BOROUGH OF FLEMINGTON
REGULAR COUNCIL MEETING
AUGUST 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	Absent
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

MAYOR'S REPORT:
Mayor Karrow thanked all the departments and FCP for helping out with the Corn, Tomato & Beer Festival. Mayor Karrow also reported the Hunterdon County Commissioner's will hold a Lindberg Trial Lecture series in September.

Mayor Karrow continued the Borough Planner, Beth McManus has finished her consistency review for Liberty Village and the Mayor read the letter from Ms. McManus.

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

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

Motion carried.

COUNCIL MEMBER REPORTS

COUNCIL PRESIDENT LONG:

Council President Long thanked everyone for their hard work at the Corn, Tomato & Beer Fest and reported that the Fire Department poured beer at the festival. Council President Long also reported that the Fire Department had 30 incidents in July. Council President Long continued that OEM is urging resident for hurricane season and what you can do to be prepared. Council President Long is meeting with the Rescue Squad on August 21, 2024 and the next Fire Department meeting will be held on September 10, 2024.

COUNCILWOMAN ENGELHARDT:

Council President Long read Councilwoman Engelhardt report: there will be a Board meeting at J.P. Case on August 22, 2024 and Hunterdon Central's Board meeting will be held August 19, 2024. Samule Fleming House will hold a Sunflowers in Colonial America on September 14, 2024.

Warren Korecky, the Borough Auditor explained the audit.

Councilman Levitt suggested to send the audit electronically instead of hardcopy.

COUNCIL VICE PRESIDENT ROSETTI:

Council Vice President Rosetti reported the August meeting for the Shade Tree Commission has been cancelled.

COUNCILWOMAN FUSARO:

Councilwoman Fusaro reported the she helped set up for the Corn, Tomato & Beer Fest and there is a lot of work that goes into it. Councilwoman Fusaro also discussed the Jury Duty phone scam that is going around, reported the library has two open positions and she is still discussing pedestrian safety.

COUNCILMAN PARKER:

Councilman Parker reported the Police are working on several initiatives on speeding in the Borough such as putting a flashing speed sign on Broad Street and walking the beat. Councilman Parker also thanked Robin Lapidus from the FCP for a job well done and thanked everyone who worked on the Corn, Tomato & Beer Fest and Councilman Parker would like the marketing company, Brand Enchanting Media that FCP hired to attend the next Council meeting.to introduce themselves.

Councilman Parker also reported a Safety Night will be held on August 18, 2024 at Hunter Hills, and also an event in October with the Salvation Army which helps with getting the Police Department involved.

COUNCILMAN LEVITT:
Councilman Levitt reported he installed a window blind in the Borough Hall bathroom window closes to Court Street. Councilman Levitt also report the HPC meeting for July 17, 2024 has been canceled and the next meeting will be held on August 21, 2024. Also, the Planning Board and HPC will hold a joint meeting on August 27, 2024 to update the Historic District.

Councilman Levitt also reported he was at the Corn, Tomato & Beer Fest all day and the FCP must have had thousands of people attend and the rabies clinic will be held November 2, 2024 at 9:00am.

PUBLIC COMMENTS – SESSION I:
Robin Lapidus, from FCP stated the Corn Tomato & Beer Fest has grown because of Flemington businesses getting more involved and she stated businesses on Stangl had more business, due to great weather, incredible planning and fantastic communication. Ms. Lapidus also discussed a new event at Stangle called the Battle of I-95 on August 17, 2024 being produced by Hunterdon County showing the two main media markets, Philadelphia and New York. The battle will be between Philly athletes and Giant athletes and the next Sip and Stroll is August 15, 2024.

Jae Hoff from Flemington Borough congratulated everyone on a successful Corn, Tomato & Beer Fest and Ms. Hoff is glad the Borough is having a conversation on pedestrian safety. Ms. Hoff also stated the free food panty in front of Flemington DIY and other free food pantries have been very heavily used in the past months. The Council decided to have a food drop off in Borough Hall.

APPROVAL OF MINUTES:

Regular Session Juen 10, 2024

A ***MOTION*** was made by Council President Long to approve the minutes, seconded by Councilman Parker with a vote of all ayes, with the exception of Councilwoman Fusaro who abstained.

