BOROUGH OF FLEMINGTON
REGULAR COUNCIL MEETING
JULY 15, 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

DISCUSSION – PFAS DISCUSSION

Terry Vogt, Borough Engineer from RVE stated there are now two federal class action lawsuits, one claim against two of the former manufacturers that made the PFAS chemicals is now being settled and the other claim against two other former manufacturers will be filed later in the year. Mr. Vogt stated this is federal mandate all of the county potable water system to treat the PFAS chemicals that were found in the water supply. Mr. Vogt stated it will cost $3.6 million to treat all of the wells in the Borough and in order for the Borough to pay for this they would use the claims money they receive and borrow half of the money from the I-Bank and pursue USDA money as well.

Mayor Karrow asked what filtration method was superior. Mr. Vogt stated the resin filters last longer than charcoal so he would go with the resin.

Council did not make a decision on how to pay for this.

Councilman Levitt asked Mr. Vogt to explain Resolution 2024-109 and the steps to apply for a road improvement grant.

MAYOR'S REPORT:
Mayor Karrow reported a joint Special meeting was held on July 8, 2024 with the Environmental Commission and Shade Tree Commission to discuss a number of items including the draft Ordinance the State has come out with regarding Shade Trees and tree cutting as well as the Planning Board's draft proposed checklist application and list of trees required to plant.

Mayor Karrow also reported a resident on Bonnell Street is questioning whether or not there was a Resolution adopted to fly the Pride flag at Borough Hall. The resident is concerned that this a social position statement policy and it is not a Federal or State law to flag such as a flag. Mayor Karrow thanked Councilwoman Engelhardt for doing a great job on the community energy planning grant.

COUNCIL MEMBER REPORTS

COUNCIL PRESIDENT LONG:
Council President Long reported that the Fire Department attended the annual fireworks display on July 3, 2024 and everything went well and without incident and the Fire Department had 23 incidents in June. Council President Long also reported that OEM is cautioning residents to stay hydrated during the heat wave this week.

COUNCIL VICE PRESIDENT ROSETTI:
Council Vice President Rosetti reported the joint meeting between the Environmental Commission and Shade Tree Commission made progress on some issues.

COUNCILWOMAN ENGELHARDT:
Councilwoman Engelhardt reported that the Samule Fleming House held their annual Ice Cream Social on July 13, 2024 and the report for the energy plan was submitted.

Mayor Karrow asked for a motion to amend the Executive Session listed on the agenda to add Contract Negotiation's Bless Wellness to the discussion.

A ***MOTION*** was made by Council President Long to amend the agenda, second by Councilwoman Engelhardt and on Roll Call the following was recorded:

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

Motion carried.

COUNCILMAN LEVITT:
Councilman Levitt reported the HPC meeting for July 17, 2024 has been canceled and the fireworks were a big success. Councilman Levitt also reported he helped reconnect a lost dog to their owners by posting it on Facebook and he enjoyed the Fleming Samuels annual ice cream social.

COUNCILWOMAN FUSARO:
Councilwoman Fusaro reported the library audit was completed and they are in an extremely strong financial position. Councilwoman Fusaro also discussed the problems with the sewer lines at the new Police building.

Mayor, Council and PS&S Architect, Angela Gonzalez had a discussion on the pit & pump being installed at the new Police Building.

COUNCILMAN PARKER:
Councilman Parker reported the FCP hired both a marketing company name Brand Enchanting Media and he would like to have a work session at the next Council meeting.to introduce themselves. Councilman Parker will have a meeting with FCP and the department heads to go over everyone's responsibilities for the events.

Councilman Parker also reported he discussed speeding in the Borough with the Police Chief and they are looking at what can be done.

PUBLIC COMMENTS – SESSION I:
Robin Lapidus, from FCP stated they have run out of space for the Corn Beer & Tomato fest, this year they have upped their game such as downloading a public map on the attendees' phones.

APPROVAL OF MINUTES:

Regular Session May 13, 2024

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

INTRODUCTION OF ORDINANCE:

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

WHEREAS, the Borough of Flemington desires to update its land use submission checklist; and

WHEREAS, it is to the benefit of the Borough and Borough citizens to do so.

BE IT THEREFORE ORDAINED, by the Borough Council of the Borough of Flemington in the County of Hunterdon and State of New Jersey that Chapter 15 of the Code of the Borough of Flemington, County of Hunterdon, State of New Jersey is hereby amended as follows:

SECTION I. Submission Checklist

Attachment 1 to Chapter 15 as referenced by Section 1516 of the Borough Code is hereby deleted and replaced with the attached document.

SECTION II. Severability:
Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

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

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

Motion carried.

Public Hearing will be held August 12, 2024.

