BOROUGH OF FLEMINGTON
REGULAR COUNCIL MEETING
SEPTEMBER 29, 2025

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:

Councilman Arias	Present
Councilwoman Susan Engelhardt	Present
Councilwoman Adrienne Fusaro	Present
Councilman Trent Levitt	Present
Council Vice President Jeremy Long	Present
Council President Tony Parker	Present
Mayor Marcia Karrow	Present

Also Present:
Sgt. Brian McNally
Chris Corsini, Borough Attorney
Carla Conner, Borough Clerk

MAYOR'S REPORT:

Mayor Karrow asked the CFO, Bill Hance to explain what happened in 2023 when the Borough returned money to the library. Mr. Hance stated previously, in 2023, the library had returned surplus money, but these unforeseen capital expenses created a current budget hole. The council discussed a proposal to provide the library with $75,000 via a bond ordinance. This addresses a shortfall caused by unexpected repairs (asbestos removal, basement waterproofing, sewage leak) that depleted the library's reserve funds. The bond would be paid back through the borough's regular budget over two to three years.

Mayor Karrow also reported at the last meeting Council President Long brought up the subject of hiring two police officers but the Council did not reach a consensus. The department is currently down three officers, with two in the academy, and one officer potentially leaving for another department, leading to increased overtime costs. Council reached a consensus to hire two new police officers.

Mayor Karrow continued that the proposed Historic Preservation Commission (HPC) Ordinance needs revision due to technicalities, including references to a non-existent borough employee position and typographical errors and Clarence Bodine's will from 2014 was finally obtained, bequeathing $171,000 to the borough for summer concerts in Court Street Park (and similar amounts to the library and a church). Due to a lack of awareness of restrictions, the interest from this fund had been used for budget holes. Going forward, only the interest will be used for concerts, and a committee will establish parameters for its distribution among local fundraising organizations.

COUNCIL MEMBER REPORTS

COUNCILMAN ARIAS:
Councilman Arias reported he's been busy doing events and working on the HPC Ordinance.

COUNCILWOMAN ENGELHARDT:
Councilwoman Engelhardt reported the August Animal Control report noted seven calls, including two cats, five wildlife incidents, and a new animal in August which is a pigeon.

Councilwoman Engelhardt also reported the State Film Commission will hold a joint press conference on October 22, 2025 at 3:00pm at the courthouse in Flemington. This aims to promote the courthouse as a filming location and expand a database of local businesses, residents' locations, and services for film productions.

COUNCILWOMAN FUSARO:
Councilwoman Fusaro reported the Parking Committee are getting very close to articulating lights at one of the intersections as well as the Borough's parking system upgrade.

COUNCILMAN LEVITT:
Councilman Levitt reported the Environmental Commission meeting will be held on October 6, 2025 and the Shade Tree Commission meeting will be held on October 20, 2025.

Councilman Levitt also reported Planner McManus informed him that the Shade Tree Commission will be receiving a draft of the Tree ordinance to review it and send to Council with comments, the Fall newsletter is available and the Rabies Clinic will be held November 8, 2025 at the firehouse.

COUNCIL PRESIDENT PARKER:
Council President Parker stated he's not going to give an actual report but wanted to discuss what's been going on in the Borough with this Council and he wants to clear the air on all of this. Council President Parker stated the Zoning ordinance and all the things that leading up to said Ordinance has been quite disappointing and disturbing. Council President Parker started by saying throughout his career he's been involved in change. In fact, early in his career, in his 20s, which is a long time ago when he was assigned to implement and manage a $75 million project in healthcare. His manager slash mentor said to him, whether you like it or not, he is about to become a change leader. Well, it turns out she was right. Whether implementing a new process, new systems, introducing innovative

technology, a new service, or revamping an entire department, or starting a new vision, all have involved change. Imagine managing people through a paradigm shift, particularly in the government sector. What he has come to realize is that regardless of organization, sector or industry, change is scary, difficult to grasp and pushes people out of their comfort zone. Council President Parker stated what is happening in Flemington is no different than what he experienced or managed in his lifetime. He likes to use the old saying, the game is the same, the name is different, and it is true. On the other hand, change opens possibilities, encourages growth, and from his experience, as change progresses, people tend to come around and embrace it. In essence, he gets it. He understands the uncomfortable part of this. But what he can say is he heard when the hotel was coming on, the hotel is going to ruin the town. Now he hears we need the hotel or there was such a struggle to approve the DNC on the first floor. Now he hears people walk from the DNC, walk the streets and spend money in the various businesses. Council President Parker addressed what he found to be very disappointing and disheartening. Specifically. the personal attacks, the mockery and committee meetings, thoughts, innuendos, style, stifling communication and trivial gossip we've been over once and shortly after that and after the introduction he received a request and emails from all the committees from all to provide information on all committee names. This is not only insulting, we have a much higher standard than curtailing to this type of nonsense and or what can be perceived as bullying or whether it's intentional and meant to be, that's the perception. There are no victims here and there are no enemies. With the attacks on political officials happening around the world, this type of sophomoric and rhetoric behavior is uncalled for and dangerous. Just because we live in Flemington does not mean we live in a bubble. There are people who struggle with mental illness here like anywhere else. What's interesting to him is that over the past year and a half this Council has collaborated with the Mayor to pass several important Ordinances and Resolutions. More importantly, two members on either side helped champion those votes to get things passed. At no time were politics ever discussed nor was it a factor. What we heard you say is that the Council has done a great job. Never that there's a mention of politics or in it was political. Yet suddenly because we disagree with parts of an Ordinance presented in 2024, it's deemed political. Some Council members met with the business community, because we are about inclusion, it was deemed political. You certainly could have done the same thing but chose not to. So, you can't say it's political. So, what is it? When Council agrees, it's not political, but when Council doesn't agree, it's political. You see, you're the only one that brings the politics. And he must believe that you are also ingrained in politics of yesteryear. And that's what you do is everything's political. It's not. Council has never, ever, ever made anything political in this Council. Council has never done that. To reiterate a commitment he made to everyone up here, he personally informed you that my job was to protect the Mayor and Council and that should not be mistaken to agreeing to pass something that is not feeling right to Council, it's two different things. What Council has, what we have not and will not let politics be a crutch or drive our decision on what is right or wrong. Instead, Council concerns ourselves with the entire community, not just a handful. Council is committed to making the Borough a welcoming place for new families, business and businesses to thrive, as well as keeping our current community tight. Someone approached him and offered that Council needs to get rid of the Democratic and Republic titles in this town because they just make division and why can't we do like other towns do? He didn't bother to answer the question, but he thought it was a very interesting question. he also would also be remiss if he doesn't do some level setting. I cannot think of a single person, single member on this

Council who advocates for large apartment complexes. No one wants large apartment complexes. On the other hand, the Borough does need housing and need diversity in housing for this town to survive. If you don't think that that is true, he would advise you that he lived by Akron, Ohio and he know how desolate it went from here when there were the tires and things like that to here. And it took years; people were moving out by the droves. It's the same thing in Greenville. It's the same thing in Cleveland. It was the same thing in parts of D.C. it was the same thing in parts of Virginia. And when you go to those places now, they've managed to do a really good job of keeping their history while bringing in new style. They've done both the same and that's the balance. It's not either or, it's both. Lastly, the other thing is that we agree with 90% of what was proposed in the past Ordinance. However, because of the 10% we don't agree with, all of a sudden, Council has daggers and we're the bad people that just should not be. Lastly, what is also disappointing is telling people on the Planning Board that is the best Planning Board since 2006. Well, I'm not sure if you realize it or not, but that's a smack in the face to anyone who served on the Planning Board since 2006. To be clear, anyone who volunteers in any way, shape or form are the best. We do not rank our volunteers and instead we appreciate them and thank them for their dedication and service. regardless of whether or not we agree, whether they agree with us or not. At the end of the day, the political affiliation is your luggage to carry, not ours. Because we don't care. One thing Council has in common is that we know how to forgive, forget and move forward. Ultimately, it is up to this point in time whether we are going to move forward as a team. And the ball is in your court.

Mayor Karrow stated she assumed Council President Parker was addressing her. Council President Parker stated he was addressing everybody to point out several things that happened, so whether that's you, the Planning Board, fellow Council members. I'm addressing everybody. Mayor Karrow stated she assumes Council President Parker is only speaking for himself because he cannot say definitively that everybody on this Council feels the same way you do about not having high density apartments because at least one Council member on this Council has expressed the desire to put up much more high-density housing.

COUNCIL VICE PRESIDENT LONG:

Council Vice President Long reported that the Office of Emergency Management is excited to welcome five new borough residents to the Community Emergency Response Team, also known as CERT. Sgt. McNally wanted everybody to know that he's very grateful to the Mayor and Council for the ongoing support of the CERT program. Over the past few years, they have stepped up to support the Borough during storm emergencies, town wide events and community safety outreach. In addition, certain members have assisted neighboring municipalities including Holland Township, Raritan Township, Lambertville, Lebanon Borough as well as the County and at the 4H Fairgrounds and Deerpath Park. Their commitment extends beyond Flemington, answering the call for both our residents and our regional partners.

Council Vice President Long also reported that the Harvest Festival is scheduled for October 4, 2025. Main Street will be closed from between Mine Street and Capner Street with restricted access to Bloomfield and Chorister Place.

Council Vice President Long continued there is a need for two officers, he will be reporting back to Council on any developments and Council Vice President Long accompanied the Fire Marshal and representatives from our Police, Fire and Rescue Squad on September 22, 2025 for a walkthrough of the Courthouse Square project.

Council Vice President Long stated he held another successful Lyceum lecture on September 25, 2025. Some exciting visuals and details about that Courthouse Square project and Liberty Village were shared. The audience seemed to enjoy learning a lot more about the aspects of those two projects. The next Lyceum Society Gathering will be held October 15, 2025 at the Hunterdon County Chamber of Commerce. The lecture is entitled the Role of the Arts in Supporting Creative Civic Participation and it will be presented by the President of Art Venture, Prem Kumar. And finally, he is looking forward to some constructive discussions, questions, commentary on agenda item 17. He has been giving this ordinance a lot of thought and he's curious as to what the path forward looks like. Council Vice President Long wanted to share that he does have some concerns about conflict and tension existing between Council and Planning Board and between any entity and the Council in this town. However, his concern is somewhat tempered as he sees that tension as essential to a healthy planning process. It's not necessarily bad for the town, but rather a system of checks and balances designed to ensure that decisions are well examined in order to ensure suitability and soundness.