Executive Session Juen 10, 2024

A ***MOTION*** was made by Council President Long to approve the minutes, seconded by Councilman Fusaro with a vote of all ayes, with the exception of Councilwoman Fusaro who abstained.

Regular Session Juen 24, 2024

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

Executive Session Juen 24, 2024

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

CONSENT AGENDA:

1. RESOLUTION 2024-112 – RESOLUTION AUTHORIZING THE RELEASE OF THE REMAINING BALANCE OF $964.00 IN THE DEVELOPER'S ESCROW ACCOUNT FOR 66 CATAMONT LLC. HELD IN TRUST BY THE BOROUGH OF FLEMINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

WHEREAS, 66 Catamont, LLC, 252 Somerville Road, Bedminster, NJ 07921 has requested the release of the balance remaining in developer escrow account #E-2023-09; and

WHEREAS, said application has been dismissed without prejudice and clearances have been received from the professionals involved authorizing the release of the escrow account;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Flemington, in the County of Hunterdon, State of New Jersey that the balance of the escrow account posted in connection with the 66 Catamont, LLC application in the amount of $4,564.69 and $964.00 is hereby refunded to 66 Catamont, LLC, 252 Somerville Road, Bedminster, NJ 07921

BE IT FURTHER RESOLVED, that the tax collector is authorized to place a tax lien on the property for any Borough funds expended not to exceed $3,550.00 in total, to maintain the property and abate hazards.

5..RESOLUTION 2024-116 - RESOLUTION AUTHORIZING THE DONATION OF A SURPLUS SECURITY SAFE TO THE TOWNSHIP OF RARITAN

WHEREAS, the Flemington Borough Fire Department is in possession of a security safe that has been deemed surplus personal property by the Borough; and

WHEREAS, the Township of Raritan has requested to take possession of this security safe; and

WHEREAS, the Borough has determined the safe in question is of de minimis value; and

WHEREAS, the Borough of Flemington seeks to dispose of this surplus security safe and convey it to the Township of Raritan, free and clear of any encumbrances or liability; and

NOW THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that the aforementioned security safe is hereby conveyed free and clear of all encumbrances to the Township of Raritan.

6. RESOLUTION 2024-117 - RESOLUTION AUTHORIZING THE BOROUGH OF FLEMINGTON TO CONDUCT AN ELECTRONIC TAX SALE PRIOR TO DECEMBER 31, 2024 AND TO CHARGE MAILING FEES ASSOCIATED WITH SAID TAX SALE

WHEREAS, N.J.S.A. 54:5-19.1 permits municipalities to conduct an electronic tax lien sale for unpaid real property taxes and other liens or charges pursuant to rules and regulations promulgated by the Director of the Division of Local Government services ; and

WHEREAS, the rule thus promulgated requires a municipality to authorize said electronic tax sale by resolution of the governing body; and

WHEREAS, N.J.S.A. 54:5-104.8 permits municipalities to mail a notice of tax sale in lieu of up to two publications at a cost of up to $25.00 per mailing upon passage of a Resolution by the Governing Body permitting the same; and

WHEREAS, the fees for the tax sale process should be assessed equitably to the delinquent parties and not to the general tax base.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, authorizes the Tax Collector as follows:

1) In accordance with N.J.S.A. 54:5-19.1 the tax sale for the year 2024 shall be conducted electronically.
2) In accordance with N.J.S.A. 54:5-104.8 a fee of $25.00 shall be assessed per mailing, in lieu of up to two publications for all properties included in tax sale before December 31, 2024.

7. RESOLUTION 2024-118 - RESOLUTION APPROVING THE 2023 AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:2788-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New

Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

General Comments and Recommendations;

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the annual audit entitled:

General Comments and Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:2788-52 - to wit:

> R.S. 52-2788-52 - "A local officer or member of a local governing body, who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provision of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED on this 12th day of August 2024, that the Borough Council of the Borough of Flemington hereby states that it has complied with the regulation of the Local Finance Board of the State of New Jersey dated July 30, 1968, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

A ***MOTION*** was made by Councilman Levitt to approve the Consent Agenda #1, #5, #6 & #7, seconded by Councilwoman Fusaro and on Roll Call the following was recorded:

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

Motion carried.

