BOROUGH OF FLEMINGTON
REGULAR COUNCIL MEETING
APRIL 13, 2026

Mayor Karrow called the meeting to order at 7:02 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 Brandon Arias	Present
Councilwoman Susan Engelhardt	Present
Councilman Adrienne Fusaro	Present
Councilwoman Beth Herbert	Present
Councilman Trent Levitt	Present
Councilman Tony Parker	Present
Mayor Marcia Karrow	Present

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

A ***MOTION*** was made by Councilman Levitt to amend the agenda to include Ordinance #2026-11, seconded by Councilman Arias with a vote of all ayes.

Councilman Arias stated HPC amended Ordinance 2025-27 with edits for HPC to get the CLG status and extra money.

PROCLAMATION:

1. RECOGNIZING APRIL 22, 2026 AS ARBOR DAY IN THE BOROUGH OF FLEMINGTON

WHEREAS, Arbor Day was founded on April 10, 1872, to recognize the importance of planting trees; and

WHEREAS, Arbor Day is a time to recognize the importance of trees and an opportunity for communities to gather and plant for a greener future; and

WHEREAS, Arbor Day is observed in all 50 States and across the world; and

WHEREAS, participating in Arbor Day activities promotes civic participation and highlights the importance of planting and caring for trees and vegetation; and

WHEREAS, such activities provide an opportunity to convey to future generations the value of land and stewardship; and

WHEREAS, working forests have contributed to an increase in the number of trees planted in the United States and are sustainably managed, with less than 2 percent of working forests nationally harvested each year; and

WHEREAS, a key factor in preventing forest conversion and deforestation is keeping forests productive; and

WHEREAS, working forests are a critical part of a nature-based solution to climate change, and by providing a continuous cycle of growing, harvesting, and replanting, active forest management maximizes the ability to sequester and store carbon and improves forest resilience; and

WHEREAS, private forests play an important role in conserving at-risk and declining species, and collaborative conservation efforts can benefit species while also helping to keep forests as forests; and

WHEREAS, sustainably grown wood can be used in a wide variety of resilient infrastructure and building applications—from traditional timber framing to high-tech mass timber—and as a natural, renewable, and biodegradable material, the significant use of wood building materials in buildings and bridges helps decrease global carbon emissions; and

WHEREAS, the Arbor Day Foundation and the Tree City USA program have been committed to greening cities and towns across the country since 1976, and, in that time, more than 3,600 communities have made the commitment to becoming Tree City USA communities; and

WHEREAS, National Arbor Day is observed on the last Friday of April each year; and

WHEREAS, Arbor Day shall be observed in Flemington Borough on Wednesday, April 22nd for the year 2026; and

WHEREAS, Arbor Day shall be celebrated by the Borough Shade Tree Commission with a tree planting ceremony at Reading-Fleming Intermediate School on Wednesday, April 22nd; and

NOW, THEREFORE, BE IT RESOLVED, Mayor and Council of the Borough of Flemington supports the goals and ideals of Arbor Day and encourages the people of the Borough of Flemington to participate in Arbor Day activities.

MAYOR'S REPORT:

Mayor Karrow congratulated Sergeant O'Malley as Flemington Borough has been accepted into Congressman Kean's list to move on for congressional funding for the OEM element of our Police Department and was accepted by Senator Booker for the facility portion. The Borough is now in the

federal budget for both projects. The OEM funding is over $2 million, and the facility funding is over $1 million.

Mayor Karrow stated at the request of Councilwoman Herbert, there will be an executive session at the next meeting with both our Planner and Redevelopment Attorney to talk about imminent domain issues and answer questions from Council.

Mayor Karrow reported that Spring Street is open and all the one-way and new street directionals are in place, there is a countywide parade in the Borough on June 14t, 2026, on Flag Day celebrating the American Revolutionary War and Independence and elected officials are all being asked to be in the parade. It is being sponsored by Hunterdon County, as well as ShopRite is a major sponsor.

Mayor Karrow continued the Police Department's March report had 37 criminal investigations that included nine arrests, one for possession, one for shoplifting, one for assault, one for endangering the welfare of a child, one DUI, one assault by auto, and one disorderly contact. There were 26 motor vehicle crashes, eight of which involved commercial vehicles, one with injury.

Mayor Karrow stated Council has a request from Sergeant McNally regarding ongoing issues with some residents placing items, primarily basketball hoops and public rights of the blind and is looking for some legal relief from that issue.

Sgt. McNally stated the Police Department has been experiencing over the last three years some ongoing neighbor complaints that involve specifically some basketball hoops and or other items being placed in easement areas, and he is working with Borough Attorney, Corsini to review the current Ordinances and what the obstructions look like to our sidewalks, easements, and roadways, and the Borough does not have anything on the books that covers what the Borough should enforce.

COUNCIL MEMBER REPORTS

COUNCIL PRESIDENT PARKER:
Council President Parker stated he wanted to clarify about what was said at the last Council last Council meeting. Council President Parker stated he reached out to Borough Attorney, Corsini because he wanted the public to know the Council did not do anything wrong and wants Borough Attorney, Corsini to give some clarification for that whole thing that the Mayor accused Council of crossing the line, which we did not.

Borough Attorney, Corsini stated he spoke to Council President Parker and with the Mayor and has not seen any violations of the Open Public Meetings Act

COUNCILMAN LEVITT:
Councilman Levitt reported the Environmental Commission is working on the Light Pollution Ordinance, and he and Planner McManus are going back and forth on modifications for the meeting on April 21, 2026.

Councilman Levitt also reported the Shade Tree Commission has made some good progress on the updated Shade Tree Ordinance, and they met with Planner McManus at the last meeting and are awaiting some final updates before sending it along to the Planning Board. The Commission is also pursuing a grant from the State of New Jersey to conduct a tree inventory and update our Community Forest Management Plan. Councilman Levitt would like for some assistance on this, navigating the proper process to apply for the grant, it will require hiring an arborist certified in going through this process and it's a reimbursement grant, Council will need to expend the funds prior to getting them back and that's why the Shade Tree Commission has requested such a large budget for the year. One of the Commission members requested a quote from one of these arborists and it came in at $17,000; the deadline is coming up in a month or two. Arbor Day will be celebrated by the Borough Shade Tree Commission with a tree planting ceremony at Reading-Fleming Intermediate School on April 22, 2026, and as stated in the Proclamation, Arbor Day shall be recognized on April 22, 2026 rather than on the nationally recognized day of April 24, 2026 because that's what worked in the schedule, and the next meeting will be held April 23, 2026.

