BOROUGH OF FLEMINGTON
REGULAR COUNCIL MEETING
NOVEMBER 12, 2024

Mayor Karrow called the meeting to order at 7:01 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	Absent
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

PRESENTATION: MAIN STREET ZONING

Beth McManus, Borough Planner gave a presentation on the potential Main Street rezoning. The slideshow is attached.

MAYOR'S REPORT:

Mayor Karrow thanked the CFO, Bill Hance for working so hard on the S&P Global Ratings and taking Flemington Borough on the watch list, especially paying down debt and building up our surplus.

Mayor Karrow also reported there are problems with the pit and pump at the Police building stemming from the Contractors work and the Mayor requested a proposal for the Sally port at the Police building.

COUNCIL MEMBER REPORTS

COUNCIL PRESIDENT LONG:

Council President Long congratulated Councilman Parker on his reelection and Brandon Arias on his election. Council President Long also reported the cab for the new Aerial Fire truck is being assembled. The Rescue Squad had 329 shared service calls with 75 calls in Flemington Borough.

for the month of October. Council President also reminded everyone that New Jersey is under a Stage 3 fire restrictions and burning outside is not permitted.

COUNCIL VICE PRESIDENT ROSETTI:
Council Vice President Rosetti reported there is a Shade Tree meeting tomorrow, November, 13, 2024.

COUNCILWOMAN ENGELHARDT:
Councilwoman Engelhardt reported the Samuel Fleming House will hold an Open House November 14, 2024, the RFIS Board Meeting will be held November 14, 2024 at JP Case and Hunterdon Central's BOE meeting will be held November 25, 2024 and the 11th & 12th play (Auntie Mame) will be held on November 22 & 23, 2024 at Hunter Central.

COUNCILMAN LEVITT:
Councilman Levitt reported the HCP had a good turnout for the walk and talk tour on Main Street and the next HPC meeting will be held November 20, 2024.

COUNCILMAN PARKER:
Councilman Parker reported that the Police Department did a traffic study on Park Ave. with 45,592 vehicles traveling over a 21-day period, the average speed was 31 mph and max speed was 51 mph, the police handed out 878 violations for anyone going over 35 mph.

PUBLIC COMMENTS – SESSION I:
Robin Lapidus, from FCP discussed the events for December and went over the Main Street Zoning that Beth McManus discussed.

Michael Skoczek and Kyle Doremus from CEA thanked the Council for supporting the Turkey Trot.

APPROVAL OF MINUTES:

Regular Session October 15, 2024

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

Executive Session October 15, 2024

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

Regular Session October 28, 2024

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

Executive Session October 28, 2024

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

CONSENT AGENDA:

1. RESOLUTION 2024-153 - RESOLUTION AUTHORIZING TURKEY TROT STREET CLOSURES NOVEMBER 28, 2024

WHEREAS, the Center for Educational Advancement's annual Turkey Trot will be held on Thanksgiving Day, November 28, 2024; and

WHEREAS, the need to close the following streets in stages between the hours of 6:00 a.m. and 11 a.m. is essential to the event:

Main Street from Church Street to North Main Street

North Main Street to Hopewell Avenue

Hopewell Avenue to East Main Street

East Main Street to New Jersey Avenue

New Jersey Avenue to Elwood Avenue

Elwood Avenue to Pennsylvania Avenue

Pennsylvania Avenue to Broad Street

Broad Street to New York Avenue

New York Avenue to Elwood Avenue

Elwood Avenue to Emery Avenue

Emery Avenue to Broad Street

Broad Street to Church Street

Church Street to Central Avenue

Central Avenue to Mine Street

Mine Street to Shields Avenue

Shields Avenue to Bonnell Street

Bonnell Street to Park Avenue

Park Avenue to Mine Street

Mine Street to Main Street

and

WHEREAS, the need to ban parked cars from 8:00 a.m. to 10:30 a.m. in the following locations is necessary to conduct the race safely:

South side of Bonnell Street;

South side of New York Avenue between Broad Street and Elwood Avenue;

East side of Elwood Avenue between New York Avenue and Emery Avenue;

South side of Emery Avenue between Elwood Avenue and Broad Street; and

WHEREAS, the Flemington Borough Police Department has reviewed and approved this request;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that the above streets are closed between the hours of 6:00 a.m. and 11 a.m., and that parking is banned on the south side of Bonnell Street from 8:00 a.m. to 10:30 a.m. on November 28, 2024, for the annual Turkey Trot.

A ***MOTION*** was made by Council President Long to adopt the Consent agenda, second by Councilman Levitt 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.

REGULAR AGENDA:

2. RESOLUTION 2024-154 - RESOLUTION AUTHORIZING THE BOROUGH OF FLEMINGTON TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2024 OF EMERGENCY MANAGEMENT PERFORMANCE GRANT AND EMERGENCY MANAGEMENT AGENCY ASSISTANCE

WHEREAS, the Borough of Flemington Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant AFN #97.042, Subgrant Award #FFY24- EMPG-EMAA-1009 from the New Jersey Department of Law and Public Safety, Office of the Attorney General. The subgrant, consisting of $10,000.00 Federal Award is for the purpose of enhancing the City's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the Borough of Flemington will use these funds to enhance your Emergency Management Program and that the funds will be used for Emergency Management purposes; and

WHEREAS, the award period is from July 1, 2024 to June 30, 2025; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Borough of Flemington Office Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Office of Emergency Management.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Flemington, in the County of Hunterdon, State of New Jersey:

1. That the Council accepts the award of the FFY24 Emergency Management Performance Grant Program (EMPG), Emergency Management Agency Assistance Subgrant (EMAA) in the amount of up to $10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management.
2. That the Chief Financial Officer and Director of Emergency Management are authorized to sign the appropriate subgrant award documents.
3. That copies of this resolutions shall be forwarded to the New Jersey State Police, Office of Emergency Management, the City Business Administrator, the Chief Financial Officer and the County Division of Emergency Management and Office of Treasury.

A ***MOTION*** was made by Council President Long to approve the Resolution, second by Councilman Levitt 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.

3. RESOLUTION 2024-155 - RESOLUTION OF THE BOROUGH OF FLEMINTON COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE BOROUGH OF FLEMINGTON TO SUBMIT AN APPLICATION TO THE NEW JERSEY WATER BANK FOR MAIN STREET LEAD SERVICE LINE REPLACEMENT IMPROVEMENTS

WHEREAS, the Borough of Flemington (hereinafter the" Borough") plans to submit to the New Jersey H_2 Loans Drinking Water Program an application for financing for Main Street Lead Service Line Replacement Improvements (hereinafter the "Program"); and

WHEREAS, the Borough wishes to pursue through the Program funding for the replacement of Lead Service Lines and restoration for Main Street from Church to 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_2 Loans Drinking Water program for the Lead Service Line Replacement 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 actions, including the filing of formal applications, be taken to pursue with New Jersey H_2 Loans actual funding for replacement of lead service lines for Main Street from Church to Route 12 Circle.

2. The Borough is authorized to accept all funding through the New Jersey H_2 Loans Drinking Water Program.

3. The Borough's Municipal Clerk shall publish an appropriate notice of intention to file an application with the New Jersey H_2 Loans Drinking 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_2 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 H2 Loans Drinking Water Program Further, the Mayor of the Borough is hereby authorized to execute the necessary documents in order to provide the application to $_{H2}$ Loans.

A ***MOTION*** was made by Council Presdient Long to approve the Resolution, second by Councilman Levitt 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 COMMENTS – SESSION II:
Robin Lapidus from FCP plans to bring designs on the new signage to the next meeting.

APPROVAL TO PAY THE BILLS:

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. NEGOTIATIONS: CARDINAL, CAPTIVA AND COURTHOUSE SQUARE
2. PUBLIC SAFETY
3. LITIGATION – CANNABIS LICENSE
4. PERSONNEL

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 Councilwoman Engelhardt with a vote of all ayes.

ADJOURNMENT:

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

ATTEST:

Carla Conner, Borough Clerk

Marcia A. Karrow, Mayor

Adopted: December 9, 2024

Retail Discussion

Borough Council
November 12, 2024

What is your Vision for each District?

Walkable?

Car oriented?

Destination?

Convenience?