PUBLIC COMMENTS – SESSION I:

Tommaso Rosas from Flemington Borough and who is one of the legal taxi drivers in the Borough stated he came to Borough Hall three or four months ago to make a complaint about the illegal taxi drivers. Right now, it's only five legal companies in Flemington and there's more than twenty illegal taxies and nothing has been done. Mr. Rosas explained riders use the illegal taxi's because the fare is cheaper but the illegal taxis do not have insurance in case they are in an accident,

Mayor Karrow stated Council had a long conversation with the Police Chief about what the issues were and it got back to the courts and the prosecutor is having trouble prosecuting, proving that these taxis were illegal because the taxi drivers is telling their passengers to say their friends being transported when they get pulled over and most of the drivers are from Raritan Township. Mayor Karrow spoke to the Mayor of Raritan Township about it and they were supposed to have a conversation about what to do. The illegal taxi drivers only have licenses in Raritan Township. Attorney Corsini stated it's a licensure issue and is enforceable at the municipal court level. Mayor Karrow will have a discussion with the Mayor of Raritan Township.

Tara Semanchik from Flemington Borough asked for clarification regarding the Flemington Free Public Library Interim Director. Ms. Semanchik thinks there's been some information stated here that's contradictory to the Board meeting minutes where Heidi Hesh has been clearly denoted as the Interim Director and then I found the meeting minutes from August here that stated she's not.

Mayor Karrow stated basically Council has no authority over the Library. Ms. Semanchick stated the operations and the logistics are not clear to the community either and Ms. Semanchick is going to be getting involved in the Board because she does not think it's clear to the community either on how the library operates and the minutes that are posted are not very detailed. Mayor Karrow stated the State of New Jersey has statute on public libraries and their guidance comes directly from the State; they are their own governing body. Ms. Semanchick stated Councilwoman Fusaro reported that Heidi Hesh was not the acting versus interim. Councilwoman Fusaro stated Heidi is the interim director, Heidi is not the acting director. The library is continuing their search for a replacement director.

Lois Stewart from Flemington Borough asked how many Police Officers will the Borough have in total after the hiring of the two on the agenda tonight. Mayor Karrow stated the Borough has sixteen officers now but the Borough had as many as nineteen at one time. Ms. Stewart also asked about the K9 dogs. Council Vice President Long explained the Resolutions that are on the agenda tonight regarding this matter.

Heather Lee owner of Groovy Collective stated as a baby business owner she wanted to know the appropriate way of kind of protecting my business and also Main Street businesses. Ms. Lee doesn't know if this is an issue on Stangl, but we do have a few people in town that do have severe mental health issues and although she's very sympathetic to that issue, there has been recent run ins with a particular person who is squatting in offices. That person has been in my building barricading people from entering their own offices and has a very long history of mental illness and kind of squatting and saying that she owns properties. She also has a history of stealing signage off people's buildings. Ms. Lee asked how does she protect herself and her business and also advocate for other businesses for run ins with types of people like this. Sgt. McNally stated the person was cited and released. Council President Parker stated the Police Department has to get back to community policing.

Sharon Rider from Flemington Borough stated she acknowledges and appreciates all the stop signs that are in the Borough now on Park Avenue but the Borough needs them on Elwood because of all the traffic that's avoiding the stop signs that are existing and are diverting to Elwood Avenue and the traffic's being increased. Ms. Rider requesting either stop signs on Elwood equal to with Broad and Park and Mine Street or speed bumps.

Mayor Karrow stated the Parking Committee does not want speed bumps because they make a lot of noise and ruin plows. The Borough is looking at putting a speed table like a mesa down on Mine Street when the Borough paves the road to slow traffic down. The Traffic Engineer looked at Elwood, Elwood and Emery and Elwood and Pennsylvania, and he did not feel it was warranted at this time.

Colleen Rossetti from Flemington Borough stated on the corner of Pennsylvania and Elwood the residents call it the 100 Central Speedway. At 7:00am coming down Pennsylvania Avenue making a left towards Elwood then making a right onto Highland Avenue the Borough has an immense number of young children now in the neighborhood riding their scooters, bikes and at the bus stops

and it's amazing how fast people drive. The neighborhood discussed requesting a four way stop at Elwood and Pennsylvania just for that reason. Mayor Karrow stated the Police Chief and the Borough Traffic Engineer went out and at that exact intersection about making it four way and they just didn't see the traffic. Mayor Karrow will have the Police Chief and Traffic Engineer do a study again in the early morning when the road is busy.

APPROVAL OF MINUTES:

Regular Session September 8, 2025

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

PROCLAMATION - PROCLAIMING THE MONTH OF OCTOBER 2025 AS PREGANCY AND INFANT LOSS AWARENESS MONTH

Councilwoman Fusaro read the Proclamation:

WHEREAS Pregnancy and Infant Loss are such a common occurrence, one that is usually not recognized, and

WHEREAS many the Borough of Flemington, Hunterdon County, State of New Jersey parents and families have suffered a miscarriage, a stillbirth or the death of an infant during delivery or shortly after birth, and

WHEREAS this devastating tragedy often occurs suddenly, without warning, as a result of miscarriage,
stillbirth, preterm birth, Sudden Infant Death Syndrome (SIDS), accident, or other causes or complications; and

WHEREAS the Borough of Flemington, Hunterdon County, State of New Jersey wishes to acknowledge the profound grief experienced by families who suffer the death of a baby; and

WHEREAS the Borough of Flemington, Hunterdon County, State of New Jersey wishes to acknowledge the existence of the babies and infants that died far too early; and

WHEREAS even the shortest lives are still valuable, and the grief of those who mourn the loss of these lives should not be trivialized; and

WHEREAS the 15th day of October is recognized in parts of the United States and in many other jurisdictions around the world, as a day of remembrance and awareness of pregnancy and infant loss; and

WHEREAS the tragedy of pregnancy and infant loss, which exacts a terrible emotional toll, may be preventable in some instances; and

WHEREAS increased awareness of the causes and impacts surrounding pregnancy and infant loss may lead to greater understanding, support and resources in communities across the Borough of Flemington, Hunterdon County, State of New Jersey; and

WHEREAS a month of remembrance honors the lives of children taken far too soon and supports grieving parents, grandparents, siblings and other family members whose lives are forever altered by the heartbreak of losing a child; and

WHEREAS those parents and families require support and understanding during their time of grief, and

WHEREAS promoting awareness of the challenges faced by those parents and families is a positive means of establishing support and understanding, and

WHEREAS recognizing Pregnancy and Infant Loss Awareness/Remembrance Month would enable the people of the Borough of Flemington, Hunterdon County, State of New Jersey to consider how, as individuals and communities, they can meet the needs of bereaved mothers, fathers, and family members, and work to prevent the causes of these deaths; and

NOW, THEREFORE, the Mayor & Council do hereby proclaim October as Pregnancy and Infant Loss Awareness month in the Borough of Flemington, Hunterdon County, State of New Jersey and encourage parents, caregivers and all residents to become educated in opportunities to prevent pregnancy and infant loss and support bereaved families when prevention is not possible;

CONSENT AGENDA:

1. RESOLUTION 2025-142 – RESOLUTION APPROVING A REFUND DUE TO 100% DIASABLED VETERAN EXEMPTION ON BLOCK 33, LOT 12

WHEREAS, on a property known as block 33, lot 12, a.k.a. 73 Mine St. an application for a 100% disabled veteran exemption was approved on 3/1/25 by the Tax Assessor for the year 2026; and

WHEREAS, the Tax Collector and Tax Assessor agree that the applicant is eligible for the exemption from 2/28/25, the date of application.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that a 100% disabled veteran's exemption be allowed on this property from 2/28/25 thru 12/31/25 and the records of the Tax Collector be accordingly adjusted.

2. RESOLUTION 2025-143 – RESOLUTION APPROVING A REFUND DUE TO 100% DIASABLED VETERAN EXEMPTION ON BLOCK 14, LOT 10

WHEREAS, on a property known as block 14, lot 10, a.k.a. 8 N. Main St. an application for a 100% disabled veteran exemption was approved on 8/28/25 by the Tax Assessor for the year 2026; and

WHEREAS, the Tax Collector and Tax Assessor agree that the applicant is eligible for the exemption from 8/28/25, the date of application.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that a 100% disabled veteran's exemption be allowed on this property from 8/28/25 thru 12/31/25 and the records of the Tax Collector be accordingly adjusted.

3. RESOLUTION 2025-144 – RESOLUTION APPROVING A REFUND FOR THE REDEMPTION OF TAX SALE CERTIFICATE ON BLOCK 13, LOT 10

WHEREAS, on a property known as block 13, lot 10, a.k.a. 43 Capner St. a tax sale certificate #24-00006 was sold to TRYSTONE CAPITAL ASSETS LLC on 10/21/24 for a premium of $1,000.00; and

WHEREAS, redemption funds totaling $2,061.79 have been received and processed by the Tax Collector.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that redemption funds in the amount of $3,061.79 be issued to TRYSTONE CAPITAL ASSETS LLC and the records of the Tax Collector be accordingly adjusted.

4. RESOLUTION 2025-145 – RESOLUTION APPROVING A REFUND FOR AN ERRONEOUS PAYMENT MADE ON BLOCK 36, LOT 28

WHEREAS, on a property known as block 36, lot 28, a.k.a. 32 Mine St., a payment totaling $18,857.74 was made by Raritan Village Shopping Ctr.; and

WHEREAS, said payment should have been submitted to Raritan Township; and

WHEREAS, the remitter has requested a refund which is recommended by the Tax Collector.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that a refund in the amount of $18,857.74 be issued to RARITAN VILLAGE SHOPPING CTR and the records of the Tax Collector be accordingly adjusted.