Councilman Levitt continued the stream cleanup without a stream is this upcoming April 18, 2026 at the Cut Glass site and railroad, and the Environmental Commission is having a cleanup the week prior to the Historic House tours, ideally around the trolley stops so we can present the best version of Flemington possible, and lastly, he took a stroll through the fairy trail, Councilman Arias, the girl scouts and perhaps with a little bit of help from their parents did a wonderful job,

COUNCILWOMAN HERBERT:
Councilwoman Herbert reported the Library Board meeting will be held April 17, 2026, and the FRSD School Board meeting will be held on April 29, 2026, and she will be scheduling with the Mayor and Councilmember Levitt to have the top two website proposers to give oral presentations so Council can make a final decision.

Councilwoman Herbert also reported on the parking on Spring Street and other regulations opening around the hotel. Preparations are continuing for a new permitting system. Beth McManus is in progress of identifying as part of whether certain multi-unit buildings residents qualify for resident parking permits.

Councilwoman Herbert asked Chief Rotella if the detour signs for Liberty Village were fixed. Chief Rotella stated he is waiting on the Developer, George Vallone, to move the detour signs on Brown Street to Main Street. Council President Parker will discuss this issue with Mr. Vallone since he is meeting with him on April 14, 2026.

COUNCILWOMAN FUSARO:
Councilwoman Fusaro reported the Environmental Committee is hosting a community cleanup day on May 30, 2026, and May 31, 2026, is the rain day and are looking for sponsors.

Councilwoman Fusaro reported that she was not involved in any of the imminent domain discussion.

COUNCIL VICE PRESIDENT ENGELHARDT:
Council Vice President Engelhardt reported that Animal Control reunited a cute terrier with their owner, there was also a cat that they thought was abandoned, but it turns out the owner was in the hospital. More importantly, what is not in the reports for the last two months was that there was a dog attack. a dog on dog, with a neighbor walking which is certainly a concern. Make sure that your fences are sturdy and that your dogs are in the yards tethered.

Council Vice President Engelhardt also reported the County had a great program that the Council attended. The County discussed programs on senior services that are available, and they will be available in the next newsletter, and there were a few other interesting programs that we all learned about.

Council Vice President Engelhardt continued that she had a meeting with the Developer on Liberty Village and has some concerns. Her major concern is that they're self-performing, which she did not realize. The Developer is the General Contractor, and Ron Miller, who is their owner's representative on site, does not have any construction experience. The Borough Engineer, RVE will be watching that site very carefully.

Council Vice President Engelhardt continued the Planning Board meeting will be held April 14, 2026, with Spark Car Wash public hearing on the agenda, and the HPC resolution, and tomorrow night is the last strategic planning meeting at the High School.

COUNCILMAN ARIAS:
Councilman Arias reported that the Samuel Fleming House held an Easter Egg hunt on April 11, 2026, and the first Fairy Trail at Tuccamirigan Park was held on April 11, 2026. There were 118 houses submitted and someone donated a handmade sign for the Flemington fairy trail.

Councilman Arias also reported he is doing soccer Saturdays at the High School, and House Tour tickets for June 6, 2026, are on sale now.

PROCLAMATIONS:

Councilwoman Fusaro read the Proclamations honoring the firefighters:

2. HONORING PAUL KILINSKI FOR THIRTY YEARS OF SERVICE AND DEDICATION TO THE FLEMINGTON BOROUGH FIRE DEPARTMENT

WHEREAS, Paul Kilinski joined the Flemington Fire Department in 1995 and served as Chief of the Department from 2008-2011; and

THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington would like to recognize Paul Kilinski for thirty years of service and dedication.

3. HONORING PERRY GROSS FOR FORTY-FIVE YEARS OF SERVICE AND DEDICATION TO THE FLEMINGTON BOROUGH FIRE DEPARTMENT

WHEREAS, Perry Gross joined the Flemington Borough Fire Department in 1980 and has served in several leadership and executive roles in the department.

WHEREAS, Mr. Gross is retired, having spent his career as a technician and owner of Old York Heating and Cooling.

THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington would like to recognize Perry Gross for forty-five years of service and dedication.

4. HONORING PETER NEMEC FOR FORTY YEARS OF SERVICE AND DEDICATION TO THE FLEMINGTON BOROUGH FIRE DEPARTMENT

WHEREAS, Peter Nemec joined the Flemington Borough Fire Department in 1980 and served as Chief from 2019 until 2022. Previously, Mr. Nemec had been a member of Sergeantsville Fire Department since 1985 where he joined as a junior member.

WHEREAS, Mr. Nemec Pete is now retired, he spent his career in public service as a Navy Combat Veteran, serving aboard the USS Merrill DD-976 and served over 30 years as an employee of the Department of Education serving as a custodian of schools at both Delaware Township school and West Amwell Elementary School.

THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington would like to recognize Peter Nemec for forty years of service and dedication.

5. HONORING ROBERT MOTZEL FOR FORTY YEARS OF SERVICE AND DEDICATION TO THE FLEMINGTON BOROUGH FIRE DEPARTMENT

WHEREAS, Robert Motzel had been a member of the Spring Lake since 1985, and served as Chief of Flemington Fire from 2014-2017; and

WHEREAS, Mr. Motzel is retired, a graduate of West Virginia University and spent his career as a manager in multiple investment firms in New York City.

THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington would like to recognize Robert Motzel for forty years of service and dedication.

Chief Schenk thanked Council and whoever put this together.

Chief Schenk stated these firefighters put in a lot of hours, a lot of dedication over many years. Pete and Perry, both continue to serve in leadership positions, and not only just in the Department as Officers, Executive leaders, but also with their talents.

Council Vice President Engelhardt suggested putting an article in the newsletter regarding becoming a firefighter and going through the training. Lina DiCairano agreed to write an article on her experience in Firefighter 1.