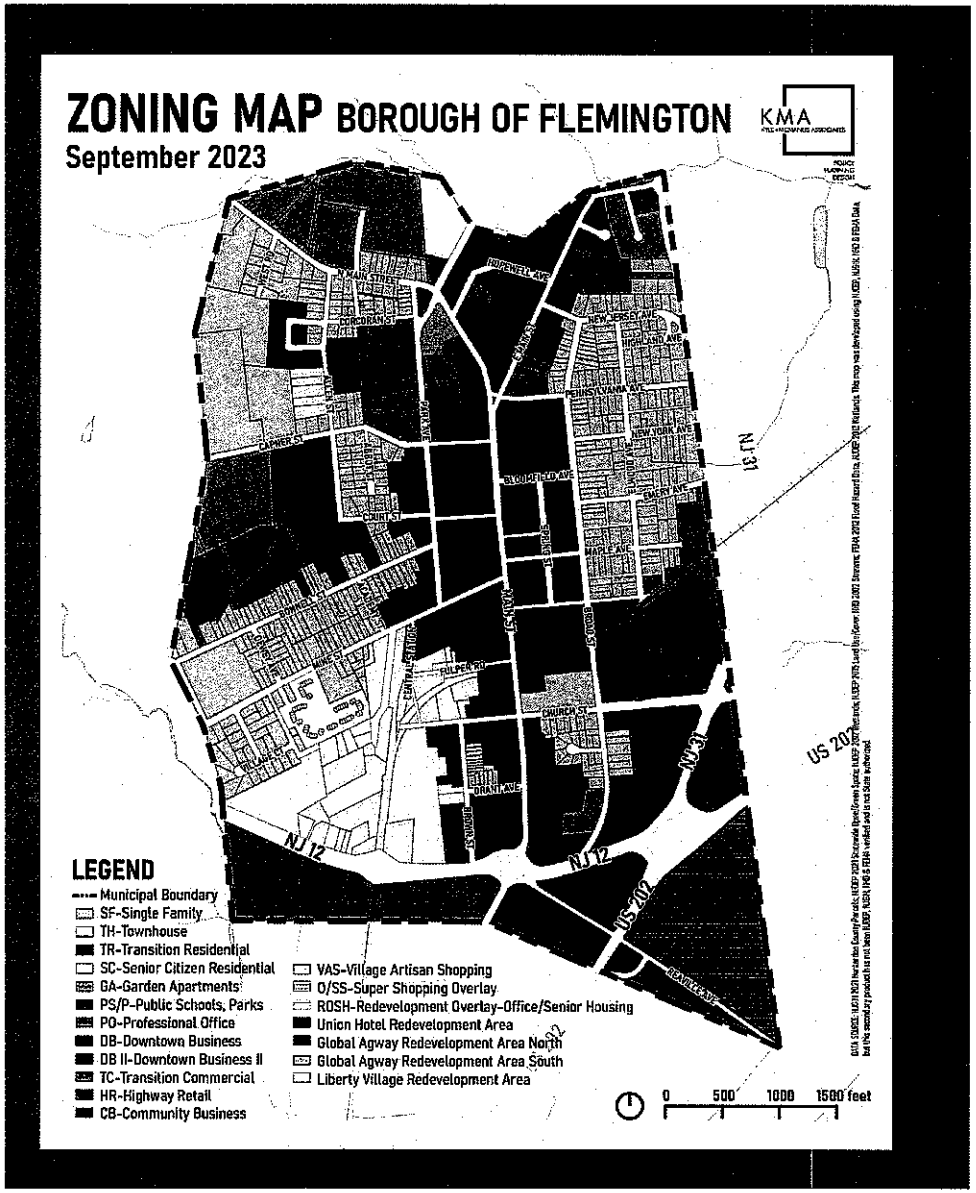
Sales and restaurants?

Entertainment

Services?

Offices?

Light industrial and repair?



Nonresidential Zone Districts

DB Downtown Business

DB-II Downtown Business II

Union Hotel Redevelopment Area

VAS Village Artisan Shopping

HR & O/SS Highway Retail and Super Shopping Overlay

TC Transition Commercial

CB Community Business

Master Plan Goals

Relevant to retail uses

- Strengthen and enhance the commercial sector of the Borough, with an emphasis on attracting **specialty retail and restaurants, and encouraging the redevelopment of underutilized properties** particularly those within the Downtown Business District.
- Concentrate retail, service, and entertainment uses which best contribute to creating a **vibrant downtown** and that will draw residents and visitors alike to the retail portion of Main Street (Downtown Business I and II) and nearby surrounding properties, and the Liberty Village and Turntable Junction Area.

Master Plan Policies

Not yet implemented and relevant to retail uses

- Eliminate SIC Codes and modernize permitted uses
- Expand permitted uses in the DB, DB-II, and VAS districts
  - Entertainment and destination uses
- Eliminate the PO District
- Revise permitted uses in the TC district
  - Reduce retail sales and service uses
  - Expand variety
  - Permit uses that require more land than typical in downtown

Retail Types

Neighborhood Goods and Services

Grocery stores, salons, dry cleaners, florists

Food and Beverage

Coffee shops, restaurants and bars, distilleries, etc.

General Merchandise, Apparel, Furniture, and Other

Clothing, home goods, electronics, footwear, etc.

Retail Types

Convenience Retail

- Speed of purchase
- Short travel distance
- *Neighborhood goods & services | Food & Beverage | Some General Merchandise*

Destination Retail

- Compare price and quality
- Longer travel distance
- *Food & beverage | General Merchandise*

Why Plan for Retail?

- Ratables to support residential tax base
- Jobs
- Business support
- Quality of life for residents
  - Convenience
  - Community building with third spaces and social infrastructure
  - Walkable / recreation

Retailer Space Considerations

Relevant to municipal decision-making

- Location
- Concentration of complementary businesses
  - Diversity and/or similar
- Zoning for complementary and/or accessory uses
- Visibility
- Population surrounding
- Traffic counts
  - Cars and pedestrians
- Modern and flexible spaces

