2103008-3.

A **MOTION** was made by Council President Long to approve the Consent Agenda, seconded by Councilwoman Fusaro and on Roll Call the following was recorded:

Councilwoman Engelhardt	Yes
Councilwoman Fusaro	Yes
Councilman Levitt	Yes
Councilman Long	Yes
Councilman Parker	Yes
Council Vice President Rosetti	Yes

Motion carried.

**PUBLIC HEARING:**

FCP 2024 BUDGET

A **MOTION** was made by Council President Long to open the Public Hearing, second by Councilwoman Engelhardt with a vote of all ayes.

Ally Norton, President of the FCP thanked the Council for the support and passing of the FCP budget.

Toni Gushue, From Flemington thanked the Council for the support of the FCP budget.

Mayor Karrow closed the public hearing.

A **MOTION** was made by Council President Long to close the Public Hearing, second by Councilwoman Fusaro with a vote of all ayes.

A **MOTION** was made by Council President Long to adopt the FCP budget, second by Councilman Parker and on Roll Call the following was recorded:

Councilwoman Engelhardt	Yes
Councilwoman Fusaro	Yes
Councilman Levitt	Yes
Councilman Long	Yes
Councilman Parker	Yes
Council Vice President Rosetti	Yes

Motion carried.

**REGULAR AGENDA:**

**4. RESOLUTION 2024-38 - RESOLUTION OF THE BOROUGH OF FLEMINGTON COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH OF FLEMINGTON TO SUBMIT AN APPLICATION FOR 1.4 MILLION TO NEW JERSEY WATER BANK FOR MAIN STREET SEWER IMPROVEMENTS**

**WHEREAS**, the Borough of Flemington (hereinafter the "Borough") plans to submit to the New Jersey H<sub>2</sub> Loans Clean Water Program an application for financing for Main Street Sewer Improvements (hereinafter the "Program"); and

**WHEREAS**, the Borough wishes to pursue through the Program funding for the replacement of sewer mains, laterals, cleanouts, manholes, and other improvements for Main Street from Church to the Route 12 Circle; and

**WHEREAS**, it is in the best interest of the Borough to pursue this project actively and diligently, for reasons associated with the health, safety, and welfare of the community serviced by the Borough; and moreover, pursue funding with and through H<sub>2</sub> Loans Clean Water program for the sewer work.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Flemington County of Hunterdon, State of New Jersey, as follows:

1. All necessary action, including the filing of formal applications, be taken to pursue with New Jersey H<sub>2</sub> Loans actual funding for replacement of sewer mains and appurtenances for Main Street from Church to Route 12 Circle.
2. The Borough is authorized to accept all funding through the New Jersey H<sub>2</sub> Loans Clean Water Program.
3. The Borough's Municipal Clerk shall publish an appropriate notice of intention to file an application with New Jersey H<sub>2</sub> Loans Clean Water program for funding for the proposed projects in the Borough's official newspaper with sixty (60) days of the Borough's submission of an application for funding to H<sub>2</sub> Loans.
4. The duly authorized representatives of the Borough, including the Borough's Special Projects Engineer, Solicitor, and Auditor, be authorized to execute all documentation in furtherance of the preparation of the necessary documents to be submitted to New Jersey H<sub>2</sub> Loans Clean Water Program. Further, the Mayor of the Borough is hereby authorized to execute the necessary documents in order to provide the application to H<sub>2</sub> Loans.



A **MOTION** was made by Councilwoman Engelhardt to approve the Resolution, seconded by Council President Long and on Roll Call the following was recorded:

Councilwoman Engelhardt	Yes
Councilwoman Fusaro	Yes
Councilman Levitt	Yes
Councilman Long	Yes
Councilman Parker	Yes
Councilwoman Rosetti	Yes

Motion carried.