PUBLIC COMMENTS – SESSION I:

Dawn and Dan Troutman, owner of We Kids in Turntable Junction, Mr. Troutman stated We Kids of Flemington, which is a part of Turntable Junction, is not in the actual near proximity of the properties in question.

Mrs. Troutman shared some thoughts about a little history, about her situation at We Kids and the Turntable Junction:

Good evening, Mayor and Council members. Thank you for serving the community.

In light of the current situation regarding the Borough's potential acquirement of Turntable Junction by eminent domain, we would like to inform you of the history of We Kids consignment shop located at 25 Turntable Junction.

If you're not familiar, we're near the railroad tracks, we're kind of separate, kind of a little corner, but we are technically part of Turntable Junction, as well as our concerns regarding this decision. We Kids has faithfully served this community for 35 years, remains a thriving consignment family business and has potential for further growth as both Liberty Village and Main Street developments near completion being in the crosshairs of all these sections here. Housed first on Main Street, then at 39 Mine Street and now our present location, which has served us well for nine up to 20 years, long before the current landlord bought the property.

Since we have owned, We Kids for the past eight years, we have personally invested time, energy, and finances into maintaining and improving our rental location. Efforts have included upgrading the interior by organization, space usage, installation of a water heater, additional air conditioning, safety features, an alarm system, and we consistently and annually pass our fire safety inspections. Exterior improvements include considerable upgrade and maintenance of landscaping, fencing, signage, security lighting, and designated parking spots.

The building has been recently repainted and most recently, thanks to our new neighbor, George Vallone, a donated park bench for client and public usage and donated historic brick walkways have been refurbed and installed. We believe there is yet a great future ahead for We Kids at this same location and trust you will keep this potential in mind in the due process of your planning, whatever that ends up being, and we would appreciate being kept informed throughout any further activity on the Turntable properties. Thank you for your time and attention to this matter at hand.

Mr. Troutman stated in regard to the whole property and we've watched and we've seen over the course of years some of the deteriorations, but we're actually part of the Turntable Junction and we are the opposite. We're going to leave it better than when we first found it and he thinks there's great potential for other people in the Turntable Junction, other businesses to do the same because even though as far as working with our landlord has not always been the most ingenious and wonderful, but we have been able to make progress and it's been a good success, they give and take and even though we've invested both time and finances and he's also been able to help us with that and so he doesn't know how many of the buildings would be considered condemnable or if that goes into the Planning Board, but for us where we are, we're not really considered part of the Turntable Junction.

Mr. Troutman continued that they are looking to see what the whole process will be because he knows some of the customers are already expressing some concern. Over 800 and some different consignors and continually new customers and continued increased sales and it's been a good staple. It's been very highly relational in this whole community's effort and just their concerns because what they read in the newspaper article sounded like this was a done deal, like the whole Turntable Junction.

Council President Parker stated he understands everything the Troutman's are saying. Council President Parker thinks it's a little bit more complicated and he doesn't think the newspaper article did what it really needed to do and exacerbated something that wasn't there. Council President Parker asked the Troutman's to let Council go through the process and communicate better with the business owners at Turntable Junction.

Council Vice President Engelhardt stated she had asked Ally Norton, our new Business Improvement District Executive Director to go around all the businesses and talk to them. Council Vice President Engelhardt did get a chance to talk to a couple of them. Unfortunately, she did not get a chance to talk to the Troutman's to discuss the Resolution. The Tap Into article was completely in error, especially the headline was very misleading. Council Vice President Engelhardt explained what the Planning Board procedure would be.

Ally Norton, the Business Improvement District Executive Director, apologized to the Troutman's stating she did request and looked for a list of the folks who are renting in Turntable Junction. Ms. Norton did get a chance to speak to four other folks who were there the day that she found out this Resolution was going to be on the agenda and We Kids were not on that list. Ms. Norton will be popping in to make sure she gets We Kids on that list immediately and will be keeping them updated on everything that's going on as the liaison to the business community. Ms. Norton appreciates Troutman's input and would love to sit down and get additional details. Ms. Norton did share with the other business owners that it's the very beginning of a long process, and there are other important pieces, moving pieces that have to do with the Turntable Junction area that's what we're working on, like extensions of Church Street and moving a train station and the linear park, and so there are bigger plans and she would be happy to bring the Troutman's up to speed on that as Ms. Norton continues to sort of plant her feet in the new role.

Maureen Keelen from Hunter Hills stated she got her finger caught on the slide at Mine Brook Park. Mayor Karrow stated Mine Brook Park is located in Raritan Township.

Melissa Nemec, from Flemington Borough, stated at least one person in town walks their dog without a leash and another owner was walking their pitbull on Main Street without a leash. Ms. Nemec will provide information to the Borough Clerk.

APPROVAL OF MINUTES:

Regular Session March 23, 2026

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

CONSENT AGENDA:

6. RESOLUTION 2026-76 – RESOLUTION APPROVING A REFUND FOR THE REDEMPTION OF TAX SALE CERTIFICATE ON BLOCK 38, LOT 2

WHEREAS, funds have been remitted by the property owner to redeem tax sale certificate #25-00017 held by Pro Cap 8 LLC, on Block 38 Lot 2, 146 Main Street, assessed in the name Wells Fargo Bank, NA, and the Mayor and Council must approve the distribution of these funds.

NOW, THEREFORE BE IT RESOLVED, by the Mayor & Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that the Treasurer is authorized to remit payment to the lienholder as follows:

Pro Cap 8, LLC
FBO Firstrust Bank
PO Box 774
Fort Washington, PA 19034

Principal	$ 5,808.00
Premium	$ 1,600.00
Interest & Fees	$ 282.34
Total:	$ 7,690.34

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

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

Motion carried.