Outside Influences

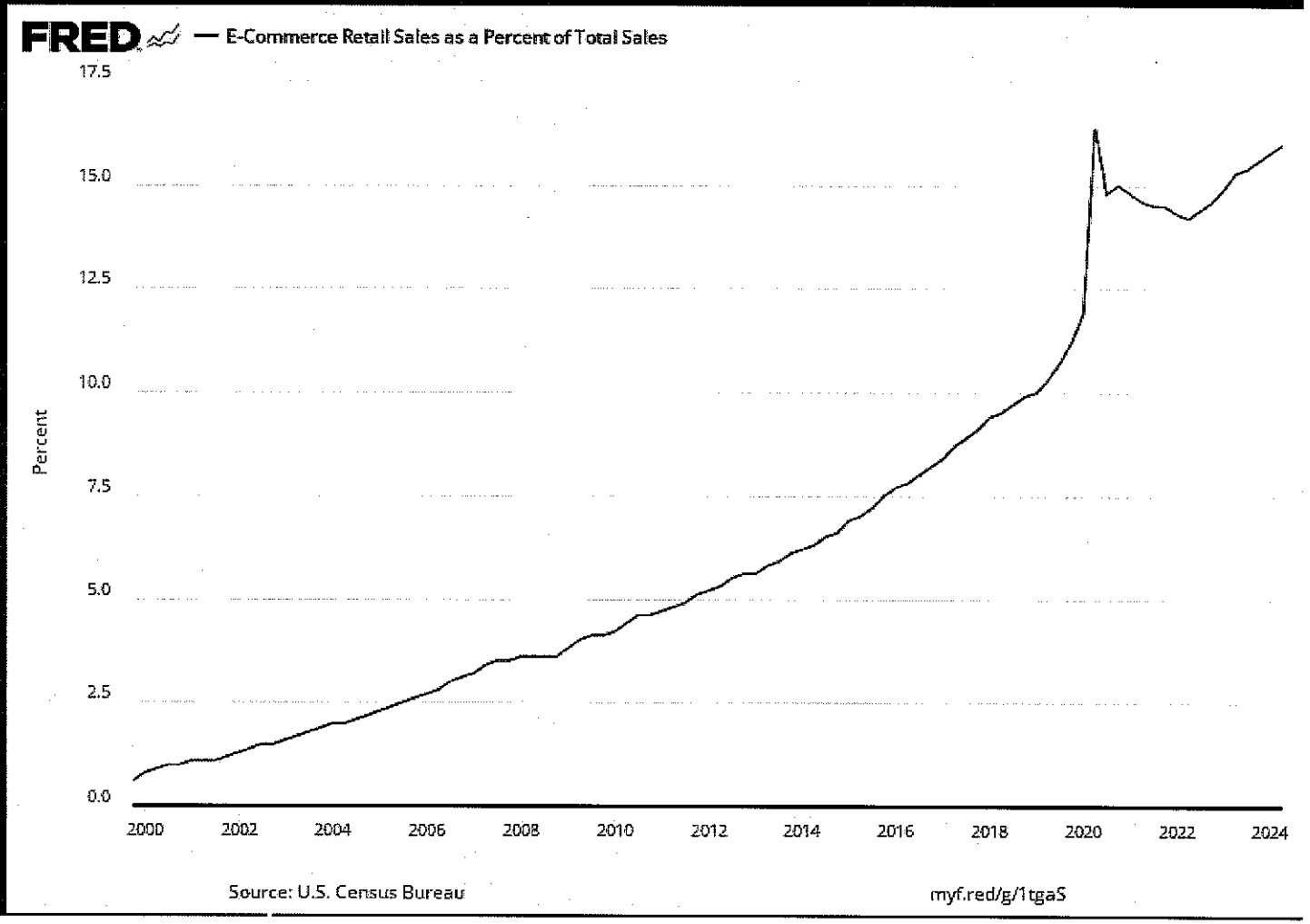
E-Commerce Retail Sales

2000 – .6% of Total

2024 – 16% of Total

Work from home

Shifting retail patterns / locations



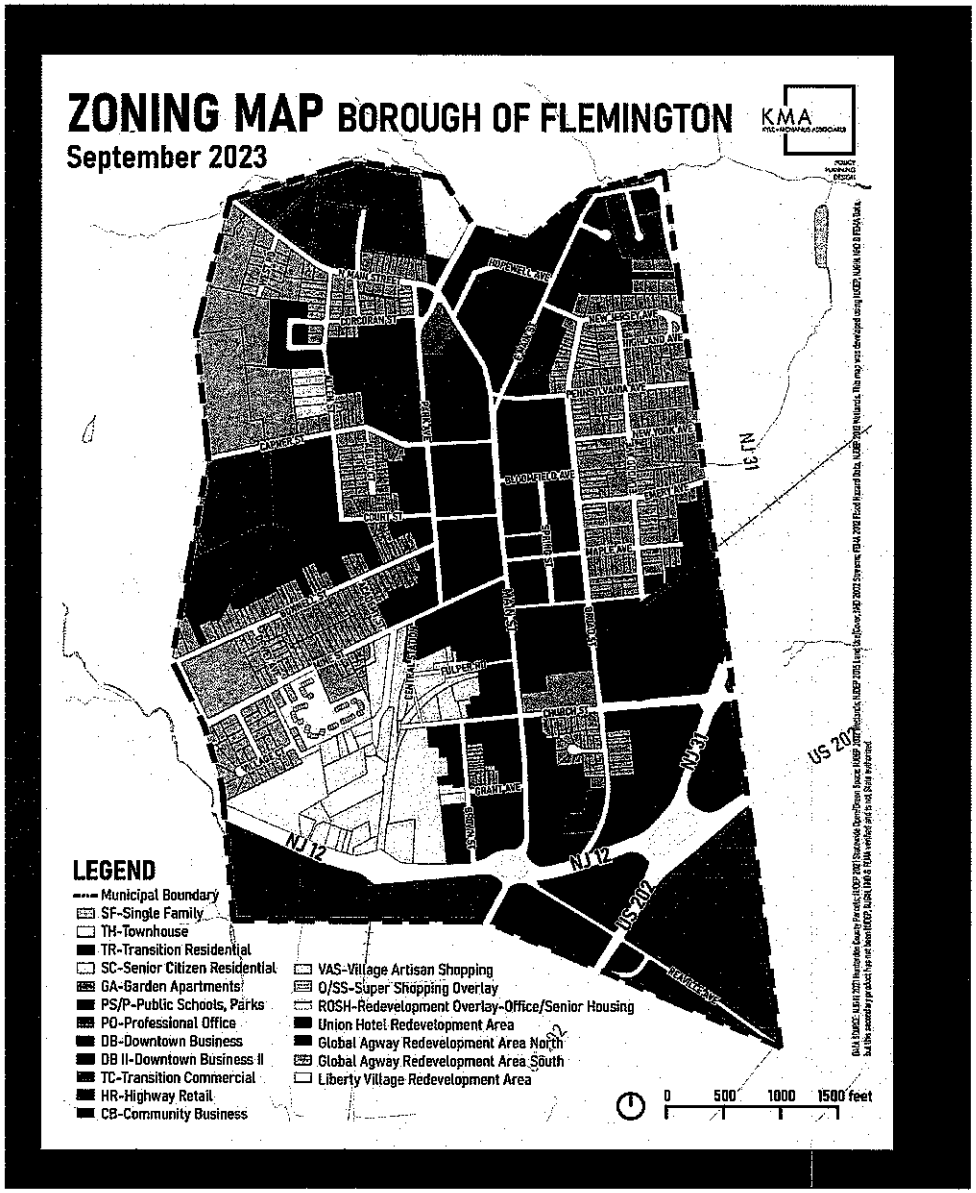
Municipal Retail & Downtown Considerations

- Right-sizing districts
- Resilience to economic change
- Improving the public realm
  - Street furniture, trees, etc.
- Traffic
  - Customers, deliveries, garbage
- Parking
  - Convenient location
  - Adequate availability

Key Definitions in Borough Code

Not relevant to SIC codes

- **Retail Sales:** a use engaged in the **sale of goods directly to the consumer available for immediate purchase**, including but shall not be limited to active uses such as convenience stores, restaurants, breweries, and grocery stores. This shall not include vehicle sales or service, cannabis retail uses, or sale of adult materials.
- **Retail Services:** a use engaged in the **sale of on-site services directly to the consumer available for immediate purchase**, including but shall not be limited to active uses such as nail and hair salons, dry cleaners, and interior design shops. This shall not include medical, or office uses, vehicle service and real estate offices or insurance offices.



Nonresidential Zone Districts

DB Downtown Business

DB-II Downtown Business II

Union Hotel Redevelopment Area

VAS Village Artisan Shopping

HR & O/SS Highway Retail and Super Shopping Overlay

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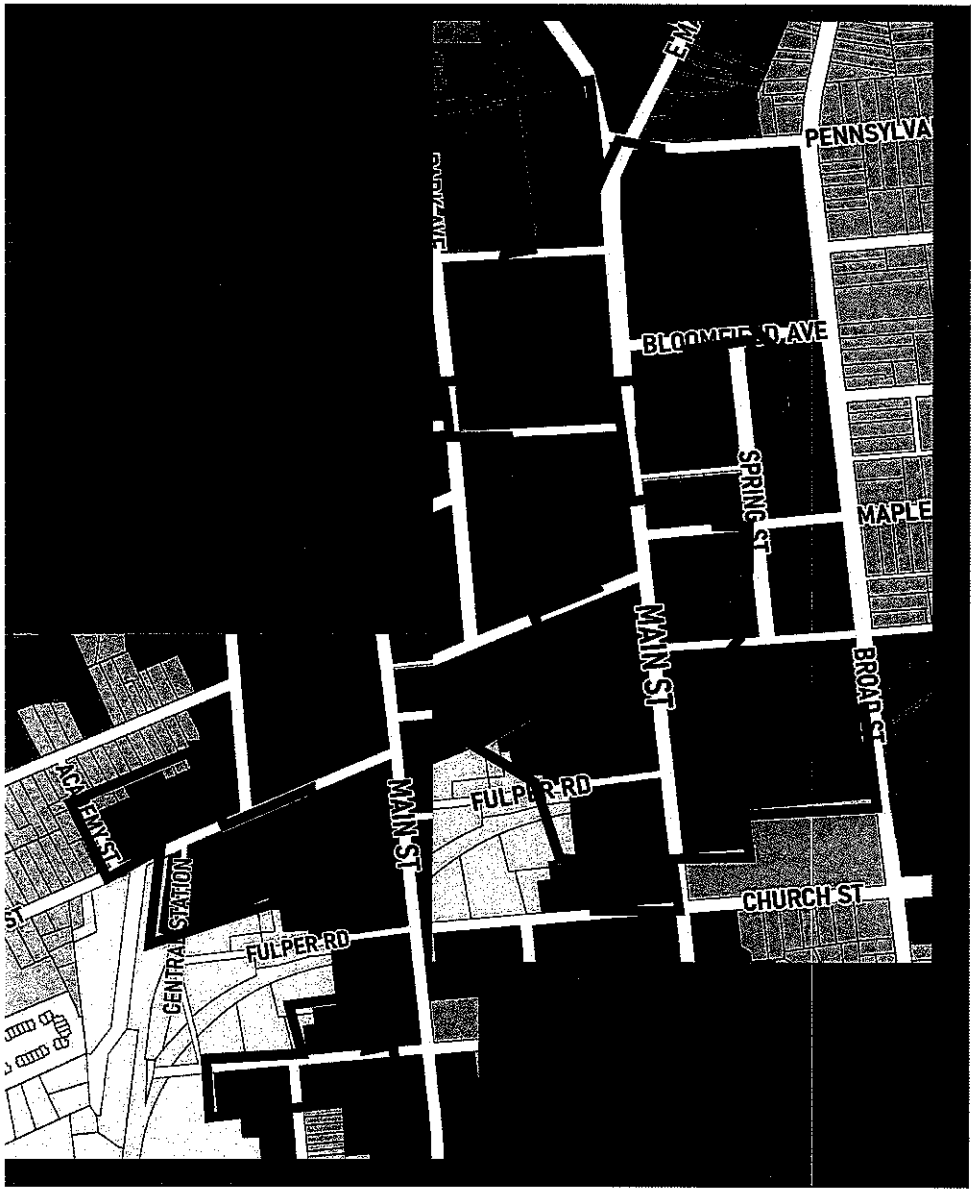


DB Downtown Business &

DB-II Downtown Business-II

Same as DB District

(SIC Codes - 40 uses)

19 Retail sales

Restaurants and breweries

4 Retail services

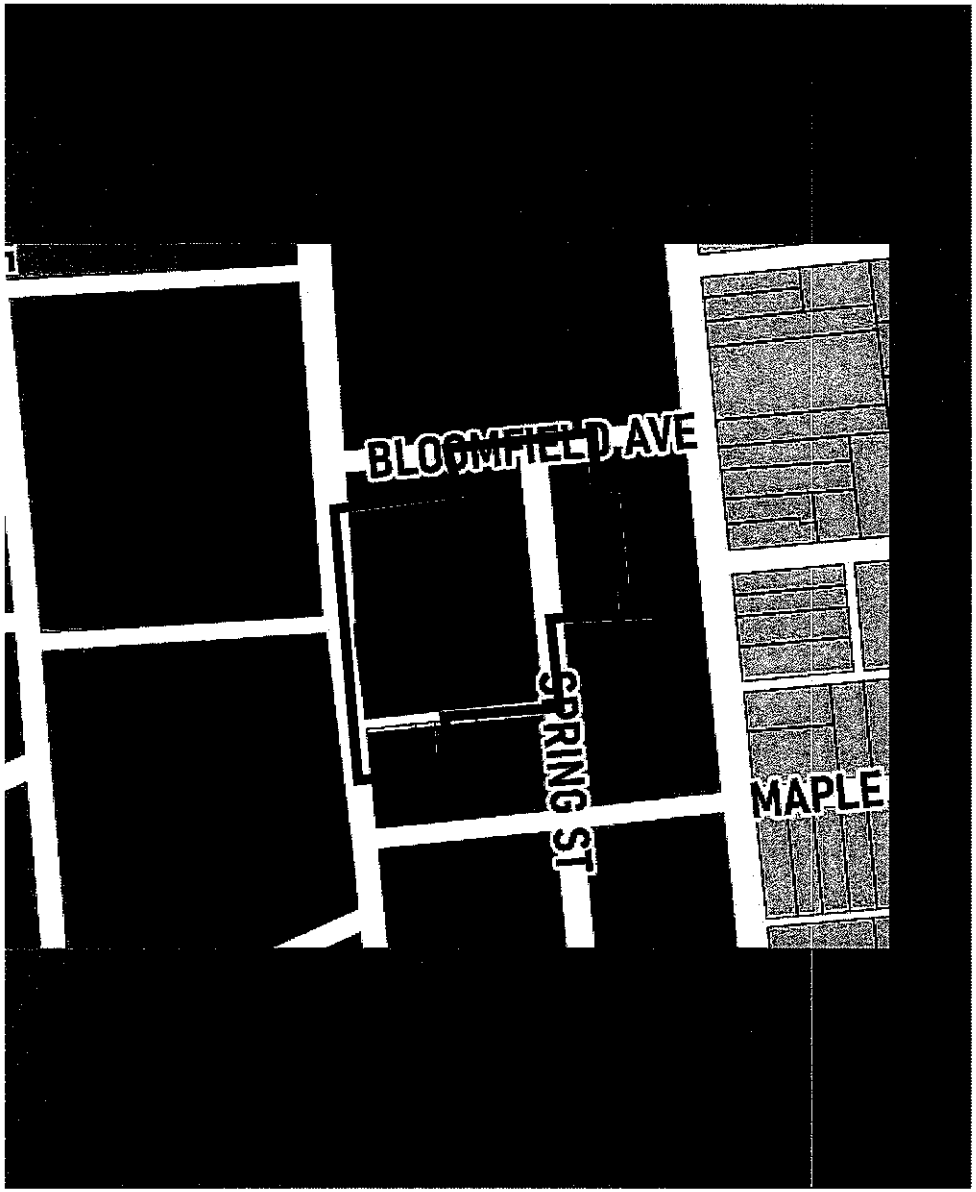
Repair services

Upper story apartments

Offices (med. and prof.)