2. RESOLUTION 2024-113 - RESOLUTION AUTHORIZING A CONTRACT WITH R & S LANDSCAPE TOABATE PUBLIC SAFETY HAZARDS AT 11 E. MAIN STREET, BLOCK 5 LOT 1, AND AUTHORIZING THE TAX COLLECTOR TO LIEN THE PROPERTY

WHEREAS, 11 E. Main Street, Block 5 Lot 1 is in disrepair; and

WHEREAS, there are many hazards on the property that are impacting the public safety of the Borough of Flemington; and

WHEREAS, there are piles of debris, dangerous tree branches, extremely high grass and the sidewalks are overgrown; and

WHEREAS, letters have been sent to the property owner of record by the property maintenance officer but have been returned undelivered; and

WHEREAS, the safety hazards need to be abated; and

WHEREAS, a quote was received from R & S Landscape in the amount of $900.00 to abate current hazards a one-time lawn mowing; and

WHEREAS, future mowing and trimming may be needed; and

WHEREAS, pursuant to State Statutes a municipality can abate safety hazards on private property and authorize the tax collector to place a lien on the property to recover the costs.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that a contract be awarded to R & S Landscaping in the amount of $900.00 to abate the current hazards on Block 5 Lot 1, known as 11 E. Main Street.

BE IT FURTHER RESOLVED, that the property maintenance officer is authorized to have the lawn mowed and future safety hazards abated in the future if necessary for an additional amount not to exceed $1,500.00.

BE IT FURTHER RESOLVED, that the tax collector is authorized to place a tax lien on the property for any Borough funds expended not to exceed $3,550.00 in total, to maintain the property and abate hazards.

3. RESOLUTION 2024-114 - RESOLUTION AUTHORIZING A CONTRACT WITH R & S LANDSCAPE TO ABATE PUBLIC SAFETY HAZARDS AT 309 HIGHWAY 202, BLOCK 44 LOT 7, AND AUTHORIZING THE TAX COLLECTOR TO LIEN THE PROPERTY

WHEREAS, 309 Highway 202, Block 44 Lot 7 is in disrepair; and

WHEREAS, there are many hazards on the property that are impacting the public safety of the Borough of Flemington; and

WHEREAS, there are piles of debris, dangerous tree branches, extremely high grass, the sidewalks are overgrown and roadway patching; and

WHEREAS, letters have been sent to the property owner of record by the property maintenance officer but have been returned undelivered; and

WHEREAS, the safety hazards need to be abated; and

WHEREAS, a quote was received from R & S Landscape in the amount of $1400.00 to abate current hazards a one-time lawn mowing; and

WHEREAS, future mowing and trimming may be needed; and

WHEREAS, pursuant to State Statutes a municipality can abate safety hazards on private property and authorize the tax collector to place a lien on the property to recover the costs.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that a contract be awarded to R & S Landscaping in the amount of $1400.00 to abate the current hazards on Block 44 Lot 7, known as 309 Highway 202.

BE IT FURTHER RESOLVED, that the property maintenance officer is authorized to have the lawn mowed and future safety hazards abated in the future if necessary for an additional amount not to exceed $1,500.00.

BE IT FURTHER RESOLVED, that the tax collector is authorized to place a tax lien on the property for any Borough funds expended not to exceed $3,550.00 in total, to maintain the property and abate hazards.

4. RESOLUTION 2024-115 - RESOLUTION AUTHORIZING A CONTRACT WITH R & S LANDSCAPE TO ABATE PUBLIC SAFETY HAZARDS AT 307 HIGHWAY 202, BLOCK 44 LOT 6, AND AUTHORIZING THE TAX COLLECTOR TO LIEN THE PROPERTY

WHEREAS, 307 Highway 202, Block 44 Lot 6 is in disrepair; and

WHEREAS, there are many hazards on the property that are impacting the public safety of the Borough of Flemington; and

WHEREAS, there are piles of debris and extremely high grass; and

WHEREAS, letters have been sent to the property owner of record by the property maintenance officer but have been returned undelivered; and

WHEREAS, the safety hazards need to be abated; and

WHEREAS, a quote was received from R & S Landscape in the amount of $800.00 to abate current hazards a one-time lawn mowing; and

WHEREAS, future mowing and trimming may be needed; and

WHEREAS, pursuant to State Statutes a municipality can abate safety hazards on private property and authorize the tax collector to place a lien on the property to recover the costs.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that a contract be awarded to R & S Landscaping in the amount of $800.00 to abate the current hazards on Block 44 Lot 6, known as 307 Highway 202.