INTRODUCTION OF ORDINANCES:

7. ORDINANCE 2026-08 - CALENDAR YEAR 2026 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. A. 40A:4-45.1 *et seq.,* provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% or the Cost-of-Living Adjustment (COLA), whichever is less, over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.14 provides that a municipality may, in any year in which the COLA is equal to or less than 2.5% increase its final appropriations by a percentage greater than the COLA, but not to exceed the 3.5% rate as specified in the law, when authorized by ordinance; and,

WHEREAS, the COLA for 2024 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5% and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than 2.5%, may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Flemington in the County of Hunterdon finds it advisable and necessary to increase its 2026 budget by more than 2.50% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to $60,118.69 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Flemington, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2026 budget year, the final appropriations of the Borough of Flemington shall, in accordance with this ordinance and N. J.S.A. 40A:4-45.14, be increased by 3.5% amounting to $180,356.06 and that the 2026 municipal budget for the Borough of Flemington be approved and adopted in accordance with this ordinance.

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

CFO, Bill Hance explained the Ordinance.

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

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

Motion carried.

Public Hearing will be held on April 27, 2026

8. ORDINANCE 2026-09 - AN ORDINANCE AMENDING 7A (TRAFFIC SCHEDULES) TO REMOVE A HANDICAPPED PARKING SPOT ON SPRING STREET

WHEREAS, traffic and parking regulations for the Borough of Flemington are contained in Chapter 7A and Chapter 7 of the municipal code thereof; and

WHEREAS, the Borough Council wishes to remove a handicapped parking space designation on Spring Street as resident utilizing the space has relocated;

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 7A shall be amended as follows:

SECTION I.

Section 7A-12 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

Schedule XII, Parking Restricted for Use by Handicapped Persons		
Name of Street	**Sides**	**Location**
Bloomfield Avenue	South	From a point 25 feet east of the easterly curbline of Main Street to a point 47 feet east thereof.
89 Broad Street [Ord. No. 2015-13]	South	From a point 133 feet south of the southerly curbline of Maple Avenue to a point 22 feet thereof.
Capner Street [Ord. No. 2015-13]	South	From a point 124 feet west of the westerly curbline of Main Street to a point 23 feet west thereof.
Church Street [Ord. No. 2015-13]	East	From a point 100 feet east of the easterly curbline of Main Street to a point 20 feet easterly thereof.
East Main Street [Ord. No. 2015-13]	West	From a point 213 feet north of the northerly curbline of Monument Street to a point 20 feet northerly thereof.
Main Street [Ord. No. 2015-13]	East	From a point 35 feet north of the northerly curbline of Maple Avenue projected to a point 17 feet north thereof.
Mine Street [Ord. No. 2015-13]		Semi-public roadways, driveways, parking areas, and other areas used for vehicular traffic on the property known as Block 36, Lot 23, United Telephone Co. of N.J. Inc. at 14 Mine Street.
Mine Street [Ord. No. 2015-23]	North	From a point 25 feet east of the easterly curbline of Academy Street to a point 49 feet east thereof.

Schedule XII, Parking Restricted for Use by Handicapped Persons		
Name of Street	**Sides**	**Location**
6 North Main Street [Ord. No. 2015-13]		From a point 121 feet north of the westerly curbline of Main Street and Veterans Way to a point 22 feet thereof.
Park Avenue [Ord. No. 2017-12; amended 7-8-2019 by Ord. No. 2019-15]]	West	From a point 49 feet north of the northerly curbline of Park Avenue and Bonnell Street
~~Spring Street~~	~~West~~	~~From the southerly curbline of Spring St and Williams St to a point 123 feet north thereof.~~
Grant Avenue	South	From the southerly curbline of Main St to a point 220 feet westerly of Grant Ave

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

Council President Parker stated he thinks the handicap sign should stay as is.

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

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

Motion carried.

Public Hearing will be held on April 27, 2026

9. ORDINANCE 2026-10 - AN ORDINANCE AMENDING 3 (POLICE REGULATIONS) TO REGULATE BAMBOO IN THE BOROUGH OF FLEMINGTON

WHEREAS, the is a need to control the planting, cultivating, and/or growing of bamboo in the Borough of Flemington and to require barriers to prevent the spread of existing bamboo into other areas of the Borough; and

WHEREAS, the Borough Council wishes to remove adopt an ordinance to effectuate the control of bamboo plantings in the Borough.

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 3 shall be amended as follows:

SECTION I.

Section 3-29 is hereby created in Chapter 3 of the municipal code of the Borough of Flemington and shall be entitled "Regulation of Bamboo."

SECTION II.

Section 3-29.1 is hereby created and shall be entitled "Purpose" and shall contain the following text (all text novel):

This article is adopted to control the planting, cultivating and/or growing of bamboo in the Borough of Flemington and to require barriers to prevent the spread of existing bamboo into other areas of the Borough.

SECTION III.

Section 3-29.2 is hereby created and shall be entitled "Purpose" and shall contain the following text (all text novel):

Subject to certain exemptions set forth in this Section, no persons, residents, citizens, property owners and/or tenants of property within the Borough shall plant, cultivate, or cause to grow, any bamboo on any lot and/or parcel of ground anywhere within the geographic boundaries of the Borough of Flemington, except for:

A. Where the root system of such bamboo plant(s) is/are entirely contained within an above-ground-level planter, barrel, or other vessel of such design, material and location as to entirely prevent the spread of growth of the bamboo plants' root system beyond the container in which they are planted.

B. Whether planted or growing in a container, as described herein, all bamboo plants shall be located, trimmed and maintained so that no part of the plant shall be closer than 15

feet to any property line and shall not be permitted whatsoever in the front yard area of any property.

SECTION IV.

Section 3-29.3 is hereby created and shall be entitled "Exemption" and shall contain the following text (all text novel):

This article shall not apply to any landowner or possessor of said land who, prior to the effective date of this article, has planted or caused to grow any bamboo on any property within Borough limits unless the Code Enforcement Officer determines on their own, or upon complaint from any abutting or nearby property owner, that any portion of such bamboo has been allowed to grow upon, extend roots across, or extend branches, stalks or leaves over any public way or any private property not owned by or in the possession of such landowner or any possessor of said land. If such occurs, the provisions of Section 3-29.4 herein shall apply.

SECTION V.

Section 3-29.4 is hereby created and shall be entitled "Complaint notice; Order for Removal and Compliance" and shall contain the following text (all text novel):

Whenever a complaint is received by the Borough regarding the encroachment of any bamboo plant or root, or whenever the Borough, on its own observations and inspections, determines that there is an encroachment of bamboo plants or roots onto the property of another landowner, or tenant in possession of the property, or both, the Borough shall cause notice to be served and the following actions to occur:

A. The notice shall be mailed by certified mail, return receipt requested, properly addressed and with sufficient postage, and also by first class mail. Notice by certified mail and by first class mail shall be deemed complete on the date of dispatch.