5. RESOLUTION 2025-146 – CHAPTER 159 – RECYCLING TONNAGE GRANT

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Flemington has received $13,075.52 for the State of New Jersey Recycling Tonnage Grant and wishes to amend its 2025 budget to include this amount as revenue,

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington requests the Director of the Division of Local Government Services to approve the insertion of this item of revenue in the budget of the year 2025 in the amount of $13,075.52 which is now available as a revenue from:

Miscellaneous Revenues: Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

State of New Jersey Recycling Tonnage Grant $13,075.52

BE IT FURTHER RESOLVED that a like sum of $13,075.52 be and the same is hereby appropriated under the caption of:

General Appropriations: (A) Operations - Excluded from "CAPS": Public and Private Programs Offset by Revenues:

State of New Jersey Recycling Tonnage Grant $13,075.52

6. RESOLUTION 2025-147 – CHAPTER 159 – CLEAN COMMUNITIES GRANT

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Flemington has received $11,512.75 of the State of New Jersey Clean Communities Grant and wishes to amend its 2025 budget to include this amount as revenue,

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington requests the Director of the Division of Local Government Services to approve the insertion of this item of revenue in the budget of the year 2025 in the amount of $11,512.75 which is now available as a revenue from:

Miscellaneous Revenues: Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

Clean Communities Grant $11,512.75

BE IT FURTHER RESOLVED that a like sum of $11,512.75 be and the same is hereby appropriated under the caption of:

General Appropriations: (A) Operations - Excluded from "CAPS": Public and Private Programs Offset by Revenues:

Clean Communities Grant $11,512.75

7. RESOLUTION 2025-148 – CHAPTER 159 – ALCOHOL EDUCATION, REHABILITATION AND ENFORCEMENT GRANT

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Flemington has received $1,650.66 for the State of New Jersey Alcohol Education, Rehabilitation, and Enforcement Grant and wishes to amend its 2025 budget to include this amount as revenue,

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington requests the Director of the Division of Local Government Services to approve the insertion of this item of revenue in the budget of the year 2025 in the amount of $1,650.66 which is now available as a revenue from:

Miscellaneous Revenues: Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

Alcohol Education, Rehabilitation, and Enforcement Grant $1,650.66

BE IT FURTHER RESOLVED that a like sum of $1,650.66 be and the same is hereby appropriated under the caption of:

General Appropriations: (A) Operations - Excluded from "CAPS": Public and Private Programs Offset by Revenues:

Alcohol Education, Rehabilitation, and Enforcement Grant $1,650.66

8. RESOLUTION 2025-149 – RESOLUTION AUTHORIZING THE STREET CLOSURES FOR THE 3RD ANNUAL HARVEST FESTIVAL ON OCTOBER 4, 2025 WITH A RAIN DATE OF OCTOBER 18, 2025

WHEREAS, the Flemington Community Partnership (FCP) annual Harvest Festival will be held on October 4, 2025 with a rain date of October 18, 2025; and

WHEREAS, the Harvest Festival will take place from 11:00am to 7:00pm; and

WHEREAS, the need to close the following streets in between the hours of 7:00am to 9:00pm is essential to the Festival:

- Main Street from Capner Street to Mine Street
- Maple Avenue from Spring Street to Main Street
- Chorister Place from Spring Street to Main Street
- Court Street from Park Avenue to Main Street
- Bloomfield Avenue from Broad Street to Main Street

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that the above streets are closed between the hours of 7:00am to. 9:00pm.

9. RESOLUTION 2025-150 – RESOLUTION AUTHORIZING THE RETIREMENT OF K9 DOG KITA AND TRANSFER ALL RESPONSISBILITIES TO PATROLMAN ZYTKO AS A CIVILIAN COMPANION

WHEREAS, the Flemington Police Department will retirement K9 Kita and transfer all responsibilities to Patrolman Zytko as a civilian companion.

WHEREAS, K9 Kita, a 7½-year-old Black Labrador who has served the department since 2019, will retire. Due to her age, she will remain with Patrolman Zytko as a civilian companion who accepts all responsibilities to care for Kita such as medical, food, and housing.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Flemington authorize the retirement of K9 dog Kita to Patrolman Zytko.

10. RESOLUTION 2025-151 – RESOLUTION AUTHORIZING THE DONATION OF K9 ELZA TO THE UNION COUNTY SHERIFF'S DEPARTMENT

WHEREAS, the Flemington Police Department will be donating K9 Elza to the Union County Sheriff's Department.

WHEREAS, K9 Elza, a 3-year-old German Shepherd and explosives-detection K9, will continue her law-enforcement career. Given the increasing need for her skills, she will be repurposed with a new handler at the Union County Sheriff's Department.

WHEREAS, on October 2, 2025, the Flemington Police Department will formally donate Elza to that agency.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Flemington authorize the donation of K9 Elza to the Union County Sheriff's Department.

11. RESOLUTION 2025-152 – RESOLUTION AUTHORIZING THE DONATION OF REMAINING K9 FUNDS TO STOCKTON VETERINARY HOSPITAL

WHEREAS, over the years, our community has been incredibly generous in supporting the K9 program. Stockton Veterinary Hospital has provided unlimited care to our dogs, and without their partnership, our program would not have been possible. Once all K9-related costs are covered, any remaining funds in the K9 donation account will be donated to Stockton Veterinary Hospital to continue their work caring for animals in need, honoring the spirit in which the community contributed.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Flemington authorize the donation of remaining K9 Funds to Stockton Veterinary Hospital.

12. RESOLUTION 2025-153 – RESOLUTION APPROVING A REFUND FOR THE REDEMPTION OF TAX SALE CERTIFICATE ON BLOCK 2, LOT 43

WHEREAS, on a property known as block 2, lot 43, a.k.a. 3 West Rd. a tax sale certificate #24-00002 was sold to Bala Partners LLC on 10/21/24 for a premium of $26,500.00; and

WHEREAS, redemption funds totaling $6,178.52 have been received and processed by the Tax Collector.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that redemption funds in the amount of $32,678.52 be issued to Bala Partners LLC and the records of the Tax Collector be accordingly adjusted.

13. RESOLUTION 2025-154 – RESOLUTION APPOINTING NEW MEMBERS TO THE CERT TEAM

WHEREAS, the Mayor and Council of the Borough of Flemington wish to add new members to the CERT Team; and

WHEREAS, by the Mayor and Council of the Borough of Flemington that the following people are hereby appointed to the CERT Team:

Paul Kizmann
Patricia Kerr
Christopher Gucker
Joe Abraham
Katherine Abarca

NOW THEREFORE BE IT RESOLVED, this Resolution will take effect immediately.

14. RESOLUTION 2025-155 – RESOLUTION AUTHORIZING A CONTRACT WITH R & S LANDSCAPE TO ABATE PUBLIC SAFETY HAZARDS AT 146 MAIN STREET, BLOCK 38 LOT 2, AND AUTHORIZING THE TAX COLLECTOR TO LIEN THE PROPERTY

WHEREAS, 146 Main Street Block 38 Lot 2 is in disrepair; 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 Caraga Properties LLC in the amount of $350.00 to abate current hazards and ongoing lawn mowing, snow removal, not to exceed $3,000.00; and

WHEREAS, future mowing and snow removal 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 Caraga Properties LLC in the amount of $350.00 to abate the current hazards on Block 38 Lot 2, known as 146 Main Street.

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 $3,000.00.

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.

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

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

Motion carried.

INTRODUCTION OF ORDINANCE:

15. ORDINANCE 2025-23 – AN ORDINANCE AMENDING CHAPTER 4 (LICENSING) OF THE MUNICIPAL CODE OF THE BOROUGH OF FLEMINGTON TO CREATE A NEW SECTION 4-18 ENTITLED "DUMPSTERS"

WHEREAS, the Borough of Flemington seeks to regulate the placement of dumpsters in the public right-of-way; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Flemington, in the County of Hunterdon, State of New Jersey, that a new section to Chapter 4 (Dumpsters) shall be created at Section 4-18 and shall be entitled "Dumpsters" and shall appear in the code as follows:

SECTION I.

Section 4-18 is hereby created in Chapter 3 of the municipal code of the Borough of Flemington and shall be entitled "Dumpsters."

SECTION II.

Section 4-18.1 is hereby created and shall be entitled "Purpose" and shall contain the following text (all text novel):

The purpose of this Section is to regulate the encroachment of privately contracted dumpsters in the public right-of-ways of the Borough of Flemington.

SECTION III.

Section 4-18.2 is hereby created and shall be entitled "Dumpsters Related To Construction Projects" and shall contain the following text (all text novel):

1. No more than one (1) privately contracted dumpster shall be permitted in the right-of-way of the Borough of Flemington in association with construction projects underway on properties adjacent to the applicable right-of-way.

2. Any dumpster contracted and situated pursuant to the foregoing shall be no larger than thirty (30) cubic yards and shall be placed in the right-of-way without charge or fee for no more than a period of thirty (30) days. An applicant who has been issued a permit under this section for an initial thirty (30) days may apply to the issuing authority for a single thirty (30) day extension that may be granted at the discretion of the issuing authority.

3. Any dumpster contracted and situated pursuant to the foregoing shall be disclosed and licensed as part of the building permit for the applicable project, with said permit serving as a license to permit the foregoing.

SECTION IV.

Section 4-18.3 is hereby created and shall be entitled "Other Permissible Dumpsters" and shall contain the following text (all text novel):

1. In addition to Section 2 hereof, no more than one (1) privately contracted dumpsters shall be permitted in the right-of-way adjacent to any individual property in the Borough of Flemington in association with domestic cleanups and other associated purposes.

2. Any dumpster contracted and situated pursuant to the foregoing shall be located adjacent to the property where the authorized cleanup is occurring and shall be no larger than thirty (30)

cubic yards and shall be placed in the right-of-way without charge or fee for no more than a period of thirty (30) days.

3. A license under this Subsection shall be issued by the Borough Clerk in the manner prescribed in Section 1 hereof (General Provisions) and shall, in the event the requesting party is a tenant and as a prerequisite for the issuance of the license, contain a written authorization on behalf of the property owner consent to the placement of the dumpster adjacent to the owner's property.

4. An applicant who has been issued a permit under this section for an initial thirty (30) days may apply to the issuing authority for a single thirty (30) day extension that may be granted at the discretion of the issuing authority.

SECTION V.

Section 4-18.4 is hereby created and shall be entitled "Penalties; Enforcement" and shall contain the following text (all text novel):

1. Any violation of the durational requirements of a dumpster license shall result in a $50 per day fine for the first ten (10) days of the violation.