BE IT FURTHER RESOLVED, that the property maintenance officer is authorized to have the property landscaped and beautified and future safety hazards abated in the future if necessary for an additional amount not to exceed $1,500.00.

Council President Long questioned the contract with R&S Landscape. Mayor Karrow explained the three Resolutions.

A ***MOTION*** was made by Councilman Levitt to approve to approve Resolutions #2, #3 & #4, seconded by Councilman Parker and on Roll Call the following was recorded:

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

Motion carried.

PUBLIC HEARING:

7. ORDINANCE 2024-18 - AN ORDINANCE REPLACING THE LAND USE SUBMISSION CHECKLIST

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

Mayor Karrow explained the Ordinance to the public.

There being no one from the public who wished to speak, 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 Ordinance, second by Councilman Parker and on Roll Call the following was recorded:

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

Motion carried.

REGULAR AGENDA:

8. RESOLUTION 2024-119 - RESOLUTION APPROVING THE HIRING OF RONALD CZYZ AS A CROSSING GUARD IN THE BOROUGH OF FLEMINGTON

WHEREAS, the Borough of Flemington is in need of a Crossing Guard; and

WHEREAS, Mr. Czyz is the most qualified to perform the duties of a Crossing Guard; and

WHEREAS, Mr. Czyz will be compensated a salary of $20.08 an hour; and

WHEREAS, Mr. Czyz will be required to work a total of 12.5 per week during the school year.

NOW THEREFORE IT BE RESOLVED, by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that Ronald Czyz is hired effective August 28, 2024 as a Crossing Guard with a salary of $20.08 an hour and will adhere to the above requirements.

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

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

Motion carried.

9. RESOLUTION 2024-120 - AUTHORIZING AN SHARED SERVICE AGREEMENT WITH FLEMINGTON-RARITAN REGIONAL SCHOOL DISTRICT FOR SCHOOL CLASS III LAW ENFORCEMENT OFFICERS

An Agreement between the Flemington-Raritan Regional School District (the School District), 50 Court St., Flemington, NJ and the Borough of Flemington (the Municipality), 38 Park Ave., Flemington, NJ.

WHEREAS, the School District and Municipality desire to provide the services of Class III Special Law Enforcement Officers ("Class III SLEOs") assigned to the School District; 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, both parties recognize the potential benefits of this program to the citizens of the Municipality and to the students and staff of the School District; and

WHEREAS the Municipality has, by Ordinance 2019-20, created the position of Class III SLEO; and

WHEREAS, it is in the best interests of the School District and the Municipality to establish this program;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that the Municipality shall employ and assign to the School District one Class III SLEOs to perform law enforcement duties at certain Flemington-Raritan Regional School District schools, as set forth in the attached Memorandum of Understanding.

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

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

Motion carried.

WORKSESSION – DISCUSSION OF TEMPRARY SIGNS AND MAIN STREET BANNER

Mayor Karrow went over the new fee structure that was discussed at the July meeting for temporary street/lawn signs. The Council had a lengthy discussing on the fees and time limit on signs on property.

Mayor Karrow discussed the Main Street banner fees and stated the Public Art Committee must approve all banners prior to the banner being printed, the Borough can cancel any banner three weeks before an event. Banners must be applied 30 days in advance. A banner fee for Hunterdon County would be waived for an event held within Flemington Borough. The Council will discuss this further at the next meeting.

PUBLIC COMMENTS – SESSION II:

There was no public comment.

APPROVAL TO PAY THE BILLS:

AUTHORIZING PAYMENT OF THE BILLS IN THE AMOUNT OF $3,759,381.09

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 Fusaro	Yes
Councilman Levitt	Yes
Council President 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. NEGIOTATIONS: CARDINAL, CAPTIVA AND COURTHOUSE SQUARE
2. PUBLIC SAFETY

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.

ADJOURNMENT:

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

ATTEST:

Carla Conner, Borough Clerk

Marcia Karrow, Mayor

Adopted: September 9, 2024