B. The notice shall specify the general nature of the violation(s).

C. The notice shall state that the violation(s) must be corrected within 20 calendar days from the date of dispatch of such notice.

D. The notice shall state specifically what must be done by the responsible party to correct the violation(s).

SECTION VI.

Section 3-29.5 is hereby created and shall be entitled "Violations and Penalties" and shall contain the following text (all text novel):

A person deemed to have violated any provisions of this article shall be fined as outlined in Section 9B-5 of the municipal code of the Borough of Flemington.

If the violation is not remedied within the time set forth in the aforesaid notice, the provisions of Section 9B-4 of the municipal code of the Borough of Flemington shall apply.

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 reason, 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 Councilwoman Fusaro to introduce the Ordinance, second by Council President Parker and on Roll Call the following was recorded:

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

Motion carried.

Public Hearing will be held on April 27, 2026

11. ORDINANCE 2026-11 - AN ORDINANCE AMENDING SECTION 1404 (ESTABLISHMENT OF THE HISTORIC PRESERVATION COMMISSION) OF CHAPTER 14 (PLANNING BOARD AND HISTORIC PRESERVATION COMMISSION) AND SECTION 1631 (HISTORIC DISTRICT REVIEW ORDINANCE) OF CHAPTER 16 (DESIGN AND PERFORMANCE STANDARDS) OF THE MUNICIPAL CODE OF THE BOROUGH OF FLEMINGTON TO COMPLY WITH THE REQUIREMENTS OF THE CERTIFIED LOCAL GOVERNMENT (CLG) PROGRAM

WHEREAS, the Borough of Flemington recognizes the importance of preserving its historic resources as part of its heritage and character; and

WHEREAS, the New Jersey Historic Preservation Office has provided recommendations to align the Borough's Historic Preservation Ordinance with the standards of the Certified Local Government (CLG) Program; and

WHEREAS, the Borough seeks to maintain its CLG status to remain eligible for preservation grants, technical assistance, and participation in the statewide historic preservation network;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Flemington, the County of Hunterdon, that the Historic Preservation Ordinance of the Borough of Flemington is hereby amended and supplemented as follows:

SECTION I.

Section 1404(K) is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

K. Role of the HPC **and Procedures for Review of Applications**.

1. For applications **for a Certificate of Appropriateness from the HPC** that would otherwise not require Planning Board review, the ~~Zoning Officer~~ **Administrative Officer and/or the Chair of the HPC shall review the application for completeness. Once deemed complete, the Administrative Officer and/or the Chair of the HPC** shall refer the application to the HPC for a written report on the application **for a Certificate of Appropriateness** in accordance with Borough Code § 1631 and its compliance with the Borough's Historic District regulations. **The HPC Chair shall prepare a Certificate of Appropriateness or a denial, which** ~~This report~~ shall be submitted to the ~~Zoning Officer~~ **Administrative Officer,** who shall then issue the ~~a written approval~~ **Certificate of Appropriateness** or denial based on the HPC report, pursuant to N.J.S.A. 40:55D-111. The **Certificate of Appropriateness or denial** ~~report~~ of the HPC shall also be provided to the applicant, Zoning Officer, and the Planning Board. The report shall be sent to the applicant, Zoning Officer, **and Planning Board** within 45 days of the referral to the HPC. Failure of HPC to report within the forty-five-day period shall constitute a determination that the application is consistent with the Historic District regulations and that no condition on the issuance of the permit shall be imposed.

2. For applications that require Planning Board review based on provisions of the Borough Land Development Ordinance, **once deemed complete by the Planning Board administrative staff,** the application **for a Certificate of Appropriateness** shall be referred to the HPC for a written report on the application in accordance with Borough Code § 1631 and its compliance with the Borough's Historic District regulations. This report shall be submitted

to the Planning Board, which shall issue a written approval or denial as required by the Municipal Land Use Law ("MLUL"), which may or may not incorporate the recommendations of the Historic Preservation Commission ("HPC") taking into account the HPC report and recommendations, pursuant to N.J.S.A. 40:55D. The report of the HPC shall be sent to the Planning Board, Zoning Officer, and applicant within 45 days of the referral to the HPC ~~or prior to the scheduled public hearing before the Board on the matter, whichever is sooner~~. Failure of the HPC to report shall constitute a determination that the application is consistent with the Historic District regulations and that no condition shall be imposed on the issuance of any approval.

3. An applicant may appeal any determination of the ~~Zoning Officer~~ **Historic Preservation Commission** to the Borough Planning Board. Said appeal shall occur within 45 days of the final determination by the ~~Zoning Officer~~ HPC.

4. **Applications for a Certificate of Appropriateness are available at Borough Hall or from the Borough's website.**

SECTION II.

Section 1631 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added; ellipses indicate omitted and unamended portions):

A. Introduction. The requirements of this Historic District Review Ordinance shall apply to all development, including new construction, repair, renovation, alteration, reconstruction, demolition, relocation, and additions to existing buildings, structures, real property, natural objects or configurations or any portion or group of the foregoing which are located in the Flemington Borough Historic District, or specifically identified as historic sites within the Historic Preservation Plan of the Master Plan pursuant to N.J.S.A. 40:55D-28b(10). These requirements do not apply to normal maintenance (including in-kind repair of existing building features, repainting of existing color schemes, in-kind repair of an existing roof, etc.). **Minor work, such as repainting different colors that are appropriate for the period of the structure, etc., can receive administrative review and approval by the Chair of the HPC.** Prior to construction or alteration of buildings or structures in the Historic District, an Application for Review **and a Certificate of Appropriateness** by the ~~Flemington Historic Preservation Commission~~ **HPC** must be submitted to the ~~Flemington Historic Preservation Commission~~ HPC, and the project must be reviewed at one of the Commission's regularly scheduled meetings. See Chapter 14 **Section K** of the Flemington Borough Land Development Ordinance for additional information regarding project review.