2. If the offending dumpster is not removed with the ten (10) day initial penalty period, the Borough of Flemington shall contract to remove the said dumpster with fees and costs associated with said removal assessable and lienable against the property owner and property in question.

3. In addition to the foregoing, any person, firm, corporation or business violating this section shall, upon conviction, pay a fine not exceeding $1,000.00.

SECTION VI. If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION VII. Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION VII. This ordinance shall take effect upon adoption and publication in the manner prescribed by New Jersey general law.

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

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

Motion carried.

Public Hearing will be held October 14, 2025

16. ORDINANCE 2025-25 – AN ORDINANCE AMENDING CHAPTER 34 (FILMING) OF THE BOROUGH'S MUNICIPAL CODE TO PROVIDE FOR COMPLIANCE WITH CERTAIN TRAFFIC REGULATIONS

WHEREAS, the Borough Council wishes to amend Chapter 34 (Filming) of the Borough's municipal code to comply with certain traffic regulations;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Flemington, in the County of Hunterdon, State of New Jersey, that Chapter 34 (Filming) shall be amended as follows:

SECTION I.

Section 34-5 ("General Regulations") is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

a. The holder of a permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Borough of Flemington Police Department with respect thereto.

b. The holder of a permit shall conduct filming in such a manner so as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. The holder shall avoid any interference with previously scheduled activities upon public lands and limit to the extent possible any interference with normal public activity on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three days prior to the requested shooting date and be informed that objections may be filed with the Film Commission, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Film Commission within two days of the requested shooting date.

c. The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris and rubbish during filming and shall be responsible for removing all equipment, debris and other rubbish from the filming location upon the completion of filming or the expiration of the permit, whichever comes first. If the Borough Film Commission determines that the filming will produce excessive debris and other rubbish, the Borough Film Commission may require the posting of a letter of credit, bond or other performance guaranty in addition to the bond required pursuant to § 34-4 herein to cover possible costs incurred.

d. Filming shall take place within the hours agreed upon by the Borough Film Commission and the film company.

e. Each film location shall have an off-duty Borough of Flemington police officer, or a police officer approved by the Borough of Flemington Police Chief, at the film location, the cost of which shall be paid by the film company, according to the agreed upon public safety plan, unless the Chief shall determine that no officer is necessary. The Borough Film Commission, upon advice of the Borough Police Chief, reserves the right to require more than one police officer be on site during filming. The cost of said police officer(s) shall be paid by the applicant **in a manner consistent with Chapter 7 (Traffic), Section 7-15.7 (Payment and Insurance for Services Rendered by Off-Duty Police Officers) of the municipal code of the Borough of Flemington**. In the event that any type of pyrotechnics is part of the filming, the Borough Film Commission may require the presence of a fire inspector and/or fire apparatus, the cost of which shall be paid by the applicant. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.

f. No public street in the Borough may be closed without the express permission of the Mayor and Council.

g. If any inspections such as fire, electrical, building or plumbing are required, the costs shall be paid by the film company. The Borough Film Commission reserves the right, on a case-by-case basis, to require the approval of any Borough Department or agency for activities which such Department or agency oversees or regulates.

h. Copies of the approved permit shall be sent to the Borough Police Department and Fire Department(s) and New Jersey Film Commission at njfilm@njeda.gov before filming takes place. The applicant shall permit the Fire Department(s) or other Borough inspectors to inspect the site and the equipment to be used and shall comply with all safety instructions issued by the Fire Department(s) or other Borough inspectors.

i. Reimbursement of certain costs. In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Borough for any lost revenue, such as repairs to public property or other revenues that the Township was prevented from earning because of filming.

j. Waiver of requirements of chapter by Film commission. The Film Commission may authorize a waiver of any of the requirements, provisions or restrictions of this chapter if the Commission determines that a waiver thereof may be granted without endangering the public health, safety and welfare. In determining whether to issue a waiver, the Commission shall consider the following factors:

1. Potential traffic congestion at the location.

2. The applicant's ability to remove the applicant's vehicles and equipment from the public streets or other public property.

3. The extent to which the applicant is requesting restrictions on the use of public streets or public parking facilities during filming.

4. The nature of the filming, including whether filming will take place indoors or outdoors, and the proposed hours for filming.

5. The extent to which the filming may affect adjoining and nearby property owners and occupants.

6. The Borough's prior experience with the applicant, if any.

SECTION VII. If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION VIII. Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION IX. This ordinance shall take effect upon adoption and publication in the manner prescribed by New Jersey general law.

A ***MOTION*** was made by Council Vice President Long to introduce the Ordinance, second by Council President Parker and on Roll Call the following was recorded:

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

Motion carried.

Public Hearing will be held October 14, 2025

PUBLIC HEARING:
17. ORDINANCE 2025-21 – AN ORDINANCE AMENDING CHAPTER 12 "LAND DEVELOPMENT DEFINITIONS" OF THE BOROUGH CODE, CHAPTER 16 "DESIGN AND PERFORMANCE STANDARDS" OF THE BOROUGH CODE, AND CHAPTER 26 "ZONING" OF THE BOROUGH CODE

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

Dennis Schoeb from Flemington Borough stated he would like to comment about potential downtown business zoning changes from a resident's perspective. First, my wife Maria and I would like to thank the Mayor and Borough Council for all they do for Flemington Borough. He would also like to say that he has watched every Borough Council meeting video since he moved into Flemington Borough in 2021. Regarding the Borough Council's proposed downtown business zoning changes that directly impact historic Main Street, it has been clear that landlords had plenty of input with the Borough Council and significant influence on the proposed Ordinance. As a resident of Flemington who now pays over $30,000 a year in property taxes, which he believes is probably a lot more than many landlords, he is asking Council where was the open forum inviting residents to provide their view on what they want for downtown, why didn't that happen before developing and introducing the proposed Ordinance. With Courthouse Square opening soon, we believe residents don't want many more new apartments on Main Street. In addition, he believes many residents are not interested in having valuable parking spaces behind existing Main Street buildings taken away to allow landlords to expand buildings over those parking spaces. He also saw multiple Council meetings where the parking committee was recommending permit parking for Flemington residents to ensure they don't have parking problems, especially since Courthouse Square is not providing free parking for their apartments which will certainly cause a parking problem. Why is the Council waiting for a problem that is inevitable to happen before proactively addressing the issue in advance of the problem. Mr. Schoeb stated regarding the proposed Ordinance, in addition to concerns promoting the addition of more apartments on Main Street and allowing to eliminate existing parking in the rear properties, he is disappointed that the Borough Council is not willing to make a bold statement grandfathering existing office space on the first floor on Main Street but not allowing additional offices on the first floor facing Main Street to ensure the Borough sends a clear message to people, including entrepreneurs, that they want their retail services, experiences, businesses and restaurants on Main Street. Many towns have Ordinances prohibiting offices on the first floor on their downtown Main Street, including Pennington, Westfield, Maplewood, Red Bank, Morristown, Montclair, Summit and Princeton. Those towns have made the bold future looking statement prohibiting offices on the first floor and he feels Flemington should be doing the same. Currently Main Street has a lot of vacant space so no one can say there is a demand for office space that isn't being met in the Borough. There are plenty of vacant spaces that

can be used for offices in Victorian Plaza and the Old Egg Auction which have plenty of parking. Mr. Schoeb loves Flemington and believes we all want a vibrant Main Street at night and on the weekends, every weekend, which doesn't exist today. Once again, he asks where was the open forum to ask residents what they want. Mr. Schoeb asked the Borough Council to delay voting on the Ordinance and hold an open forum for residents to publicly state what they want to help shape what is being proposed.

Cheryl Fontaine from Flemington Borough stated she agrees with everything that Dennis Schoeb stated. She is concerned with more apartments built up on Main Street when the residents really want vibrancy like Somerville, like Lambertville, businesses that bring in revenue and people.

Sharon Rider from Flemington Borough stated she too agrees with the retail stores on Main Street. She watched Red Bank die in the 70s. In the 80s, it started to come back and come alive and today it is a very active, vibrant community. And we need that here in Flemington because I watched Flemington die in 2008 when the hotel shut down and it's been dying and now is the time to say no more to apartments. The parking is going to be horrific if these landlords don't supply parking for their residents and the Borough needs retail stores to attract others.

Toni Gushue, owner of Within Spirit, Flemington Ghost Walk, Stangl Moon Markets, 37 Stangle Road and resident of Kingwood stated she like to first point out that while Mr. Schoeb was speaking as a resident, he is a member of Planning Board. Ms. Gushue stated as a small business owner and as well as being an FID Board member, she is extremely disheartened with this entire project. Not one member of the Planning Board owns a brick-and-mortar retail shop in Flemington and to know the struggles of our business community in this fragile economy, there has been zero dialogue with small business owners on the Planning Board's behalf to see what small business wants or even basic needs are and what makes sense. The Council members who created this Ordinance who have each personally come to me, asked for feedback and asked other small businesses about the zoning as is proposed. According to the 2024 Borough budget, commercial properties make up about 20% of the Borough's almost 1100 structures in the Borough and these properties contribute over 36% of the tax base. She is not really sure why the Planning Board did feel that it is necessary to consult with those that it does directly affect as well. On top of the fact that while the Borough do have very high residential property taxes here, if you do not have tenants in these commercial properties, you're not going to be getting that tax base as well. Ms. Gushue stated she's heard some people mention tonight Red Bank and Somerville, she would advise you to see what the commercial property rental prices are in those towns. After watching the Planning Board meeting from September 9, 2025 there are a number of factors discussed in the recommendations that she takes issue with. First, is limiting office to the second floor. If you look at the Borough's 2022 State Act report it does not say the Borough should be taking away office space for Main Street rather a healthy mix is the recommendation to create a mix of offerings in a downtown setting. There is also currently a lack of suitable first floor retail on Main Street. Second, with the restriction of pop ups. Limiting pop ups to the DB and DB2 zoning areas creates a number of problems. First, the cost and traffic disruption is substantial to close Main Street. In reality it is only feasible to close Main Street for our County, Borough and FID sponsored events. Hosting pop ups in other business districts like Stangl and Fulper which are