Farmer's market

Commercial agriculture



Union Hotel Redevelopment Area

Hotel

Apartments

Retail sales and services

Restaurants and breweries

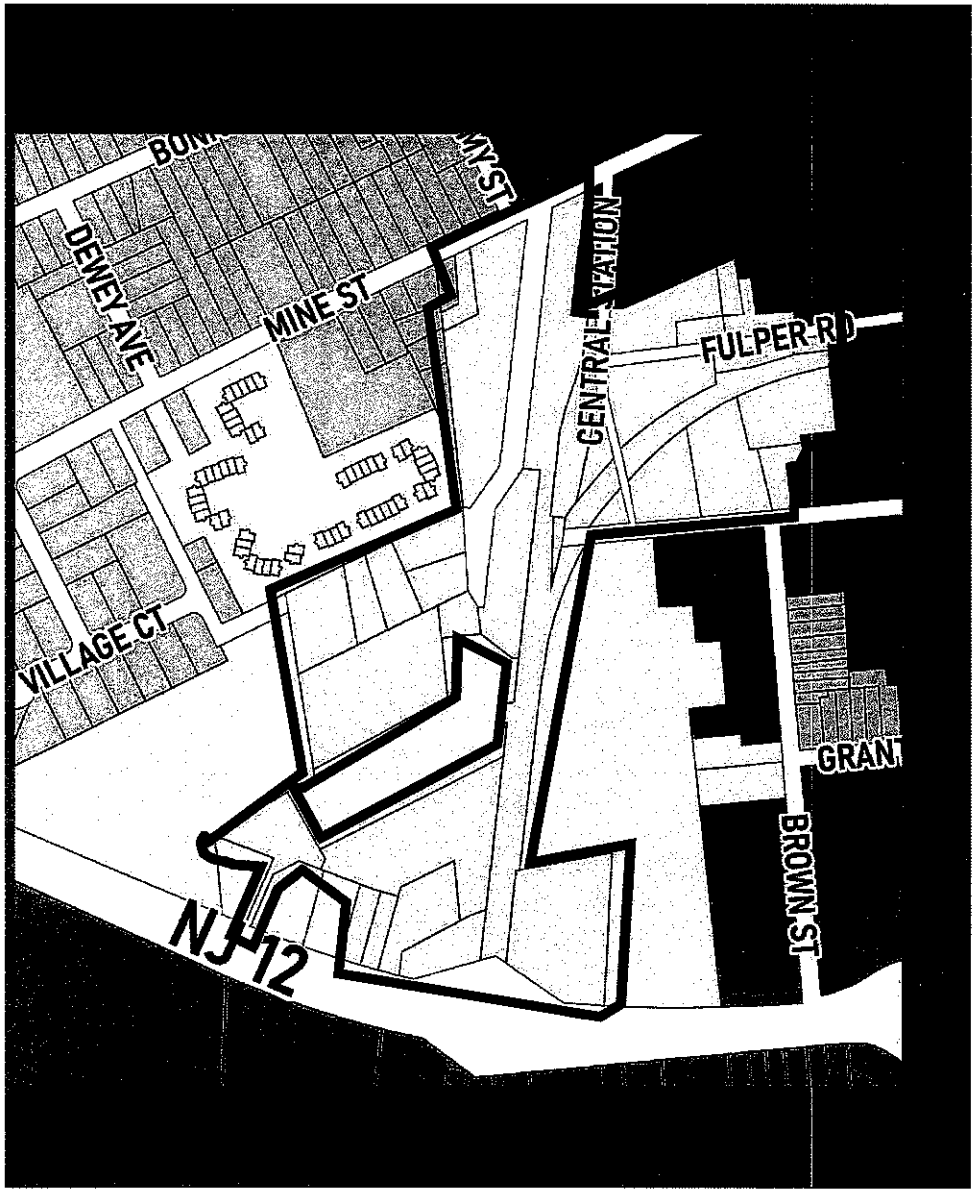
Offices (med. and prof.)

Fitness

Art studio

Performing arts

Education and training



VAS Village Artisan Shopping

Retail sales, restaurants

Indoor/Outdoor recreation

Higher education and training

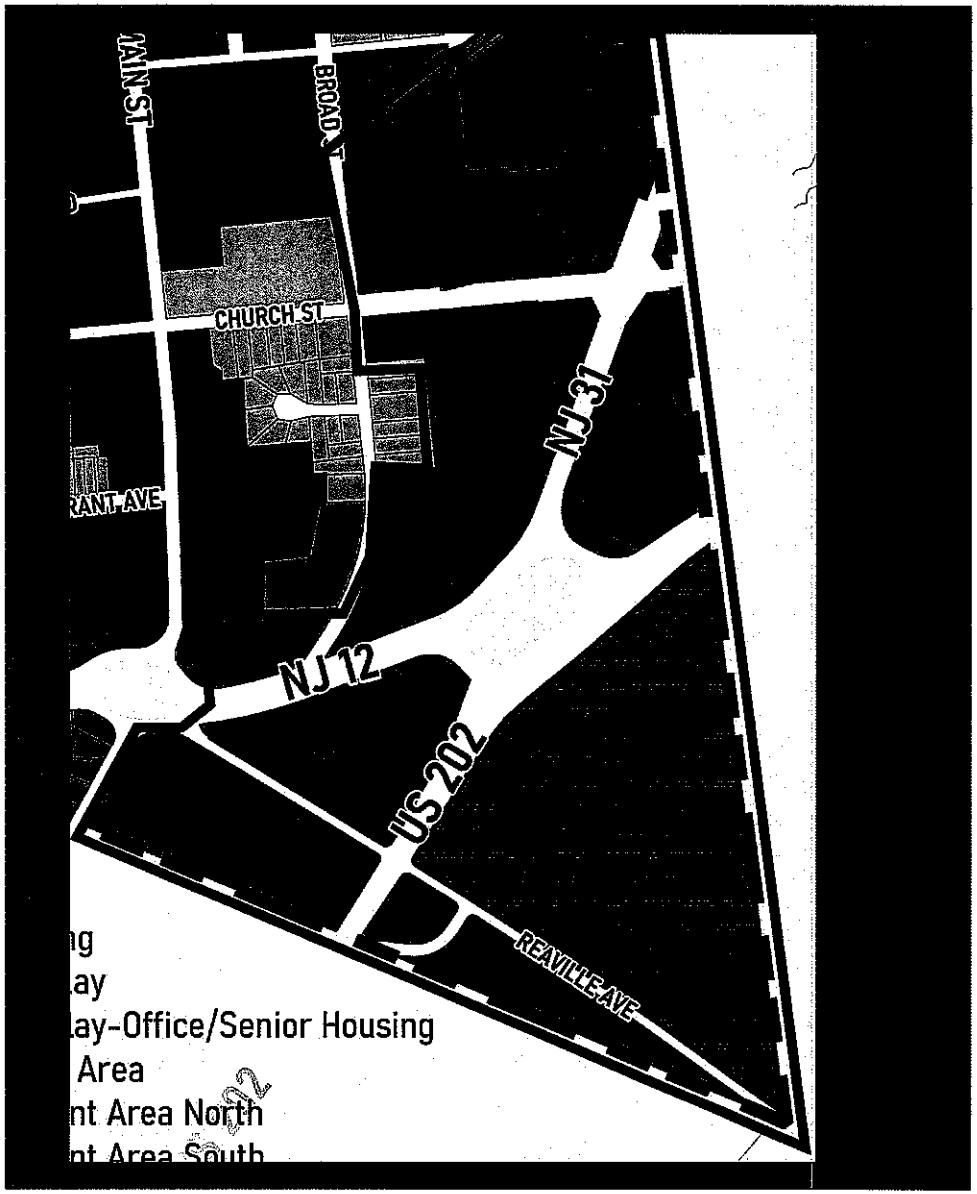
Artisan manufacturing

Artisan studios

Farmer's market

Commercial agriculture

Theater



HR & O/SS Highway Retail and Super Shopping Overlay

(SIC Codes - 52 uses)

23 Retail sales

Restaurants

7 Retail services

Contractors (indoor only)

Repair services

Offices (med. and prof.)