1. Definitions. In addition to the definitions set forth in Borough Code § 1201, the following definitions apply as used in Borough Code §§ 1404, 1405 and 1631. Such definitions shall only apply in such Borough Code sections and shall not be applicable in any other section of the Borough Code:

...

ADMINISTRATIVE OFFICER
For the purposes of this section, the Zoning Officer, secretary to the Zoning Officer, or some other Borough employee designated by Borough Council who shall issue Certificates of Appropriateness upon review and approval by the Flemington Historic Preservation Commission.

...

APPLICATION
A request to the Commission made pursuant to this ordinance for the purposes of obtaining approval **for a Certificate of Appropriateness** or other action by the Commission hereunder specified.

...

CERTIFICATE OF APPROPRIATENESS
The official document issued by the Historic Preservation Commission approving the application for permission to renovate, rehabilitate, preserve, restore, construct, erect, demolish, relocate, reconstruct, or alter any structure designated by the authority of this regulation.

...

CONTEMPORARY
Any buildings, structures, sites, objects, or improvements in an historic district which date **from** a later period **than the Period of Significance** but possess some architectural importance and/or visually contribute to the cohesiveness of the district's streetscapes.

...

HISTORIC
Having historical, cultural, architectural, ~~archaeological~~, economic, social, or other significance as defined by the provisions of this ordinance.

...

HISTORIC DISTRICT RESOURCES
Those resources classified as either significant, contributing, or noncontributing, which are defined as follows:

a. SIGNIFICANT
Any buildings, structures, sites, objects or improvements which, due to **their architectural or other historical** significance, would individually qualify for **individual** historic **designation** ~~landmark status~~;

b. CONTRIBUTING
Any buildings, structures, sites, objects or improvements on the site which are integral components, either because they date from a time period which makes them historically significant or because they represent an architectural type, period or method which is historically significant:

c. NONCONTRIBUTING
Any building, structure, site, object or improvement on the site which do not have significant historical value because they neither date from a time period nor represent an architectural type, period or method which is historically significant.

...

HISTORIC SITE
Any building, structure, site, landscape, object or improvement determined to be of historical, ~~archeological~~, cultural, scenic or architectural significance in accordance with the provisions of this ordinance.

...

PERIOD OF SIGNIFICANCE
The span of time when a property was associated with important events, activities, people or particular architectural styles or significant works of architecture. It's used to evaluate the historic significance of a property and to determine its relative importance to changes over time. For Flemington, the Period of Significance is from the first European settlement in the early 18th century until 1934, which coincides with the Great Depression and the Lindbergh Kidnapping Trial at the Hunterdon County Courthouse.

...

SITE
The location of a significant event, a prehistoric or historic occupation or activity, a building or structure, or a burial ground or cemetery, whether standing, ruined or vanished, where the location itself possesses historical~~,~~ **or** cultural ~~or archaeological~~ value regardless of the value of any existing structure.

B. The purposes of the Historic District Review Ordinance include:

1. Safeguarding the heritage of Flemington Borough by preserving its historical, cultural, social, economic and architectural resources;

2. Encouraging the continued use of historic buildings, structures and sites and to facilitate their appropriate re-use;

3. Maintaining and developing a harmonious setting for the historically significant buildings, structures, sites, objects and District;

4. ~~Preventing~~ **Avoiding wherever possible** the unnecessary demolition or relocation of historic resources;

5. ~~Preventing~~ **Avoiding wherever possible** new construction or development which is not in keeping with or that negatively impacts the ambience and character of the Historic District;

6. Encouraging the proper maintenance, per the Borough's existing Property Maintenance Code Chapter 9B, and preservation of buildings, structures and sites within the Historic District so as to promote Flemington Borough as an attractive area to live, work and visit;

7. Protecting and enhancing property values;

8. Promoting civic pride in and appreciation of Flemington Borough's historic resources for the education, pleasure and welfare of its citizens and visitors; and

9. Fostering beautification and private reinvestment.

C. General Guidelines. The following guidelines shall be utilized by the HPC in reviewing and making recommendations pursuant to and subject to the limitations of Borough Code § 1404K2.

…

2. Procedures for review by the Flemington Historic Preservation Commission are contained within Chapter 14 **Section K** of the Flemington Borough Land Development Ordinance.

…

21. ~~Emergency reviews of applications to the Historic Preservation Commission may be requested for construction or repair work that is required to be undertaken before the next scheduled meeting of the Historic Preservation Commission. The applicant shall notify the Historic Preservation Commission and request an emergency review, and the Historic Preservation Commission shall determine if an emergency review is required and the format of the review. Any work done by the applicant prior to formal approval by the Historic Preservation Commission shall be at the sole risk of the applicant~~ **Emergency Review Procedures**

a. In the event an applicant requires an emergency review, the applicant shall pay all fees incurred by the **HPC** ~~Commission~~ to properly advertise an emergency meeting of the **HPC** ~~Commission~~. **When a structure or improvement requires immediate repair to preserve the continued habitability of the structure and/or the health and safety of its occupants or others, emergency repairs may be performed in accordance with any applicable building code without first obtaining a certificate of approval. Under such circumstances, the repairs performed shall be only those necessary to protect the immediate health and safety of the occupants of the structure or others and/or to maintain the habitability of the structure. Where feasible, temporary measures to prevent further damage should be used, provided these measures are reversible without**

damage to the structure.

b. **The property owner shall make a request for the HPC review simultaneously with the onset of emergency work. The request shall be made to the Administrative Officer and the Chair of the HPC, or in their absence, the Vice Chair. Such emergency work shall be permitted only if the Chair of the HPC, or in his absence, the Vice Chair, certifies the immediate necessity for such permit issuance. Upon notice to the full commission by telephone, personal contact or other appropriate means of communication, at least three members of the HPC shall convene as soon as possible, and such convening members shall proceed to review the certificate of approval application as provided for in this chapter. The HPC shall conduct the emergency meeting in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-9. Subsequent to such review, a certificate of approval may be issued upon a majority vote of the members convened.**

c. **No work other than the emergency repairs shall be performed on the structure until an appropriate request for approval is made and approval is obtained from the HPC after referral of the request by the Chair of the HPC, or in his absence, the Vice Chair.**

...