PUBLIC HEARING:

2. ORDINANCE 2024-17 - AN ORDINANCE AMENDING CHAPTER 7A (TRAFFIC SCHEDULES) TO CREATE A FOUR-WAY STOP INTERSECTION AT BROAD STREET AND WILLIAM STREET AND TO ADD TWO COMPACT CAR PARKING SPOTS ON BROAD STREET PROXIMATE TO WILLIAM STREET

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

A ***MOTION*** was made by Councilwoman Fusaro to adopt the Ordinance, second by Councilman Parker and on Roll Call the following was recorded:

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

Motion carried.

REGULAR AGENDA:

3. RESOLUTION 2024-108 - RESOLUTION AUTHORIZING THE 2024-2025 SCHOOL TAX PAYMENTS TO HUNTERDON CENTRAL REGIONAL HIGH SCHOOL

WHEREAS, the total levy for the 2024-2025 school year for the Hunterdon Central Regional High School has been certified at $2,538,561.00 and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Flemington that the 2024-2025 school tax be paid as follows:

July 10, 2024	$423,108.67
September 10, 2024	$423,108.67
November 10, 2024	$423,108.67
January 10, 2025	$423,108.67
March 10, 2025	$423,108.67
May 10, 2025	$423,108.67

A ***MOTION*** was made by Councilwoman Engelhardt to approve the Resolution, second by Councilman Levitt on Roll Call the following was recorded:

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

Motion carried.

4. RESOLUTION 2024-109 - APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE NJDOT MA-2025-NJDOT FY25 ROAD IMPROVEMENT PROJECT

WHEREAS, New York Avenue & Broad Street are in need of improvement.

WHEREAS, Terence Vogt P.E., Borough of Flemington Engineer, has prepared a cost estimate for improvements to this street.

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Flemington formally approved the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2025-NJDOT FY25 - Broad Street & New York-00490 to the New Jersey Department of Transportation on behalf of the Borough of Flemington.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Flemington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

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

Councilwoman Engelhardt	Yes
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 fee structure she discussed with the Zoning Officer for temporary street/lawn signs. The Council discussed fees and time frame the signs have to be removed. The Council agreed to look at other town sign Ordinances and discuss this issue in the future.

Mayor Karrow stated she is working on fees to hang banners on Main Street and who would hang the banners. This will be discussed at the next Council meeting.

PUBLIC COMMENTS – SESSION II:
There was no public comment.

APPROVAL TO PAY THE BILLS:

AUTHORIZING PAYMENT OF THE BILLS IN THE AMOUNT OF #1,365,277.91

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

Councilwoman Engelhardt	Yes
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. CONTRACT NEGOTIATIONS: BLESS WELLNESS

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.

RETURN FROM EXECUTIVE SESSION:

Attorney Chris Corsini explained the Resolution for the pit and pump for the Police building which was discussed earlier in the meeting.

5. RESOLUTION 2024-110 - RESOLUTION AMENDING THE AWARD OF CONTRACT FOR ARCHITECTURAL SERVICES TO PAULUS SOKOLOWSKI & SARTOR AS AUTHORIZED IN RESOLUTION NO. 2024-60 IN THE AMOUNT OF $78,500 TO $91,600 FOR FURTHER DESIGN WORK FOR THE FLEMINGTON BOROUGH POLICE STATION IMPROVEMENT PROJECT

WHEREAS, pursuant to Resolution No. 2024-60, the Borough of Flemington did procure architectural services through a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 for design work related to the Borough Police Station Improvement Project; and,

WHEREAS, the scope of services for the contract awarded by Resolution No. 2024-60 were as follows:

> Bidding and Construction Administrative Services for Phase 2A Processing Area and Public Restroom

WHEREAS, the initial amount of this award of contract was $78,500; and

WHEREAS, the Borough seeks to expand the scope of services of this project to add an increase of $13,100 for design work related to water inflow pump and the associated pit structure; and

WHEREAS, the Borough Council has already authorized, by voice vote at the June 10, 2024 Borough Council meeting, an increase in the contract by $8,600 for a total contract value of $87,100; and

WHEREAS, the Borough Council now seeks to authorize a further $4,500 for a total contract value of $91,600; and

WHEREAS, the provisions related to compliance of this award with N.J.S.A. 40A:11-1 et seq. recited in Resolution No. 2024-60 are incorporated here by reference in their entirety, and

WHEREAS, the availability of funds for Resolution No. 2024-60 has been certified by William Hance, Chief Finance Officer, who shall further certify the amount authorized hereby pursuant to N.J.A.C. 5:30-5.1 and 5.2; and

BE IT THEREFORE RESOLVE, by the Borough of Flemington, County of Hunterdon, State of New Jersey, that Resolution No. 2024-60 shall be amended as delineated herein.

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

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

Motion carried.

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