5. RESOLUTION 2024-39 - RESOLUTION APPROVING THE AMENDED TEMPORARY BUDGET

**RESOLUTION #2024-39**

**RESOLUTION APPROVING THE AMENDED TEMPORARY BUDGET**

**WHEREAS**, the temporary budget adopted by the Mayor and Council was predicated on a timely adoption of the budget, and

**WHEREAS**, N.J.S.A. 40A:40-20 provides for an emergency temporary budget prior to adoption of the final budget.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Flemington that the following temporary appropriations be made inasmuch as the amounts listed will be included in the final adoption of the budget.

	<u>Salaries &amp; Wages</u>	<u>Other Expenses</u>
Borough Council	\$35,800.00	\$11,500.00
Administrative & Executive		\$41,000.00
Borough Clerk	\$83,700	\$15,500.00
Financial Administration	\$29,000.00	\$8,200.00
Audit Services		\$31,000.00
Assessment of Taxes	\$36,500.00	\$20,500.00
Collection of Taxes	\$22,000.00	\$18,000.00
Legal Services & Costs		\$115,000.00

Engineering Services & Costs		\$1,000.00
Public Buildings	\$2,500.00	\$16,000.00
Fleming House		\$8,000.00
Planning Board	\$25,100.00	\$50,000.00
Historic Committee		\$10,000.00
Recycling	\$4,400.00	\$44,000.00
Insurance:		
Other Insurance		\$62,000.00
Workers Compensation		\$26,000.00
Employee Group		\$730,000.00
Health Insurance Waiver		\$10,000.00
Fire		\$50,800.00
Uniform Fire Safety Act	\$64,100.00	\$13,940.00
Police	\$1,685,000.00	\$121,000.00
First Aid Organization		\$10,000.00
Construction Code		
Building Inspector	\$150,000.00	\$15,000.00
Plumbing Inspector	\$11,600.00	
Electrical Inspector	\$13,000.00	
Fire Subcode Official	\$11,600.00	
Property Maintenance Inspector	\$20,500.00	\$570.00
Emergency Management Services	\$14,500.00	\$16,137.00
Board of Health		\$13,000.00
Dog Regulation		\$17,000.00
Streets & Roads	\$175,436.00	\$112,700.00
Environmental Commission		\$750.00
Condo Reimbursement Law		\$3,500.00
Gas & Oil		\$34,000.00
Street Lighting		\$55,000.00
Electricity		\$16,000.00
Fuel Oil		\$14,000.00
Telephone		\$35,000.00
Water		\$11,000.00
Safe and Secure Communities-State		\$14,425.00
PERS		\$155,551.00
PFRS		\$486,621.00
DCRP		\$2,500.00
Garbage & Trash Removal		\$394,000.00
Prosecutor		\$27,000.00

Recreation	\$11,000.00
Shade Tree	\$3,800.00
Maintenance of Free Public Library	\$350,000.00
Body Armor Grant	
Public Defender	
School Resource Officer Shared Service	\$52,000.00
LOSAP	\$24,000.00
Capital Building Improvements	\$185,000.00
Police Headquarters Renovations Grant	\$250,000.00
Contribution to Social Security System	\$183,000.00
Municipal Court	\$245,000.00
Capital: Purchase of Ambulance	\$18,000.00
Capital Improvement Fund	\$100,000.00
Purchase of Fire Equipment	\$12,000.00
Preliminary Road Engineering	\$60,000.00
Reserve for Uncollected Taxes	\$400,000.00
Safe and Secure Communities-Local	\$165,000.00
Bond Principal	\$305,000.00
Payment of Bond Ordinances	\$225,000.00
Bond Interest	\$109,500.00
BAN Principal	\$79,630.00
BAN Interest	\$59,550.00
Grand Total	<u>\$8,028,810.00</u>

**BE IT FURTHER RESOLVED** by the Mayor and Council of the Borough of Flemington that the following appropriations be made inasmuch as the amounts listed will be included in the final adoption of the Utility Budgets.