Fitness

Senior Citizens

Farmers market

Commercial Agriculture

TC Transition Commercial

Offices

Medical office

Childcare

Indoor and outdoor recreation

Theaters

Higher education and training

Community buildings

Club facilities

Animal hospital

Funeral homes

Research facilities

Health and fitness facilities

TC Transition Commercial

Conditional Uses

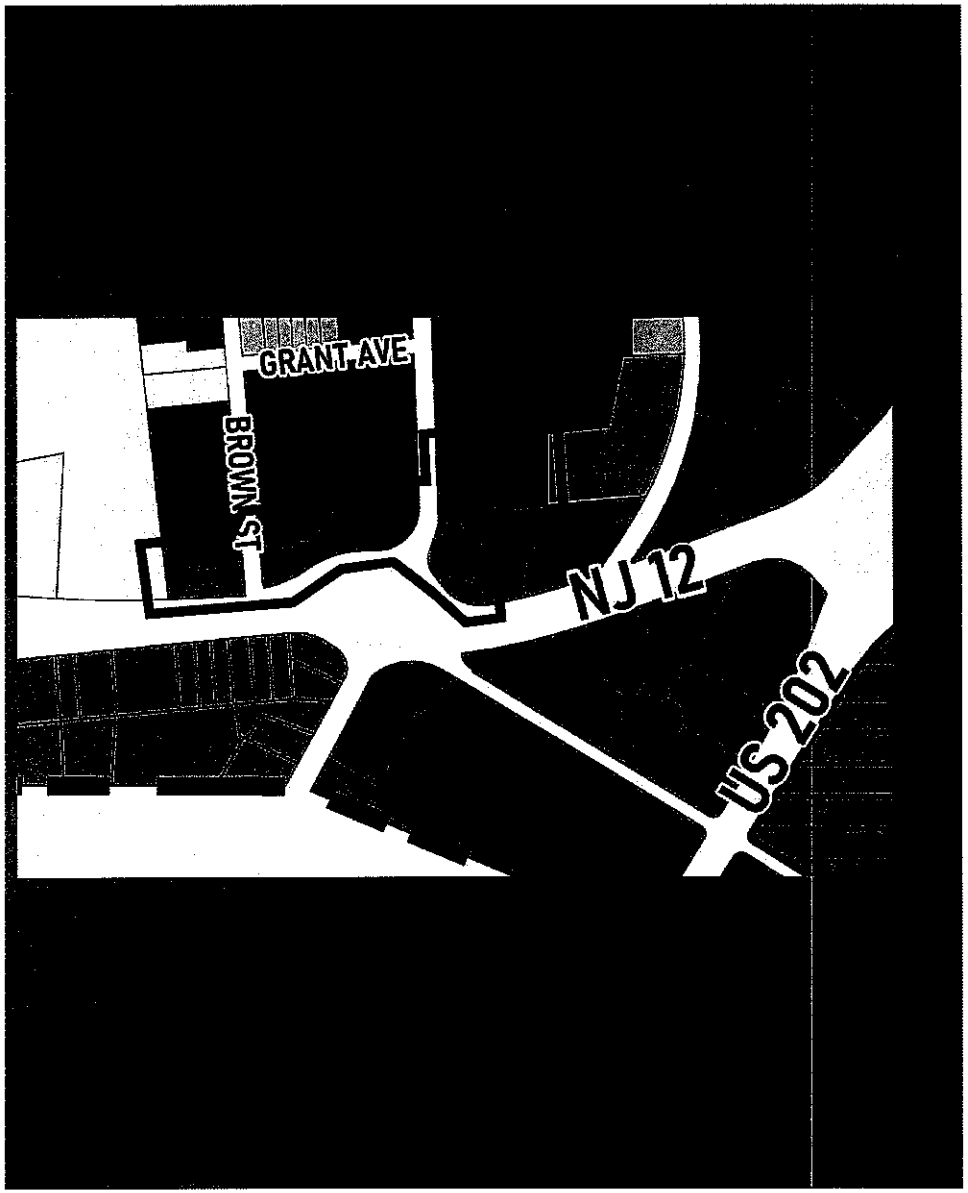
Retail

Apartments

Contractor

Light industrial

Repair facilities



CB Community Business

(SIC Codes - 34 uses)

1 and 2 family homes

10 Retail Sales

Offices (med. and prof.)

7 Retail services

Repair services

Farmers market

Commercial Agriculture

Local Factors, Influences & Opportunities

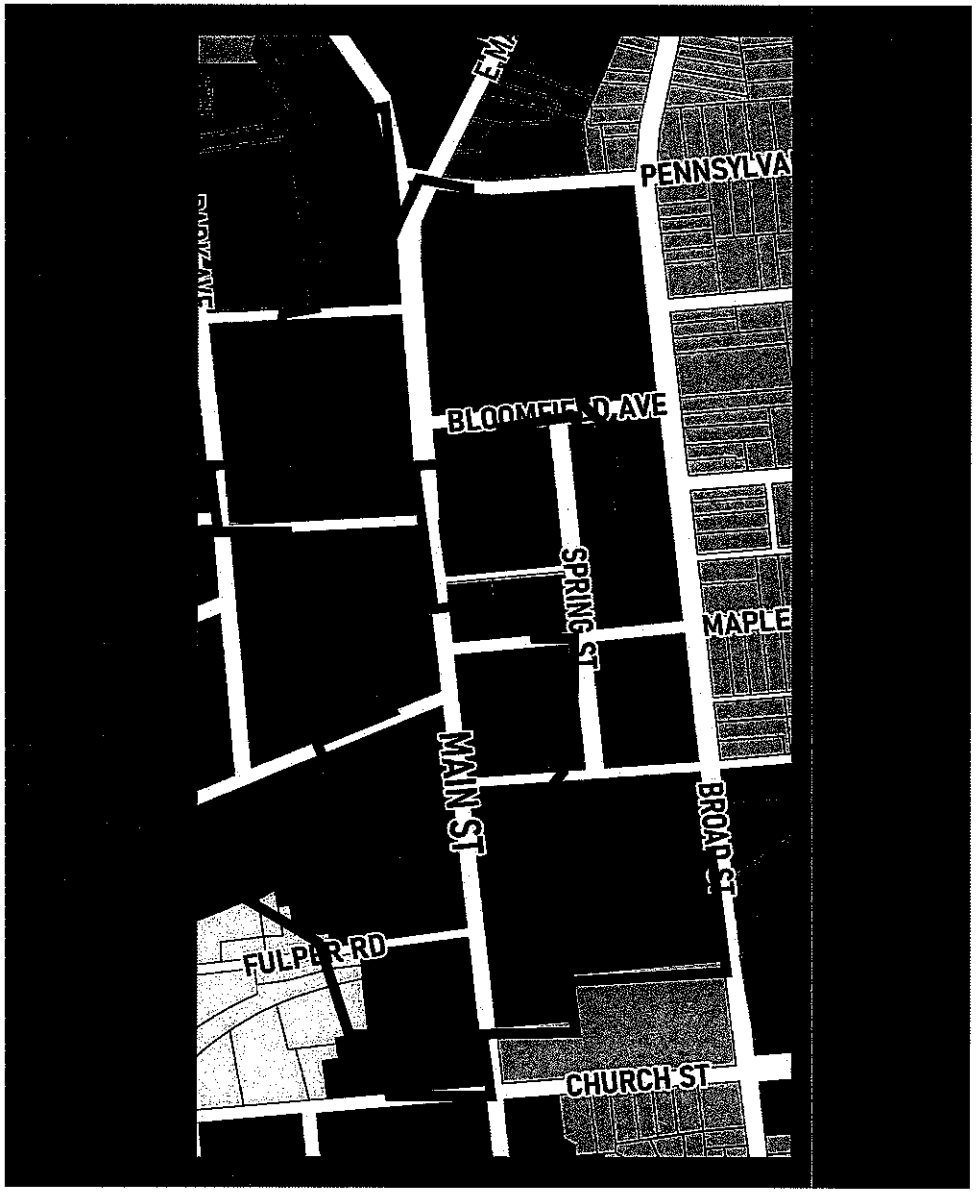
- Revised TC & VAS Districts / eliminated PO District
  - Reduced retail opportunities
- Main Street construction
- Upcoming Union Hotel plaza, restaurants, etc.
- Existing office and service uses
- New residents in approved developments
- Future redevelopment of Agway sites
- Raritan Township development

Proposed Ordinance Changes

- DB District Permitted Uses
  - Eliminate SIC Codes
  - Amended uses
- DBII District Permitted Uses
  - Eliminate SIC Codes
  - Amended uses
- HR District Permitted Uses
  - New uses

Process

- ✓ Planning Board Subcommittee
- ✓ Review with FCP and Zoning Officer
- ■ Future – Council introduction and adoption



DB Downtown Business
Proposed Uses

Retail sales and services

Restaurants and breweries

Artisan studios

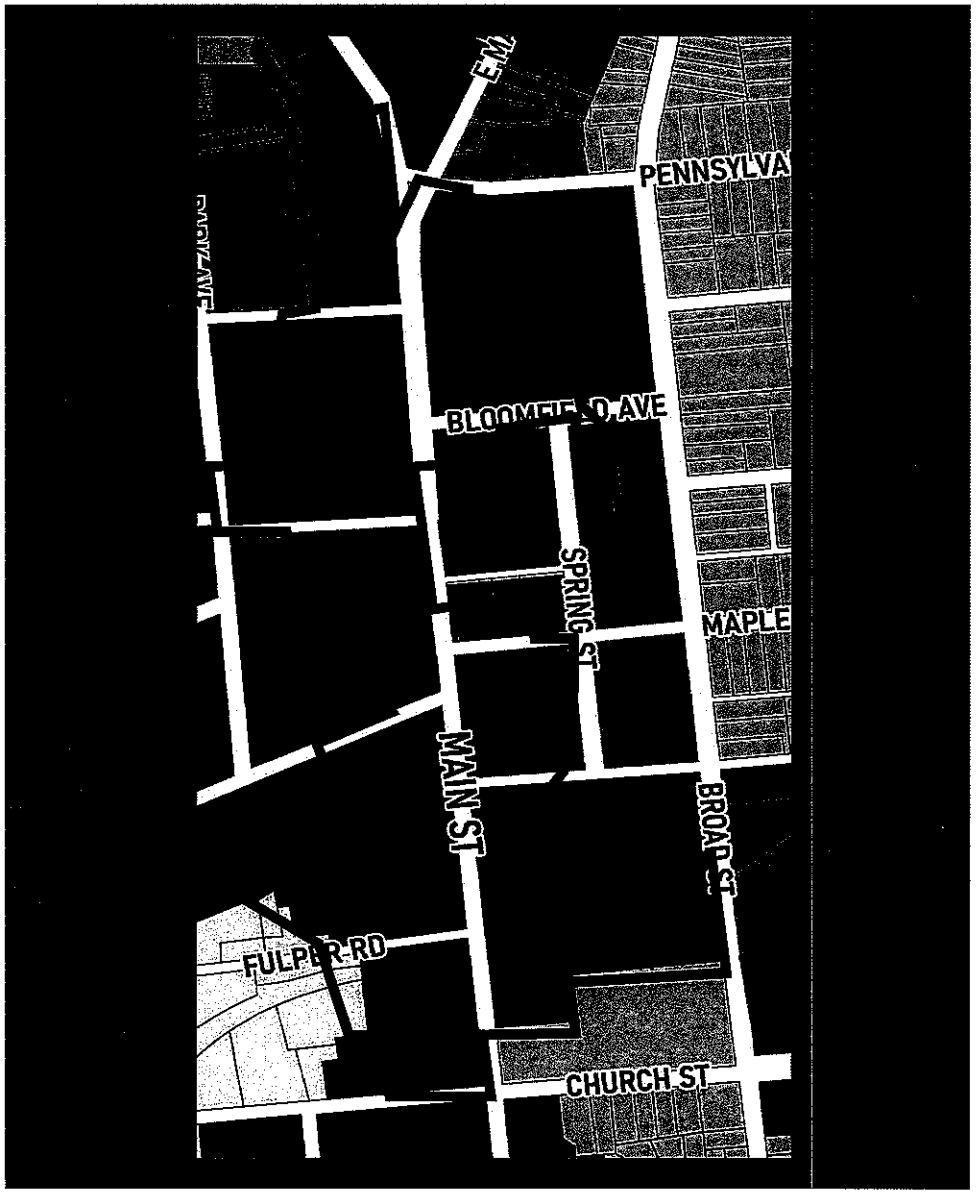
Indoor recreation

Theaters

Existing funeral homes

Existing single-family homes

Permit events and classes as accessory to permitted uses



DB Downtown Business
Proposed Uses

Excluding First Floor:

Artisan manufacturing

Health and fitness

Higher ed. and learning centers

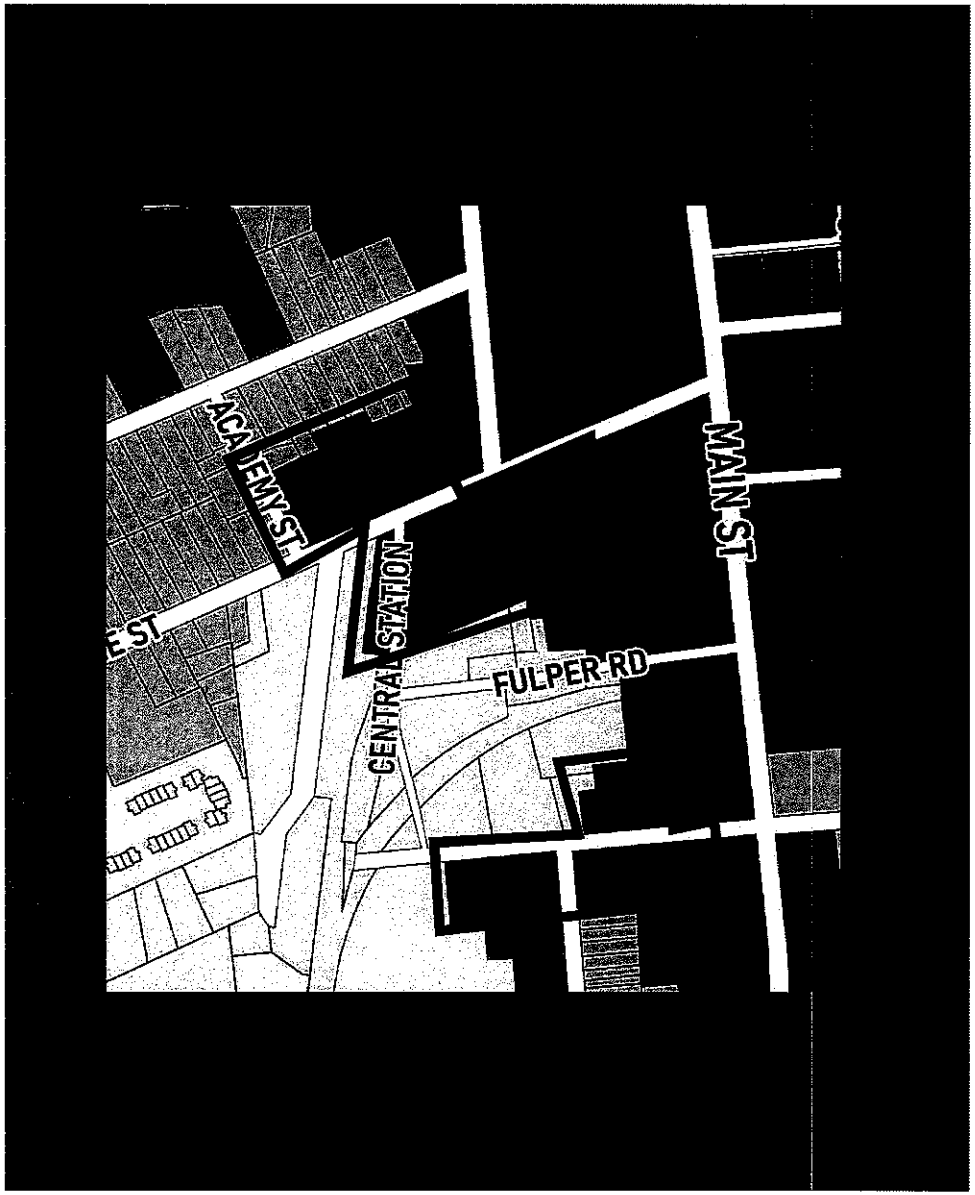
Apartments

Offices (prof. and med.)

Conditional Uses:

First floor excluded uses, except apartments, cannot face Main St.

New sf homes north of Capner St. and south of William St.



DB-II Downtown Business-II
Proposed Uses

Retail sales and services, *excluding restaurants and breweries*

Artisan studios

Offices (prof. and med.)