directly based adjacent to Main Street because this town is not that big, it still creates a vibrant downtown area. Events create revenue for small businesses because of the increase in foot traffic. Saying a small business cannot have a pop up because they happen to be mid lease in another business district where they have been successfully implementing them is detrimental to the financial health of many small businesses and is creating not only a prejudice but a potential liability for the Borough, especially when retail conducive spaces do not exist on Main Street. Most importantly on this point, the Master Plan sole purpose and focus is bettering all of Flemington, not just Main Street. How about we not step all over everybody else who helped keep Flemington going when Main Street was desolate. The recommendations about parking and deliveries holding up traffic during that September 9, 2025 Planning Board meeting were also fallacies. UPS, FedEx, Amazon and other providers are already delivering to Main Street with no issues. No small business is getting a delivery so large where traffic is being held up for extended periods of time and the Borough is not getting a shop right on Main Street where deliveries are taking hours to deliver. If a business has such large-scale delivery needs, they are looking for a space with a loading dock to accommodate said deliveries which does not exist on Main Street. We are talking about a couple of boxes and a signature. The Borough can also designate delivery zones where a delivery truck can park and hand truck the deliveries to our businesses, this model exists in many other active Main Streets as some were namely mentioned by other speakers. Unfortunately, Flemington is not viewed as business friendly. The business owners have had issues ranging from signage to zoning denials because of how an application was written without receiving feedback from those Borough officials or courtesy of a conversation. Meanwhile, the Borough has properties falling into the ground and properties with mold issues. The potential tenants do not want to inhabit and are currently not realistically rentable. Ms. Gushue hopes that as we all address the future of Flemington that there can be a more cohesive relationship between Borough officials, the FID, Planning Board and various commissions and maybe put some business representation on the parking commission. We all want a better Flemington, but not everyone is on the same page and working together at this point and until that happens we are going to keep spending time fighting these battles instead of ushering in a better vision. The zoning as proposed by the 2025 Ordinance works because it makes sense at this time and gets us to the transitional place we are currently at while providing room for needed improvements. The Master Plan has been adapted over the years and she is sure as Flemington will evolve and grow it will adapt again. The difference here is Council talked to small businesses about the zoning while the Planning Board did not and that is why I and many other business owners are here tonight in full support of the changes whether they are Master Plan congruent or not.

Nicole Steward, co-owner of Within Spirit, Flemington Ghostwalk, Stangle Moon Markets at 37 Stangle Road in Flemington and lives in Kingwood. Ms. Steward stated she wants to apologize about the disruption of all the business owners here, but these business owners are worried about the disruption to their livelihood. Ms. Steward's first point regards the amount of inventory conducive to first floor retail in Flemington. Ms Steward and Ms. Gushue did a comprehensive search to find a spot possibly on Main Street when their lease was up last year, they could have found spaces, but some of them would have taken $25,000 to $30,000 to convert into a retail space. This is a huge problem. Existing landlords will not be the ones to take that responsibility on themselves, they're expecting the business owners to do it. If first floor retail and walkable shopping Main Street is the

goal, then landlords need to be incentivized to be willing to work with retail operations to bring these to Main Street. Again, not everybody can afford this massive build out, especially in a Borough where residents ranked 23rd out of 26 municipalities in a medium income according to our 2022 census. Putting all of the responsibility on the tenant means you're possibly telling your own constituents that they'll never be able to do business in Flemington. Additionally, Ms. Steward is a huge proponent of Historic Preservation. She has been doing fundraising for over twenty years, her nonprofits have raised thousands and thousands of dollars for Historic Preservation and restoration, including in Hunterdon County and Flemington. Ms. Steward stated at 39 years of age, she was diagnosed with a major heart condition which made going up and down stairs a problem, so consider your residence when you're talking about having all service businesses on second floors. Ms. Steward also stated with all due respect, but there have been comments made by Mayor Karrow about being more concerned about her current residents and her constituents, which is really important, but we do have to also think about the future of Flemington, the future of the residents and the future of the business owners. Ms. Steward stated she heard residents speak tonight that want more business here, but in the current climate we're not going to be here so please take all of this into consideration and she hopes that the Planning Board will come back, go back to the slate, talk to some business owners who actually know the hardships and all of the ins and outs of running a business here.

Heather Lee Scully from Hillsborough and owner the Groovy Collective, a new business owner on Main Street stated she believes that changes are needed if Flemington is to continue growing and welcome new entrepreneurs into our community. Ms. Lee thought rent might be a little bit more attainable for someone starting fresh, not like Somerville and New Hope and all those places. Ms. Lee viewed more than 45 properties between Main Street, Stangl and the Circle. Along the way, she faced many challenges. Ms. Lee submitted three zoning applications, reviewed over seven leases, consulted lawyers, and came close to giving up. Many of the properties in this town are in serious disrepair, with mole problems and landlords unwilling to make improvements. In most cases, landlords expected tenants to take on extensive repairs and renovations and unreasonable requests for someone renting rather than owning. The issue highlights a larger problem; too many property owners do not share Flemington's mission to grow. As a result, many buildings remain vacant and Main Street struggles to become a desirable destination. The current zoning restrictions make it even harder for small businesses, especially those with mixed concepts like mine, to establish themselves. Requirements and the wording around workshops, events and community activities often create unnecessary barriers, even though those very activities are what attracts people, foster connection and build community here in town. While she doesn't claim to fully understand all the technicalities of zoning, she can say from personal experience that the way that it is currently structured discourages new businesses from coming here. If she had not been persistent and campaigned for her business, she would not likely to have found a suitable location, especially in Flemington. After eight months of searching she finally was fortunate enough to secure the space she now occupies and she is incredibly grateful. She is asking the Board to please consider making zoning policies more flexible, inviting and supporting of entrepreneurs. The future of Flemington's growth depends on our ability to welcome new ideas, new businesses, and new people who want to invest in this town. With

the right changes, between Main Street and Stangl not only being able to work together but also promoting walkability we all can bridge the gap between Stangl and the Main Street businesses.

Jen Eliades, owner of Wildflower Yoga Collective asked what is the definition of a pop up and why only on Main Street. Mayor Karrow stated the Master Plan dictates that the pop ups be on Main Stret only.

Robin Lapidus, Executive Director of the Flemington Improvement District stated she attended the last Planning Board meeting to learn about the consistency or inconsistency of this zoning with the Master Plan. What was said repeatedly was the words forcing things onto Main Street, the Master Plan is written the way that it's written to force things onto Main Street, forcing retail onto Main Street, forcing activity onto Main Street. Planning Board members said something about pop ups such as if pop ups take place in other zones, then it won't force activity to be onto Main Street. If we have offices on the first floor, we can't force retail into a property owner's commercial building. This concept of forcing things and dividing people is terrible. When she moved here, she rented and was insulted at many public meetings as a renter, because renters were said to be not as good citizens or not as involved as people who own their properties. She is sorry, but that is so not true and it is so incredibly insulting that she doesn't even know where to go from that. This, somebody said at the last Planning Board meeting that this zoning is a landlord driven Ordinance letting them do whatever they want. What about everybody else who has invested in this town. Why are we not talking to landlords, why are we not talking to businesses. There's not a commercial property-owning person on the Planning Board. There's not a small business on the Planning Board. Pop ups have confused everybody. What we said when we were asked by the Council and by the Planner, what does today's businesses need. No one is buying off the rack, customers walk into a store and look at a sweater and go home and buy it on Amazon for a hell of a lot less. We all say shop local, shop local, shop local. How many times have you ever not walked into a store and then found something for less online and had it shipped to your house. It's killing our business area, but so is this divisiveness, this lack of interest in having dialogues with each other. It's outrageous to me to insult renters, to insult landlords, to make it seem like a person who owns a property in this town for commercial purposes is somehow only about money and not about the community, not about their tenants and not about what we all want, which is active, vibrant streets.

Ms. Lapidus read a statement from Mr. POPS since the owners could not attend:

To whom it may concern, we are the proud owners of Mr. POPS. We are reaching out to express our concerns regarding the proposed removal of all non-retail establishments from the first-floor spaces of Historic Main Street. Upon our arrival on Historic Main Street, we were inspired by the wonderful opportunities available for everyone. Not just for retail and dining, but also for non-retail business. Although we are relatively new to the area, we have observed enough to recognize that eliminating all non-retail options from the first floor could lead to a host of unforeseen consequences. Had we been aware of such a proposal prior to officially opening our doors, we would have contemplated relocating our business. As this plan, favored by some, is not embraced by the majority, non-retail can positively impact retail and vice versa. By opening our eyes to the

opportunities created through collaboration, we can achieve great returns. For instance, how does chocolate tie into a real estate office. Just like River Valley, our neighboring business, we provide coffee and chocolates for their clients and events. Local banks purchase our chocolate pops as gifts for their clients; Attorneys order our pastries and chocolates for meetings. We have collectively boosted our returning customer base. Do you see the opportunities for us all to get along. Business is business and everyone needs to provide for their families. However, it is vital to maintain a healthy mix of all business types on Main Street to create a vibrant and diverse shopping district that attracts both tourists and shoppers. If our chocolate is that good, you could consider moving next door to buy a house, because that's the charm of Main Street. You could even sue us because the chocolate tastes so good just by walking across the street to a first-floor law office. To flourish, we must look forward instead of backward. We do not have multimillion dollar projects aimed at boosting our town's economy only to revert to a bygone era. The shopping district of the 80s and the 2000s is behind us. As we step into a new era, let us collectively embrace the incredible future that awaits us each day.

Adam Eisenhut, a resident of the Borough for ten years but currently living in Buckingham, Pennsylvania and a co-owner of 7 Main Street stated he is an Attorney on Main Street for over 15 years and just recently purchased 7 Main Street and moved out of another building. The firm spent a lot of money to renovate the new building so that it could be a law office and candidly, it's just very concerning to see the opposition to having law offices in Flemington. I think that our firm provides an important service. We are located adjacent to the courthouse and our law firm provides services to victims of domestic violence and we do volunteer work. He believes some of our clients who come in his office leaves and go eat and purchase things in the Borough, so his office is definitely a part of the community. The way people are complaining about office space he thinks is very exclusionary and there's room for everybody. Mr. Eisenhut would like to see Main Street grow and flourish, but he thinks that office space has a role in that and changing the rules after people have invested in the community is a little insulting towards the efforts of the people who have been here for a very long time. He also thinks that it devalues the property and it disincentivizes future investment. Mr. Eisenhut supports the current proposal and Ordinance even if it is in not exactly line with the Master Plan and what is best for Flemington.