E. Facade Treatment. The following guidelines shall be utilized by the HPC in reviewing and making recommendations pursuant to and subject to the limitations of Borough Code § 1404K2.

1. The Flemington Historic Preservation Commission is ~~particularly~~ concerned with elevations of buildings that are visible from public ways. Rear and side elevations **are not reviewed by the HPC unless visible from public ways** ~~will have greater flexibility in terms of design and materials~~.

...

G. Demolition. The following guidelines shall be utilized by the HPC in reviewing and making recommendations pursuant to and subject to the limitations of Borough Code § 1404K2.

1. The integrity of historic districts depends on the preservation and retention in situ of the original historic structures. Therefore, the review of applications for the demolition or partial demolition of any structure within the Flemington Historic District will be undertaken with the greatest care. The demolition or partial demolition of any structure deemed Contributing or Significant in the Historic District is ~~not permitted~~ **strongly discouraged,** except when public health or safety is at risk, as certified by a licensed structural engineer, or there are other reasons deemed to be crucial for the future development and prosperity of the Borough consistent with the Borough's Master Plan, adopted redevelopment plan, or other adopted economic planning and policy documents.

....

H. Relocation within Flemington Borough.

1. The integrity of historic districts depends on the preservation and retention in situ of the original historic structures. Therefore, the review of applications for the relocation of any structure currently located within the Flemington Historic District to a location outside of the District will be undertaken with the greatest care. The relocation of any structure deemed Contributing or Significant in the Historic District is generally not permitted, except when public health and safety is at risk ~~not permitted~~ **strongly discouraged, except when public health and safety is at risk.**

...

I. Relocation within Flemington Borough.

1. The integrity of historic districts depends on the preservation and retention in situ of the original historic structures. Therefore, the review of applications for the relocation of any structure currently within the Flemington Historic District to another location within the District will be undertaken with the greatest care. The relocation of any structure deemed Contributing or Significant in the Historic District is **strongly discouraged** ~~not permitted~~.

....

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

A ***MOTION*** was made by Councilman Arias to introduce the Ordinance, second by Councilman Levitt and on Roll Call the following was recorded:

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

Motion carried.

Public Hearing will be held on April 27, 2026

REGULAR AGENDA:

12. RESOLUTION 2026-77 – RESOLUTION APPOINTING JANE DEHAVEN AS THE PART-TIME LIBRARY DIRECTOR FOR THE PUBLIC LIBRARY

WHEREAS, the Flemington Free Public Library Board of Trustees appointed Jane DeHaven as Acting Library Director effective October 24, 2025.

WHEREAS, the Library Board recognizes the substantial contribution Jane DeHaven has made since her appointment, and the library's need for her to continue in that position; and

WHEREAS, Jane DeHaven possesses the necessary qualifications and experience and has agreed to serve in the position of Library Director at the Flemington Free Public Library.

THEREFORE, BE IT RESOLVED, that the Mayor and Council accept Resolution #2026-06 from the Flemington Free Public Library appointing Jane DeHaven as the part-time Library Director.

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

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

Motion carried.

13. RESOLUTION 2026-78 – RESOLUTION APPROVING EDWARD GAIBOR FOR ADMISSION TO ACTIVE MEMBERSHIP IN THE STATE OF NEW JERSEY FIREMAN'S ASSOCIATION

WHEREAS, Edward Gaibor has applied to be a member of the NJ State Firemen's Association, and

WHEREAS, the applicant has undergone the required physical examination.

NOW, THEREFORE, BE IT REOLVED by the Mayor and Council of the Borough of Flemington, in the County of Hunterdon and the State of New Jersey that the applicant be admitted to active membership in the NJ State Firemen's Association.

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

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

Motion carried.

14. RESOLUTION 2026-79 – RESOLUTION CANCELLING THE CONTRACT WITH WINDOW WORLD AND AWARDING A CONTRACT WITH MARKEY WINDOWS FOR THE WINDOW IMPROVEMENT PROJECT AT BOROUGH HALL

WHEREAS, the Borough of Flemington awarded a contract for the replacement of windows at Borough Hall in 2025 to Window World; and

WHEREAS, Window World is unable to fulfill the contract and the Borough of Flemington wishes to cancel the contract; and

WHEREAS, new quotes were received for the project as detailed below:

Markey Windows Doors & More	$14,900.00
Kepo Siding & Windows	$24,830.00
Hunterdon Siding & Windows	$27,690.00

NOW, THEREFORE, BE IT RESOLVED the Mayor and Council of the Borough of Flemington authorize the Chief Financial Officer to process a purchase order in the amount of $14,900.00 to Markey Windows Doors & More for the window improvement project.

BE IT FURTHER RESOLVED the Chief Financial Officer certifies that funds are available in 5-01-630-216.

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

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

Motion carried.

15. RESOLUTION 2026-80 – RESOLUTION DECLARING THE BOROUGH OF FLEMINGTON HAVING A SELF EXAM BUDGET FOR 2026

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5 the Borough of Flemington has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2026 budget year, so now therefore,

BE IT RESOLVED, by the Mayor and Council of the Borough of Flemington that in accordance with N.J.A.C. 5:30-7.6a and b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
   A. Payment of interest and debt redemption charges
   B. Deferred charges and statutory expenditures
   C. Cash deficit of preceding year
   D. Reserve for uncollected taxes
   E. Other reserves and non-disbursement items
   F. Any inclusions of amounts required for school purposes

2. That the provisions relating to limitations on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (complies with the "CAP" law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
   A. All estimates of revenue are reasonable, accurate, and correctly stated
   B. Items of appropriation are properly set forth
   C. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced, publicly advertised and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

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

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

Motion carried.

16. RESOLUTION 2026-81 – Certifying Compliance with the U.S. Equal Employment Opportunity Commission's 'Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964'

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Council of the Borough of Flemington, County of Hunterdon, State of New Jersey hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

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

Motion carried.