### Water Utility

	<u>Salaries &amp; Wages</u>	<u>Other Expenses</u>
Water Operating	\$290,000.00	\$475,775.00
Social Security		\$24,000.00
BAN Interest		\$63,150.00
BAN Principal		\$37,975.00
PERS		\$5,000.00

Deficit in Operations	\$17,000.00
Payment of NJEIT Loan	\$235,500.00
Payment of USDA Loan	\$168,500.00
Capital Improvement Fund	\$60,000.00
Bond Principal	\$116,000.00
Bond Interest	\$53,100.00
Grand Total	<u>\$1,546,000.00</u>

### Sewer Utility

	<u>Salaries &amp; Wages</u>	<u>Other Expenses</u>
Sewer Operating	\$645,000.00	\$555,000.00
Social Security		\$44,000.00
Contracted Expenses - R.T.M.U.A.		\$1,100,000.00
Payment of USDA Loan		\$137,900.00
Payment of Note Principal		\$0.00
Payment of Note Interest		\$2,500.00
Collector Rehabilitation		\$25,000.00
PERS		\$10,000.00
Capital Improvement Fund		\$10,000.00
Payoff Capital Ordinances		\$150,000.00
Grand Total		<u>\$2,702,000.00</u>

A **MOTION** was made by Council President Long to approve the Resolution, seconded by Councilman Parker and on Roll Call the following was recorded:

Councilwoman Engelhardt	Yes
Councilwoman Fusaro	Yes
Councilman Levitt	Yes
Councilman Long	Yes
Councilman Parker	Yes
Council Vice President Rosetti	Yes

Motion carried.

**6. RESOLUTION 2024-41 - RESOLUTION AUTHORIZING A SHARED SERVICE AGREEMENT FOR MUTUAL AID FROM THE HUNTERDON COUNTY MUNICIPAL LAW ENFORCEMENT AGENCY(IES)**

**WHEREAS**, the Hunterdon County Municipal Law Enforcement Agency(ies) desires to provide aid to other municipalities in the County of Hunterdon during an emergency by assigning resources to the affected area; 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**, all parties recognize the potential benefit of this agreement and the intent to aid other municipalities in the County of Hunterdon during an emergency by assigning resources to the affected area.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Flemington recognize the potential benefit of this agreement and the intent to aid other municipalities in the County of Hunterdon during an emergency by assigning resources to the affected area.

A **MOTION** was made by Council President Long to approve the Resolution, seconded by Councilman Parker and on Roll Call the following was recorded:

Councilwoman Engelhardt	Yes
Councilwoman Fusaro	Yes
Councilman Levitt	Yes
Councilman Long	Yes
Councilman Parker	Yes
Council Vice President Rosetti	Yes

Motion carried.

**PUBLIC COMMENTS – SESSION II:**

Robin Lapidus from FCP stated she has been working closely with Councilman Parker and the DPW to removed the old signs and putting up accurate signs around Flemington.

**CORPORAL MCNALLY:**

Corporal McNally reported on the snow storm moving in tonight.

**APPROVAL TO PAY THE BILLS:**

AUTHORIZING PAYMENT OF THE BILLS IN THE AMOUNT OF \$8,969,906.80

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

Councilwoman Engelhardt	Yes
Councilwoman Fusaro	Yes
Councilman Levitt	Yes
Councilman Long	Yes
Councilman Parker	Yes
Council Vice President Rosetti	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. CONTRACT NEGOTIATION – UPDATE ON LIBERT VILLAGE
2. LITIGATION – CANNABIS LAWSUIT
  - 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 President Long, seconded by Councilman Parker with a vote of all ayes.

A **MOTION** was made by Council President Long to amend #2 on the Executive Session Resolution to read Litigation – Cannabis Lawsuit, seconded by Councilman Parker with a vote of all ayes.

**ADJOURNMENT**

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

ATTEST:

  
Carla Conner, Borough Clerk

  
Marcia Karrow, Mayor

Adopted: March 25, 2024