James Kahlke from Flemington Borough stated growing up in Raritan Township as a boy Flemington Borough was a vibrant, exciting town. There was always stuff going on during the day, on the weekends, into the evening. The closure of Union Hotel back in 08 did great damage to Flemington and its identity. The reemergence of the Union Hotel will be a very positive thing in that people will have a spot to go have lunch when they're doing whatever it is they're doing on Main Street. But it's always been commerce driven shopping. Mr. Kahlke doesn't discount the need for the offices, but it was a commerce driven Main Street. There are Main Streets in this country that some are residence driven, but that is not Flemington. That doesn't mean Flemington can't grow and change, but people are going to go to Flemington because they want to buy stuff, they want to go into stores. Whether they're buying stuff or not, they want to walk around. The addition of more residents, apartments on Main Street does nothing for me as a resident of Flemington.

Jane De Haven of Flemington Borough stated she thinks that the Planning Board put an awful lot of work into putting a Master Plan together and it seems to her that the Planning Board Planner looked at that Master Plan and made very definitive comments on how this Ordinance is, would or would not meet the goals of that Master Plan and found that they really would not meet the goals of that Master Plan. The Planning Board unanimously put together their own Resolution trying to help this Council understand their concerns with how this Ordinance would adversely impact the Master Plan. Ms. DeHaven urged Borough Council to read that Resolution, with very succinct and important information from James Kyle before moving forward if it's warranted.

Donna Drewes from Raritan Township stated she's here tonight to support one of the Planning Board's additional recommendations that came up during the public hearing on the Ordinance. That recommendation says that the Governing Body should permit social service agencies and family service uses in the downtown business and downtown business two districts. The unintentional removal of these uses she believes is inconsistent with the 2022 Master Plan. That Master Plan under its land use element notes that the downtown business is where the majority of the Boroughs downtown encompasses the majority of the Boroughs downtown and permits a variety of retail, office and services uses. The individual and family services like senior legal services and Harbor of Hope and all these great social service agencies that are in the Flemington area because of its role as a county seat as long as counseling services are really critically important. So therefore, she would really request that, keep these services also generate high foot traffic. By removing these uses you're also going to make the existing ones that are here preexisting non-conforming use. Board's recommendation of keeping individual and family services in the DB and the downtown business two districts because it also additionally supports your Master Plan goal to employ strategies that encourage community and economic development within the Borough and individual and social service organizations. Strengthen your community fabric by meeting the needs of seniors, families, children and all individuals by providing a wide range of resources, support and programming. Ms. Drewes encourage the Governing Body to implement recommendation number three from the Planning Board.

Ally Norton from Flemington Borough and business owner at 52 Main Street called the Corner and rents a space upstairs for a portrait studio for David. Ms. Norton asked Council to vote in favor of the ordinance. Ms. Norton stated there's a couple things that she wanted to clarify a few things: first, retail on the first floor, she was here in 2024 at several Council meetings where there were discussions about zoning the first time and while she loved the idea as a resident and as a business owner that Main Street is covered in retail stores, it is a pipe dream that is unlikely to happen and she knows that because she is the former chair of the FID board and she had the opportunity to walk through all of the available and some not available spaces with multiple business owners. Her friends who are opening, Charmed and Bound are another one where it is near impossible to convert these spaces without a huge amount of money. Flemington is not favorable to bring in businesses with a ton of money. She also heard comparison to Somerville. She has friends who own stores in Somerville and she is a third-generation small business owner. her grandparents owned a store on Main Street in Somerville. The vacancy rate for retail stores there is huge even in Morristown or New Hope there are vacancies everywhere. When you are forcing landlords to conform to certain

things the onus is on the retailers and oftentimes, business owners do not have the capital to be doing that. Ms. Norton stated pop up shops should be allowed in every single commercial business that exists in the entire Borough. Lastly, she heard a lot of concern about adding apartments on Main Street and she hears that and gets that, what is written specifically in this Ordinance and you look at the likelihood of apartments it is very small and just because it's a possibility does not mean that it's going to happen.

Gabriella Truppi owner of Humdoo Ice Cream on Stangl Road. She was a resident here the past few years but now live in Doylestown. Ms. Truppi wanted to specifically talk about the Master Plan and its push to Main Street. She's had her business for seven years and she has put everything that she had into coming to Flemington and she put her entire dream in Flemington. Ms. Truppi stated she thinks the thing that a lot of people forget about business owners in this town is that we are people. We are not huge corporations with really large margins. This is how we put a roof over our head. And for most of us it really is a dream. And the Master Plan pushing everything to Main Street is concerning, it's scary, it's really divisive and it's so because like we love each other, all the business owners, like, we really, really love each other, we want to see people succeed at the shops, we want to see people succeed on Main Street and we also really want to succeed on Stangle. And we've had such an incredible business community. When I heard about the language that was used at the Planning Board meeting and just some of these things in the Master Plan, she had to be here.

Ben Wyman from Raritan Township and owner of Alkemy Coffee stated he doesn't know about all the semantics as far as the ordinance, the Master Plan, pop ups and restrictions, but he just wanted to discuss the idea that the Borough maintains these different sections of Flemington such as the business district, the arts and cultural district and the historical district. On Stangl Road, there is a community there which includes ice cream shops, tattoo shops, coffee shop boutiques that have survived Covid and every imaginable obstacle possible and not being able to do pop ups will be completely detrimental to the culture of this town and its identity. The type of things that he personally wants to bring in are things that would not survive in a different place in Flemington, these are events that need a road like Stangl with tattoo shops and barber shops and ice cream shops and things that attract shoppers and bring a lot of people into this town.

Karen Shankoff owner of Attachments and Sage on Main Street. Ms. Shankoff owned two stores but Covid killed her businesses and she had to combine her stores. Ms. Shankoff stated every area in Flemington needs popups.

Todd Cook from Flemington Borough state he has lived in the Borough since 1993 and was on the Planning Board from 2001 to 2023. He has personally read the 1997 Master Plan, analyzed it, rewrote it in 2010, rewrote it in 2015 with a re exam, rewrote it in 2022. When he thinks of coming together as a community, the rhetoric between Council and Planning Board is ridiculous and thinks it's sophomore at best and the residents deserve more. However, the Ordinance, being inconsistent doesn't mean the Planning Board doesn't want it. Mr. Cooke stated the ordinances need an overhaul but the zoning ordinance it should be adopted.

Marie Ande from Flemington Borough stated her biggest concern with the ordinance is the availability or the availability of housing being allowed. She is a business owner and wants businesses down there. The Borough has an upcoming building coming up with the space factory with the Agway site, with Liberty Village. The hotel is going to be 200 people. There'll be a lot of residents. Our quality of life has already changed and she sees it further changing with all of these people coming in. Ms. Ande also stated she doesn't want more residents on first floor Main Street. She doesn't think it adds to the vibrancy of the town. Her other concern is the parking; the Union Hotel is building apartments behind the hotel and she does not like the height of it. As a resident, she doesn't want any buildings that high or higher.

Lois Stewart from Flemington Borough, stated she used to live on Spring Street until they started the horrible project. Thank you, Ms. Indie, for the comment. Not everyone in this town thinks that we need to have that Courthouse Square and that is changing our community radically. The Borough used to have a big parking lot and now there's no parking for the public in this section of Main Street. If the ordinance is passed and a permission is given to make the rear yard setback less and you can build more buildings back there, where are the people going to park. There is no parking between the Post Office and William Street. Ms. Stewart stated she loves that businesses are on Stangl and Main Street, but she also wants it to be a community where she can live. Ms. Stewart asked for Council to amend the Ordinance before adoption.

Mark Pabers from Flemington Borough thanked the Council for the work that they do for moving the community forward. Mr. Pavers stated he had gone through and listened to the Council meetings and Planning Board meetings and thinks that the Ordinance has good intention to stimulate growth, create more flexibility, encourage investment in Flemington Borough. Mr. Pabers does have some concerns with the Ordinance regarding with the inconsistencies with the Master Plan, he did hear some of the comments that were made and he appreciates that perspective. But one of the things that he heard kind of as a common thread as he's been listening tonight, is, the Master Plan was put together with a lot of commentary from the residents, from different people in the town, he's missing that here. When he hears where the input was gathered from the Council, he hears a lot from the business owners, which is appropriate and right and should be, but Council can try to come up with something that does actually work better for the Borough. The three areas that he is concerned with is shifting certain conditional uses to permanent, which are outside the DB1 and DB2 zones. It removes the Planning Board oversight and the ability to potentially provide additional guided growth carefully conditional still allows for it. He is also concerned about the first-floor residences and the rear building setback changes and the potential impact of parking, specifically because it would be happening at a time when traffic flow and parking are already strained. The Borough knows that there are a high number of new apartments that are coming in, such as the Hotel, retail spaces from the Hotel and he thinks the Borough is on the cusp of transformation that will bring more residents, visitors, businesses downtown and his question is, why not give that redevelopment time to prove its impact before making those changes that he just talked about that could compromise that revitalization. Mr. Pabers, does want to see Main Street be a vibrant place that he can go shop and din, but he does believe there's a pragmatic approach that needs to be taken specifically to the three things that he mentioned. One that allows that redevelopment to take root, and let's evaluate its

effects and then make some informed decisions aligned to the vision for the town so Council can pause, reconsider the Ordinance in its current form and hold a public forum.

Eric Liszt from Flemington Borough stated he is a resident as well as a landlord, not commercial, and have a strong desire to see this community thrive. Ms. Liszt stated there's four points that he wants to discuss, one is, he agrees with the group that came up here around deregulating the popups. That is a valid thing to do and to give those businesses that opportunity. He also agrees with the parking issue in terms of doing the backyard resizing, he doesn't necessarily think that that's a bad idea just a timing issue until the Borough see's what's going to happen on Main Street, especially with the Hotel, Mr. Liszt asked the Council just put that aside for a little bit until the Borough knows what it's going to look like, because parking is a problem already, it's going to become a bigger problem in terms of that. Also, in terms of residential, he's also of the opinion that the Borough doesn't need the residences at this point on Main Street. Lastly, Ms. Liszt stated he doesn't understand why the Borough has trees in the downtown district that are already dying because they're not being watered, he would love to see at some point that being addressed by the Council and how do we get those maintained on a regular basis.