Existing single-family homes

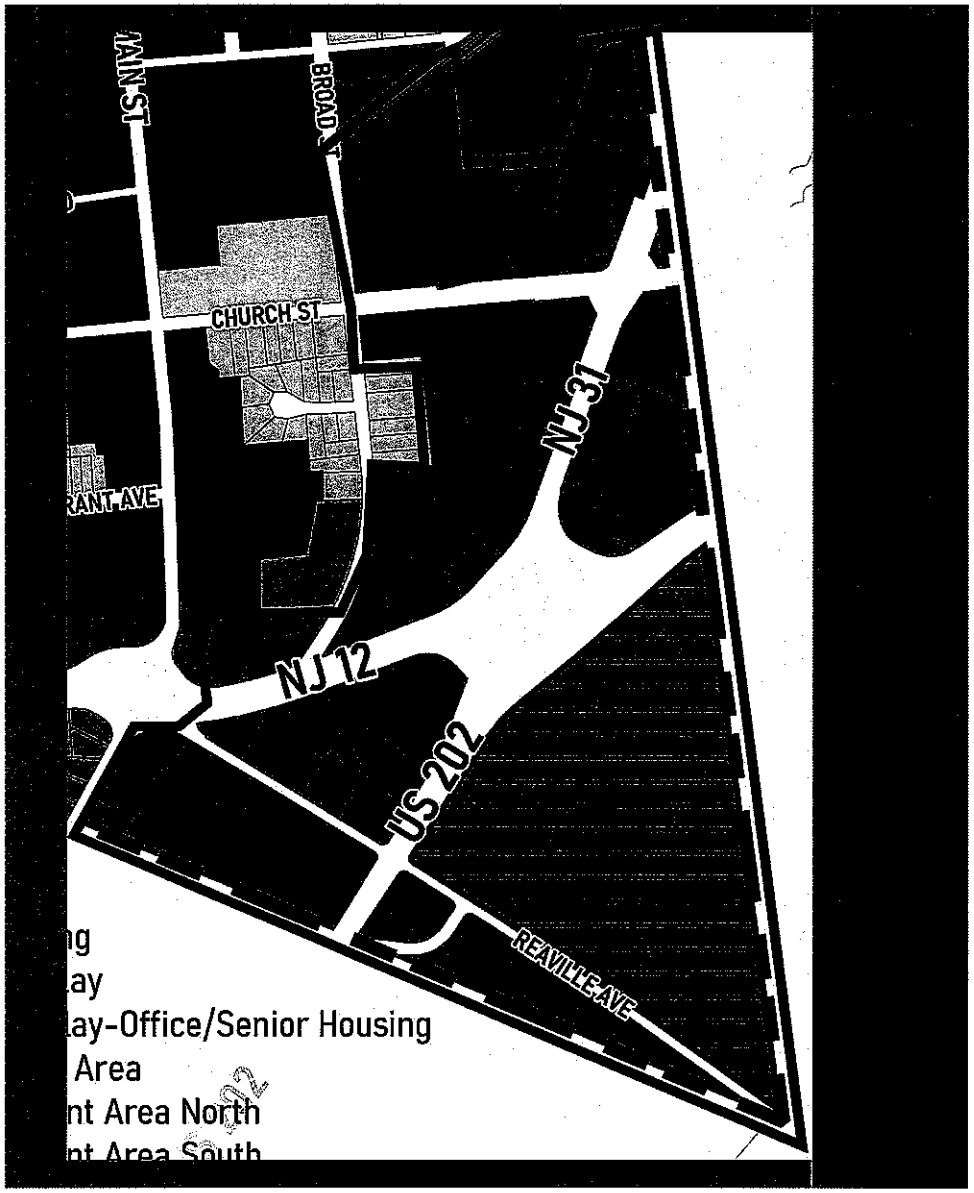
<u>Excluding First Floor:</u>

Health and fitness

Higher ed. and learning centers

Apartments

Permit events and classes as accessory to permitted uses



HR & O/SS Highway Retail and Super Shopping Overlay

New Use

Breweries

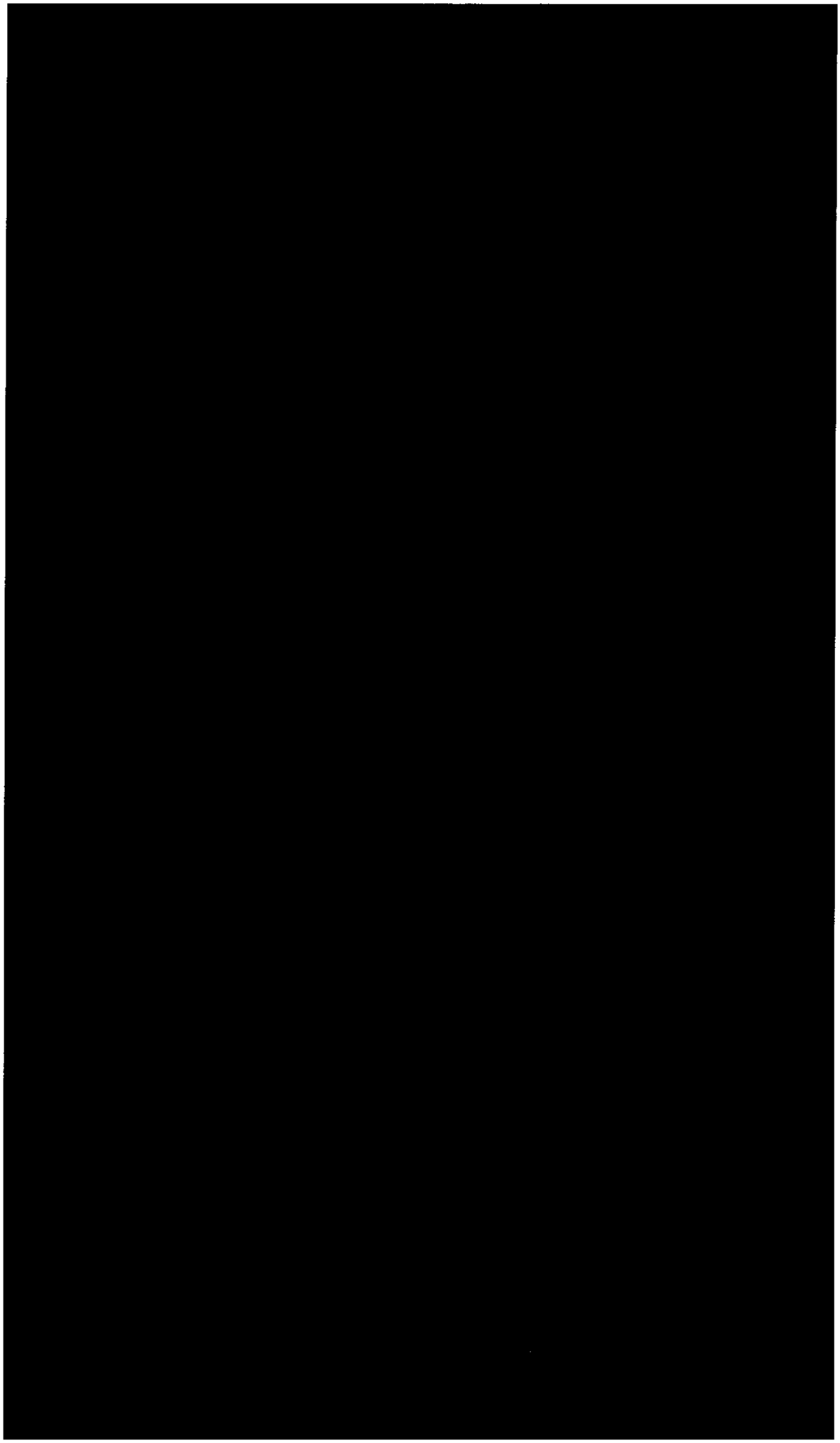
Permit events and classes as accessory to permitted uses

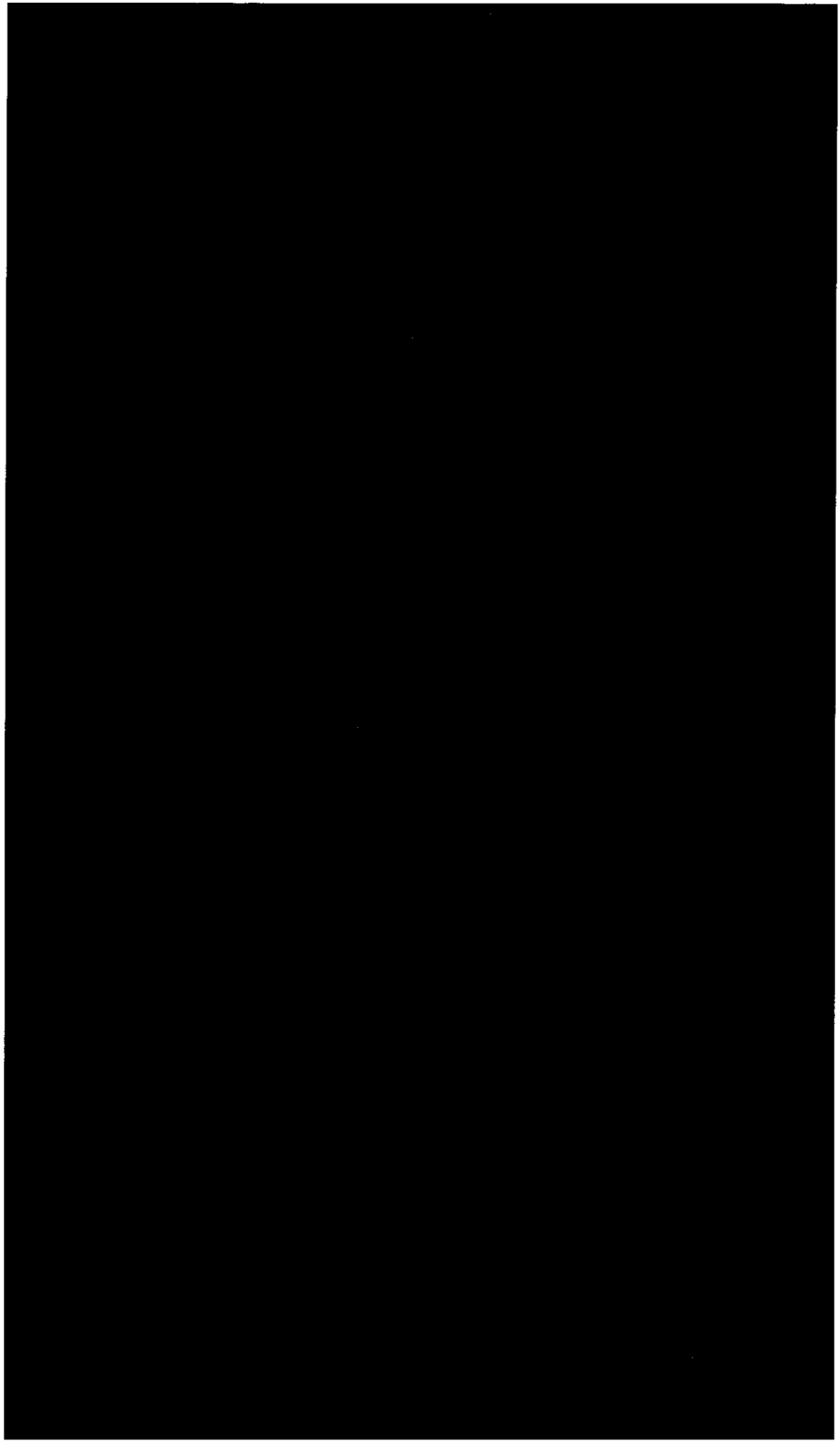
Timeframe Considerations to Realize the Vision

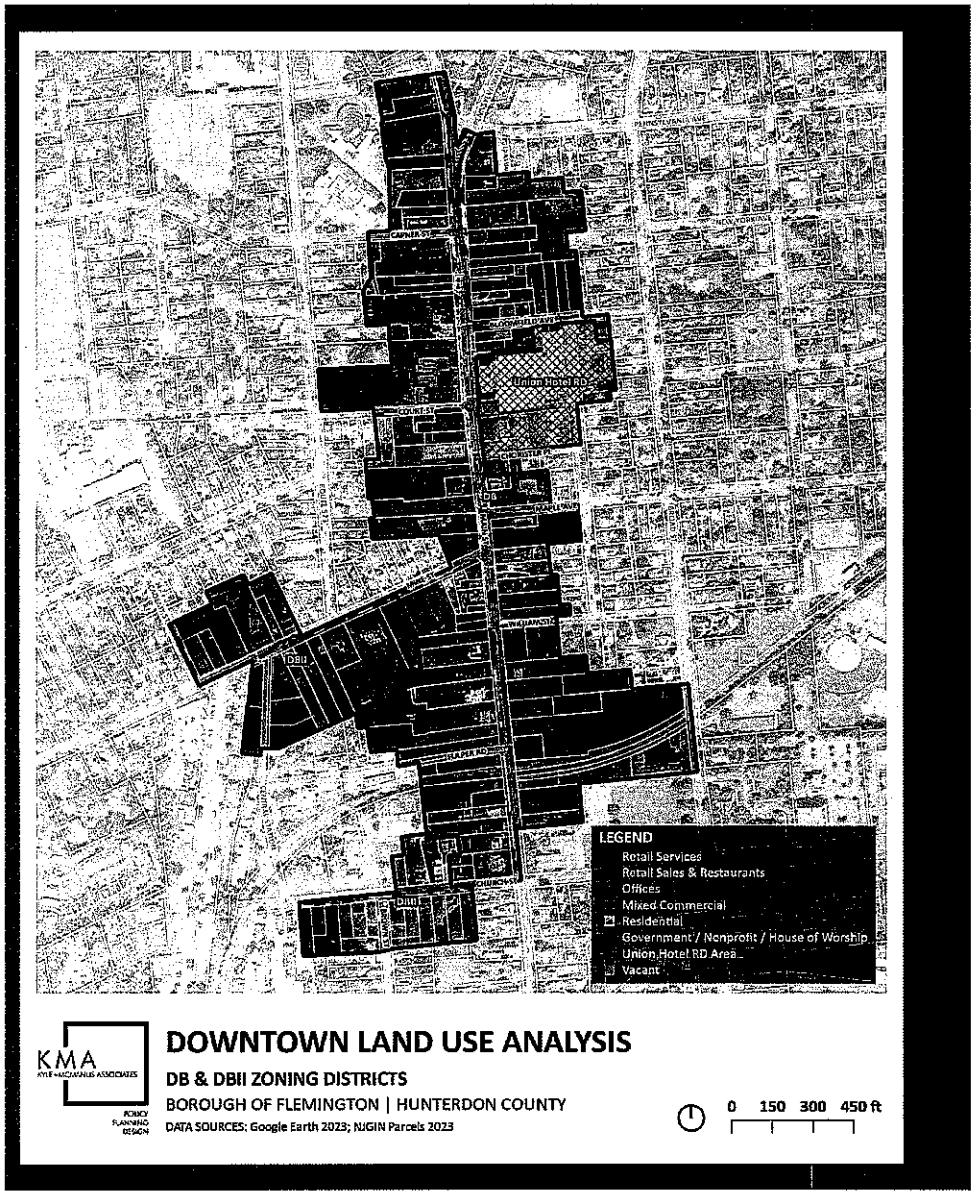
Existing uses may remain, and their space may be reoccupied by the same use