Mayor Karrow closed the public hearing.

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

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

Councilman Arias	Yes
Councilwoman Engelhardt	Yes
Councilwoman Fusaro	No
Councilman Levitt	Yes
Council Vice President Long	No
Council President Parker	Yes

Motion carried.

Planner McManus explained the Master Plan in detail.

The Council went in a different direction of what the Planning Board recommended, below states the reasoning for their diversion:

Councilman Levitt state he didn't really see this Ordinance as changing the dynamics of the housing situation here in the Borough of Flemington all that much. Fifty plus years of unfettered single family housing development, strip malls, and big box stores in Raritan Township has sacrificed the fields and farmland of Raritan Township and shifted business away from Flemington Borough and

downtown, and Council had the audacity to try and restore the balance in the slightest bit so that our Main Street will actually have people on it and people lose their minds.

Liberty Village died, the Union Hotel died and any efforts to fix this are met with hysterics. The reality is that the market had every single opportunity to save these spaces and it didn't. People simply did not continue to shop here so why would any business owner or property owner with any financial sense try the exact same thing again without the underlying fundamentals of the population changing in any manner.

Simply wishing a space be built or a store open is not enough to make someone commit the capital required to fund it.

The Borough added nearly a hundred units in the last twenty years and this was while Raritan grew and big boxes grew and online grew and it sucked the life out of the Borough.

Raritan Township got a new Target, that's another 30+ businesses worth of revenue that will never touch the Main Street that people so desperately want back, so that's why the Borough need to put our own customers here. The Borough has 300-600 units planned, maybe that'll be enough.

Residents live in the highest cost home and rental market in the history of the world, so yes developers will build housing because it's profitable and the Borough needs it and he hopes it stabilizes the cost of the housing market. He rather have it in the Borough than out eating up another piece of open space or throwing a 300-unit apartment building off the side of a State Highway.

This Ordinance barely changes the housing dynamics as they exist today. Apartments are permitted on the second floor now; they will remain permitted on the second floor in the DBI and DBII zones.

The core question here tonight, is whether or not the Borough would rather tolerate an office, a so called "non-active" use or no use at all.

He does not believe, and he has been presented little evidence that restricting the number of uses on Main Street will suddenly grow demand for others. He understands there may be some argument that in theory, restricting non active uses will provide an agglomeration effect and draw more businesses and he doesn't think the Borough is there yet and that is not a gamble he is willing to take.

If in two years' time when the Hotel is open, there's new residents from Spice Factory and maybe Liberty Village, and there's no more room on Main Street for shops or offices or anything on Main Street, then maybe the Borough can say okay, no more "non-active" uses.

The Hotel is right around the corner and there is still no shortage of retail spaces available right now. There's fewer than there was this time last year when he first counted, but they aren't filled yet. Until then though he would rather see a business, any business in those spaces and this Ordinance will allow for that.

Let me be very clear, he does not want to see more lawyers or real estate agents on Main Street any more than anyone else does. There has to be sufficient demand to build it, changing Zoning automatically increase supply or demand for a given business.

What might help get us there is that rather than constricting the number of uses, this Ordinance opens up the possibility of so many more active uses than there were before. This zoning will permit businesses you and I haven't even thought of yet that could open.

Further, vacancies reduce property values, and when commercial property values decrease the tax burden is shifted onto the residents, keeping buildings filled is pro resident.

Additionally on the bulk standards, the new bulk standards provide much more flexibility to many of the Borough's already existing lots and buildings as they stand today to be in compliance and avoid very costly, very time consuming, and business killing Planning Board hearings. It does not absolve them of any parking or access requirements as some have seemed to suggest it merely provides greater flexibility.

As for the social services, as someone who helped craft this Ordinance, he has no intention of forbidding social services and he understood the majority of them to be either offices, learning centers, or childcare, all of which are permitted, if it is such that our Zoning Officer finds them to not be permitted by this Ordinance, he is personally opened to amending the Ordinance.

Lastly, he would not worry about popup events taking away the spotlight from Main Street, there are plenty of events to go around.

Residents desperately want more things to do in the Borough and want our small business to succeed and he genuinely believes that this Ordinance in its current form will help us get there. It may not be perfect; there may be unintended consequences. In his time on the Planning Board, he knows the limitless imagination that architects, engineers, and developers can have in twisting your zoning Ordinances into horrors you could not imagine but they're going to do that no matter what. Council will be watching very closely what comes of this and Council can amend it and fix if needed. But right now, he thinks it's pretty good and opportunities are passing by every day we do not update this zoning Ordinance.

Councilwoman Engelhardt stated she wanted to reiterate that the Master Plan is a fluid document, it's not law nor an Ordinance. It is recommendations that has been gathered from residents, business owners and property owners over years and years and it gets updated a minimum of every ten years, but usually more often than that. Councilwoman Engelhardt stated she helped write this Master Plan and all the updates and she's a big cheerleader of the Master Plan. It definitely serves a purpose; however, it gets updated very regularly because you can't possibly hit everything, even every five years. That being said, it's important for the Planning Board to listen to the Council and the Council to listen to the Planning Board and that's why we go back and forth, there is that legal process. The original Ordinance, that was proposed here was proposed by the Planning Board. Council had a good

review and a detailed review of the TC district and the VAS district, got rid of the office district and this was of like the last step. One of the reasons why Council waited introduce the Ordinance was because it was one of the hardest ones. There are smaller parcels and they're close together and there's a lot of mixed uses. When the Planning Board sent their proposal last year and they eliminated all offices everywhere on the first floor, the retail and the property owners were pretty concerned and upset, Council received a lot of feedback so Council decided to table the Ordinance. Council took all the good stuff that the Planning Board had already done a year ago and improved it and this is the results. One of the good things that she thinks the Planning Board and Council agree upon, this Ordinance gets rid of all the SIC codes. Councilwoman Engelhardt stated she learned there isn't a lot of quality space for renters to rent and she holds the property owners accountable. The very limited bulk standard changes that is proposed, the small amounts of setback changes that was made and a small amount of use defining that was changed is due to the Planning Board granting variances for people that had an outbuilding in the back, like a carriage house in the back, auxiliary buildings in the back, or access from the back. The Planning Board is issuing variances for those types of, of uses on Main Street. Nobody wants to have their business, their retail business in the back of the building, that is what the change of the setbacks are for. If a property owner is improving their property and a new use goes in, they have to go for site plan approval to the Planning Board. That is a check and balance right there. They have to provide parking with the exception of retail. If it's a residence or whether it's an office, they have to provide the parking per our existing Ordinance. Council is not allowing anybody not to park off site, they had to prove that. It'll give people incentives to improve their buildings, but also a little bit more flexibility. With regards to pop ups, Council wants it through the Borough and when Council says pop ups, it's not just an event, it's actually considered an auxiliary use, Overall, this ordinance is a good thing and give it a chance to work and a chance to perform. Ordinances are changed every day and if Council feels like there's something that just needs to be tweaked more, they can do that in the future. If we want to restrict offices more, Council can do that too.

Council President Parker stated this whole Ordinance came about because there was an Ordinance that was brought to the table in 2024 that was extremely restrictive with businesses. Council could not move forward as a town with these types of restrictions. Council President Parker stated no one wants a lot of housing in Flemington, it's one square mile. The Borough already has Liberty Village and that's not on Main Street. The second part of it is the Borough now has the Hotel and apartments. Everyone can argue over the height of the hotel and apartment building, but it will revitalize Flemington. When you bring people in, your businesses survive. When your businesses survive, it impacts our taxes. Next, the Borough has Cardinal and Captiva. Those are on the far end of Main Street; that's a reality that's going to happen. Council President Parker doesn't understand the misnomer about complaining about housing on Main Street. The other part is traffic; traffic is just a natural thing and there's always going to be traffic and parking is always going to be an issue because the Borough doesn't have enough parking because the Borough is one square mile.

Councilwoman Fusaro stated here are a few takeaways of everyone speaking. First and foremost, she continuously heard about mold and how bad buildings are and as Council, that tells her the Borough has derelict landlords and they should perhaps be punished, she doesn't want to incentivize any bad

behavior but if it's been twenty years and they have not figured out any mold, then we need to condemn the building and stop messing around with who's going to fill it, what she heard from business owners, nobody wants those buildings and the Borough is not giving tax incentives for owners to fix the buildings. Regarding the long, narrow lots with building behind them, she is not for that and she also doesn't want more housing, so if Council doesn't want more housing why is it in this Ordinance and why make changes later, table the Ordinance and make changes now.

Council Vice President Long stated he has been on Council for six years and that was the first public hearing in those six years where I was like, wow, that was great and commends the community for having something that's missing, a reasonable, measured, passionate, albeit, but completely respectful conversation and he thinks if he was listening, he was hearing people understand different points of view. One thing I, I took note of is this urgency in the voices of the people who spoke, whether they were business owners or residents, so to him that says something.

In the six years as a Councilman, not a single person in this town has approached me, called me, emailed me and said something like, I don't want a vibrant downtown. He believes the intent of this Ordinance is to truly bring some activities to Main Street. His interpretation of the Ordinance in its current form is that it is bold and ambitious. Those are the adjectives he uses for it and maybe that is something Flemington has needed for a long time, but he cannot ignore the Planning Board's recommendations. For him, the word substantially inconsistent carries considerable weight and yes, he knows that there can always be an argument against the Planning Board's findings and this Council has voted on things that have been found inconsistent with the Master Plan in the past, but this Ordinance is not so simple as an overlay. He looked at this Ordinance and it makes him think of a garden in Flemington, we got some rich soil and some quality seeds and we could just simply toss all these seeds into this garden, water it, and watch everything grow. But you can't just toss a bunch of seeds and expect a perfectly lush, perfectly robust garden, our garden needs some tending. Yes, Council should be cultivating an active downtown and we're seeing signs of life. This growth is already sprouting with the major developments like Courthouse Square and Liberty Village. Council has already planted the seeds for new business and a revitalized community. The market is telling us that there's a demand for growth and our role as Council should be to nurture this process. But he's of the mind that our gardening technique should be more organic and he's not sure that this Ordinance or even the one previous, does that yet. There are two minds that Flemington has regarding zoning. In one mind, there's what some have characterized as a rigid one size fits all plan and the other is this Ordinance that if he's interpreting correctly, takes a more of a big bang approach to zoning and he wonders if this Ordinance is going too big or too much all at once. Is Council creating risks of unmanaged change. Is the answer to rigid planning an Ordinance like this or is there a different path to this vibrant town that we want. To be clear, where his head is at this particular moment, he would recommend tabling this Ordinance to allow the Council and the Planning Board and perhaps some of the folks that spoke out this evening to collaborate for a phased implementation plan. Council Vice President Long stated he does not think that this Ordinance in its current state, in its current form is ready to be voted on this evening. He humbly ask his fellow Council members to consider they table this, get to work, we get this done, then Council has something that's going to be all around, not perfect, but certainly something that most people are going to agree with.

Councilman Arias stated he owns a local business here in Flemington and owning a business is not easy, as my fellow business owners can tell you. My family started back in 2001 and are still here after 24 years. We saw Flemington at its peak with Liberty Village and the Union Hotel, then when everything died and now Flemington is coming back. Our business was on Broad Street then Turntable Junction and now on Main Street. My family had to renovate everything since the building was vacant for years and in disrepair. My father was stressed out after opening because he needed to pay the bills. This is the livelihood of a lot of people and some people don't see that, they only see the business. In order to maintain a business, we also have to create pop up events.

Mayor Karrow stated she completely agrees with Councilman Long about tabling this and going back to the discussion between the Planning Board and Council subcommittee that wrote this. Council had a lot of input tonight, which is really good because there's been a lot of comments made over the last few months from Council President that they wanted to get this right. Mayor Karrow doesn't have a problem counter what some people think about renters in this town. They are my constituents and she will take care of them and protect them and help them any way she can. People that don't live here yet, they're not my constituents, she doesn't know who they are. She doesn't care about anybody who doesn't live in this town, she cares about the people who live in this town. When they move in, she'll care about them too. She doesn't have a problem with apartments; she has problems with more apartments. Flemington Borough has 63% of our entire housing stock are apartments, that is equivalent to Jersey City. Our Tax Assessor has testified before this Council that a town like ours in a county like ours should be between 25% and 27% apartments, Flemington is currently at 63% right now when the Union Hotel project opens up with 205 apartments and the Spice Factory with 68, both of them are ready to go, the Borough will be at 70% which is equivalent to Weehawken and Hoboken. Flemington will be in the top five most densely apartment populated towns in the state of New Jersey. If nobody wants more housing Council President, then why did you put it in this Ordinance. It's a simple question. If this was really about helping the businesses and retail, Mayor Karrow would be so on board and she has no problem with the popups. What is really polluted public on this and you can say whatever you want, when this Ordinance subcommittee from the Planning Board met with Planner McManus she told us flat out that apartment buildings could be built in these back lots, so why put in apartments on first floors at all on Main Street. There could be more office uses which Mayor Karrow is not a big office fan but she rather have offices then more apartments. Mayor Karrow stated even though Liberty Village is putting in 117 townhouses that are going to be marketed they're going to be balanced out by Captiva at the Agway store which is building 100 units on one acre, five stories high, fully approved by the Planning Board in 2021 or 2020 and they're just waiting for DEP permits, so that's going to counter it so the Borough is still at 70%. Next is Cardinal, which is the guitar boy building which doesn't have any Planning Board approvals. The owner flat out told her he can build a smaller building. Mayor Karrow would like to save that building that's there being it's funky, cool and it's Flemington. The owner flat out told Mayor Karrow that he'll never sue the Borough. Flemington doesn't have to have more housing there; all the Borough has to do is tell that developer they rather put it out for another redevelopment project. Mayor Karrow stated when Flemington was in its heyday and Main Street was nothing but stores and by the way in those days' commercial paid 54% of the taxes in this town in the year 2000, and now the Borough is at 23%. What retail needs around retail is more retail clustered, more retail.

All the county businesses in the Borough close at 4:30 in the afternoon and that's when Main Street goes dark in big chunks and it's not going to change unless the Borough rezone the offices. When the County closed the county jail the Borough lost a lot of foot traffic. A lot of families came to visit prisoners and when the county sent the jail out to another county the Borough lost sheriff's officers and then the county sent a lot of their employees up the hill to Route 12, all those people used to eat on Main Street. Retail needs more retail; it needs more retail to survive. Nothing will hurt our current businesses more than if one day they wake up and somebody's putting in an eight-foot door so that they can have apartments because nothing stops that in our Ordinances in nonhistorical buildings and even then, the HPC only gets a say. This is cosmetic outside improvements; it's a construction permit. Mayor Karrow asked to table the Ordinance and take out the things that are most controversial to the residents.

Council President Parker stated the housing is the housing. The point of it is Mayor Karrow is trying to scare people into the housing. Council President Parker asked Ms. McManus to define in terms of setbacks. Ms. McManus explained the housing and the setbacks.

A ***MOTION*** was made by Council Vice President Long to table the Ordinance for discussion and collaboration in a timely fashion, second by Councilwoman Fusaro and on Roll Call the following was recorded:

Councilman Arias	No
Councilwoman Engelhardt	No
Councilwoman Fusaro	Yes
Councilman Levitt	No
Council Vice President Long	Yes
Council President Parker	No

Motion carried.

REGULAR AGENDA:

18. RESOLUTION 2025-156 – RESOLUTION AUTHORIZING THE IMPROVEMENTS FOR THE SAMUEL FLEMING HOUSE, NTE $32,890.00

WHEREAS, the Borough of Flemington has received quotes to make exterior renovations to the Samuel Fleming House Museum at 5 Bonnell Street;

WHEREAS, it has been determined that Royal Improvements Inc. has provided the lowest responsible quote.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington authorize the Chief Financial Officer to process a purchase order in the amount of $32,890.00 to Royal Improvements Inc., 602 East Main Street, Bridgewater NJ 08807.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available in accounts G-02-563-298 and G-02-565-301.

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

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

Motion carried.

19. RESOLUTION 2025-157 – RESOLUTION APPROVING A CONTRACT WITH T2 SYSTEMS, INC. OF INDIANAPOLIS, INDIANA FOR PERMIT AND ENFORCEMENT SERVICES IN AN AMOUNT NOT TO EXCEED $11,239.00

WHEREAS, it is the desire of the Borough of Flemington to enter into a contract with T2 Systems, Inc., of Indianapolis, Indiana, for permit and enforcement services pursuant to the contract attached hereto as Schedule A for a term of three years in an amount not to exceed $11,239.00; and

WHEREAS, the Borough's Chief Financial Officer, William Hance, has certified as to the availability of funds which shall be encumbered in Acct. No. 4-01-630-218.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council that the contract attached hereto as Schedule A is hereby approved.

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

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

Motion carried.

20. RESOLUTION 2025-158 – RESOLUTION AUTHORIZING THE PURCHASE OF A KUBOTA UTILITY VEHICLE WITH POWERCO UNDER HCESC CONTRACT #HCESC-CAT/SER-23-06, NTE $22,380.39

WHEREAS, the Borough of Flemington has received a quote from Powerco, Inc. under HCESC Contract # HCESC-CAT/SER-23-06 for the purchase of a Kubota Utility Vehicle.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington authorize the Chief Financial Officer to process a purchase order in the amount of $22,380.39 to Powerco, Inc. for the purchase of the Kubota.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available in 5-07-605-203.

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

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

Motion carried.

21. RESOLUTION 2025-159 – RESOLUTION AUTHORIZING THE PURCHASE OF SIX KNOX BOXES FROM THE KNOX COMPANY, NTE $12,079.00

WHEREAS, the Borough of Flemington Fire Marshal has received a quote from The Knox Company for the purchase of six Knox boxes which are proprietary equipment, and

WHEREAS, the equipment is required for the operation of the fire department.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington authorize the Chief Financial Officer to process a purchase order in the amount of $12,079.00 to The Knox Company for the purchase of the equipment.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available in E-03-100-101.

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

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

Motion carried.

22. RESOLUTION 2025-160 – CERTIFYING THAT ALL MEMEBERS OF THE GOVERNING BODY OF FLEMINGTON BOROUGH, HUNTERDON COUNTY, HAVE REVIEWED, AT A MINIMUM, THE SECTIONS OF THE 2024 ANNUAL AUDIT ENTITLED "GENERAL COMMENTS AND RECOMMENDATIONS"

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 2024 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 29th day of September 2025, 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 Council Vice President Long to approve the Resolution, seconded by Councilman Levitt and on Roll Call the following was recorded:

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

Motion carried.

23. RESOLUTION 2025-161 – CORRECTIVE ACTION PLAN FOR AUDIT FOR YEAR 2024

WHEREAS, Suplee and Clooney, the Borough Auditors, complete a thorough audit of Flemington Borough's financial records annually; and

WHEREAS, the Auditors make recommendations to improve certain items; and

WHEREAS, William Hance, the Borough's Chief Financial Officer has reviewed these recommendations and created a corrective action plan to rectify any issues, attached hereto.

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

1. The Borough of Flemington hereby approves the corrective action plan submitted by William Hance.

2. The items/procedures identified in the corrective action plan will be put into effect immediately.

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

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

Motion carried.

24. RESOLUTION 2025-162 – RESOLUTION AUTHORIZING THE PURCHASE OF TWO SETS OF RRFB CROSSWALK SYSTEMS FROM LANE LIGHT TRAFFIC TECHNOLOGIES, INC., NTE $17,300.00

WHEREAS, the Borough of Flemington has received a quote from Lane Light Traffic Technologies, Inc. for the purchase of two sets of RRFB Crosswalk systems for North Main and Allen Street & Capner Street and Allen Street.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington authorize the Chief Financial Officer to process a purchase order in the amount of $17,300.00 to Lane Light Traffic Technologies, Inc. for the purchase of two sets of RRFB Crosswalk systems for North Main and Allen Street & Capner Street and Allen Street.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available.

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

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

Motion carried.

PUBLIC COMMENTS – SESSION II:
Jeff Cain from Flemington Borough asked if the Borough still has a K9 dog. Council Vice President Long stated no.

APPROVAL TO PAY THE BILLS:

AUTHORIZING PAYMENT OF THE BILLS IN THE AMOUNT OF $2,137,832.27

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

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

Motion carried.

ADJOURNMENT:

A ***MOTION*** was made by Council Vice 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: November 10, 2025