Building improvements may be necessary for new uses

Concentration / diversity / complementary uses to generate momentum



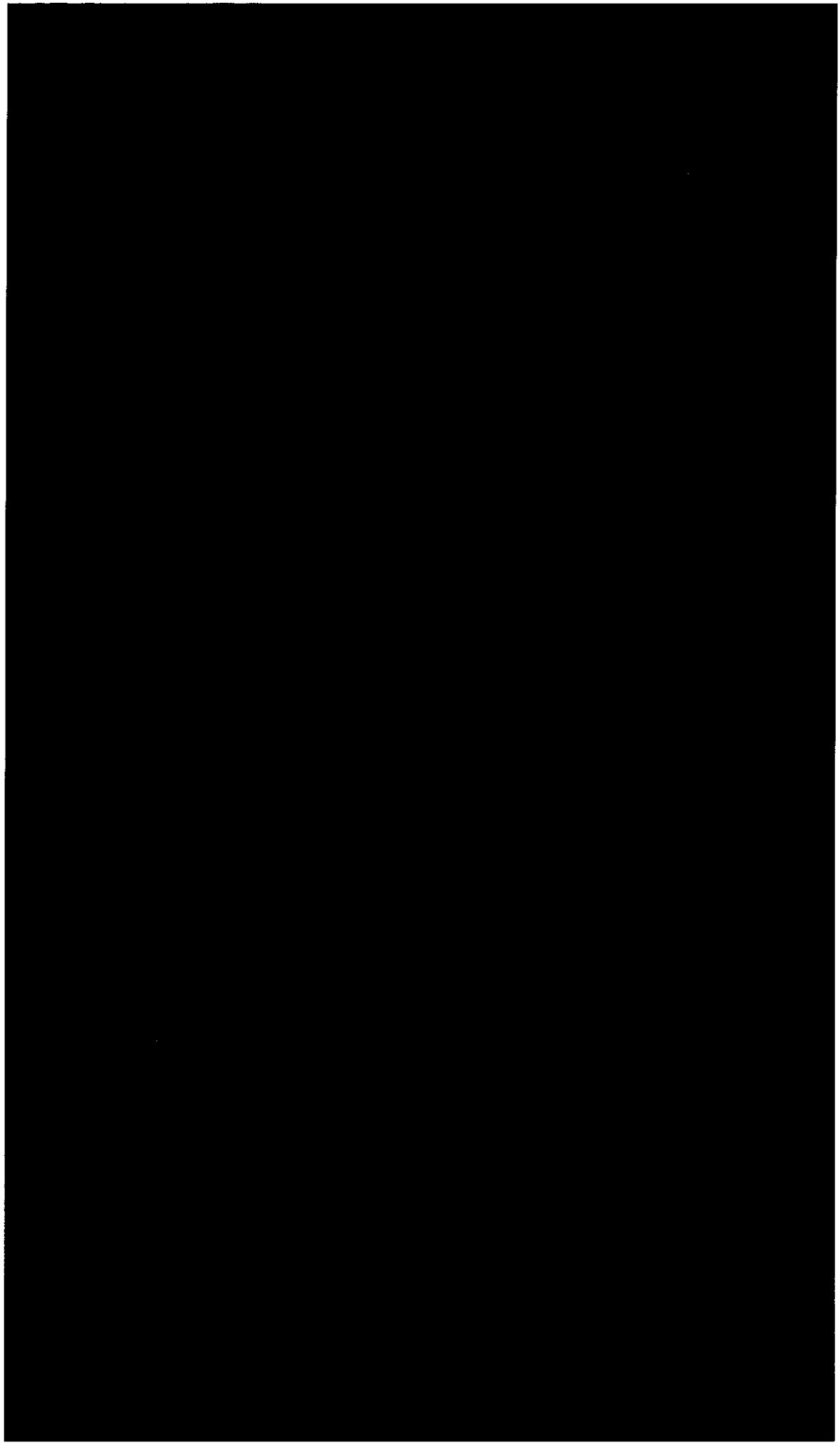


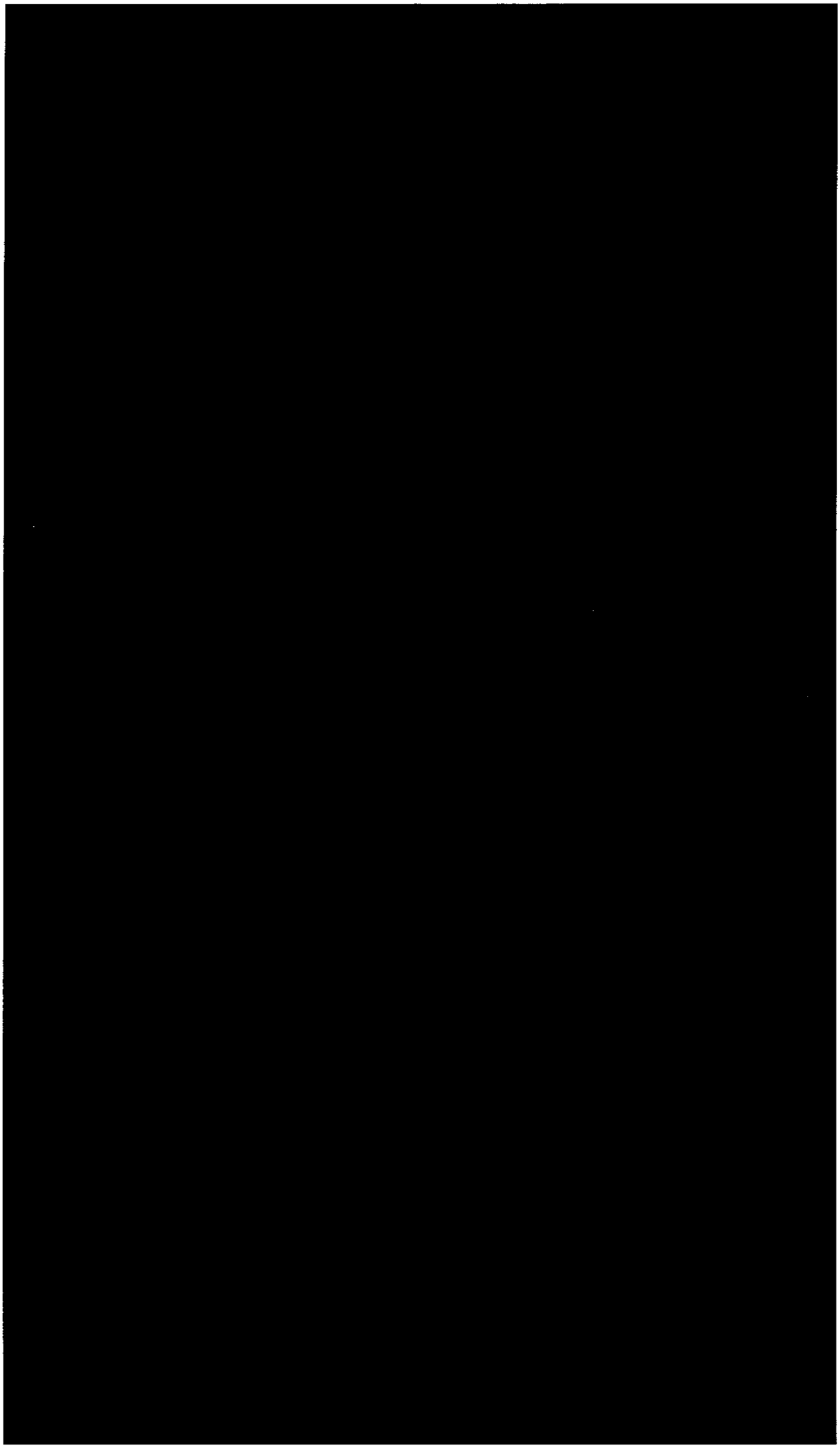


Existing Land Uses
DB & DB-II Districts

LEGEND

- Retail Services
- Retail Sales & Restaurants
- Offices
- Mixed Commercial
- Residential
- Government / Nonprofit / House of Worship
- Union Hotel RD Area
- Vacant





Local Factors, Influences & Opportunities

Ongoing

- Responsive zoning
  - Vision changes
  - Economic changes
- Responsive parking and circulation standards and improvements
  - Parking requirements
  - Public and shared parking
  - Street direction, trucks, etc.
- Public Realm - Sidewalk and parks/plaza
  - Beautification
  - Activities

Local Factors, Influences & Opportunities

- Façade improvement grant
  - 5-year tax abatement of increased value
- Ongoing DB & DB-II District Changes
  - Differentiate zones
  - Retail sales and services
  - Office (upper floors)
  - Other
- Eliminate SIC codes and other changes

What is your Vision for each District?

Walkable?

Car oriented?

Destination?

Convenience?

Sales and restaurants?

Services?

Entertainment?

Offices?

Light industrial and repair?