17. RESOLUTION 2026-82 – RESOLUTION 2026-82 - RESOLUTION AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE BOROUGH OF FLEMINGTON TO UNDERTAKE A PRELIMINARY INVESTIGATION OF BLOCK 35, LOTS 13, 14, 102, 103, & 104, BLOCK 36, LOTS 3 & 30, AND BLOCK 37, LOTS 1, 2, 3, 6, 17, 18 & 100 ("STUDY AREA") PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1, ET SEQ.) FOR CLASSIFICATION AS AN AREA IN NEED OF REDEVELOPMENT AND DIRECTING THE PLANNING BOARD TO PREPARE A STUDY INVESTIGATING WHETHER THE STUDY AREA, LOCATED GENERALLY AT

"TURNABLE JUNCTION" QUALIFIES AS A CONDEMNATION AREA IN NEED OF REDEVELOPMENT

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law"), the Borough Council ("Borough Council") of the Borough of Flemington ("Borough") may direct the Planning Board of the Borough ("Planning Board") to conduct a preliminary investigation and public hearing to determine whether certain areas of the Borough constitute areas in need of redevelopment; and

WHEREAS, the Borough Council seeks to have the Planning Board undertake a preliminary investigation of Block 35, Lots 13, 14, 102, 103, & 104, Block 36, Lots 3 & 30, and Block 37, Lots 1, 2, 3, 6, 17, 18 & 100 (the "Study Area"); and

WHEREAS, Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-6, the Borough Council shall state whether the redevelopment area shall be a "non-condemnation redevelopment area," which is defined as a redevelopment area that shall not use the power of eminent domain authorized by the Redevelopment Law or whether the redevelopment area shall be a "condemnation redevelopment area," which is defined as a redevelopment area that may use the power of eminent domain authorized by the Redevelopment Law; and

WHEREAS, the Borough Council is designating the proposed redevelopment area to be a "condemnation redevelopment area;" and

WHEREAS, upon the completion of the preliminary investigation and public hearing, the Planning Board shall provide recommendations to the Borough Council as to its investigation of the Study Area, all in accordance with N.J.S.A. 40A:12A-6;

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

1. The Planning Board is hereby authorized and directed to conduct a preliminary investigation pursuant to the Redevelopment Law, specifically N.J.S.A. 40A:12A-6, to determine whether the Study Area satisfies the criteria set forth in N.J.S.A. 40A:12A-5, and should be designated as an area in need of redevelopment.

2. Any redevelopment area created pursuant to this authorization shall be a "condemnation redevelopment area" pursuant to N.J.S.A. 40A:12A-6.

3. The Planning Board Planner is hereby authorized and directed to assist the Planning Board in its preliminary investigation of the Study Area and to prepare a study investigating whether the Study Area constitutes a "condemnation area in need of redevelopment" under the Redevelopment Law.

4. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the Study Area and the location of the various parcels contained therein. There shall be a statement appended to the map setting forth the basis for the investigation.

5. The Planning Board shall conduct a public hearing, after giving due notice of the proposed boundaries of the Study Area and the date of the hearing to any persons who are interested in or would be affected by a determination that the area delineated in the notice is a redevelopment area in accordance with the requirements of N.J.S.A. 40A:12A-6.

6. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area. All objections to a determination that the Study Area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

7. After conducting its investigation, preparing a map of the Study Area, conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Borough Council as to whether the Borough Council should designate all or a portion of the Study Area as an area in need of redevelopment pursuant to the Redevelopment Law.

8. The Mayor and Planning Board officials and professionals are each hereby authorized to take any necessary and appropriate actions in connection with the preliminary investigation of the Study Area, and are hereby authorized and directed to take such actions including, but not limited to, the negotiation of any and all documents necessary to undertake the investigation as being hereby ratified and confirmed.

9. This Resolution takes effect immediately upon adoption.

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

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

Motion carried.

18. RESOLUTION 2026-83 – RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF FLEMINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, APPROVING THE APPLICATION OF STAGECOACH LIQUORS LLC FOR A PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE WITH BROAD PACKAGE PRIVILEGE NO. 1009-32-003-014, CURRENTLY SITED AT 46 MAIN STREET, FLEMINGTON, NEW JERSEY

WHEREAS, Stagecoach Liquors LLC ("Applicant") is the holder of Plenary Retail Consumption License with Broad Package Privilege No. 1009-32-003-014, presently inactive and sited at 46 Main Street, Flemington, New Jersey; and

WHEREAS, the Applicant has applied to the Borough Council of the Borough of Flemington ("Borough Council"), as the local issuing authority, for approval of a place-to-place transfer (expansion of premises); and

WHEREAS, the application was filed with the Borough Clerk in proper form and accompanied by all required State and municipal fees; and

WHEREAS, public notice of the application was duly provided in accordance with the requirements of the Alcoholic Beverage Control Act and the regulations of the New Jersey Division of Alcoholic Beverage Control; and

WHEREAS, the Flemington Borough Police Department conducted the required investigation of the Applicant and the proposed licensed premises and reported no statutory or regulatory disqualifications; and

WHEREAS, the Mayor & Council has reviewed the application, the investigative reports, and all supporting documentation, and finds that the Applicant is qualified to hold the license at the proposed location and that approval of the place-to-place transfer (expansion of premises) will not be contrary to the public interest.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Flemington, County of Hunterdon, State of New Jersey does hereby approve, effective immediately, the application of Stagecoach Liquors LLC for a place-to-place transfer (expansion of premises) of Plenary Retail Consumption License with Broad Package Privilege No. 1009-32-003-014, currently sited at 46 Main Street, Flemington, New Jersey, and hereby directs the Borough Clerk to endorse the license certificate as follows: "This license, subject to all of its terms and conditions, is hereby transferred to the premises (expansion of premises) located at 46 Main Street, Flemington, New Jersey"; and hereby further directs the Borough Clerk to forward a certified copy of this Resolution, together with all required documentation, to the New Jersey Division of Alcoholic Beverage Control.

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

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

Motion carried.

19. RESOLUTION 2026-84 – RESOLUTION AUTHORIZING THE PROMOTION OF CORPORAL DUSTIN KYDD TO THE RANK OF SERGEANT WITHIN THE FLEMINGTON POLICE DEPARTMENT

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

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

Motion carried.

APPROVAL TO PAY THE BILLS:
AUTHORIZING PAYMENT OF THE BILLS IN THE AMOUNT OF $115,294.96

A ***MOTION*** was made by Council Vice President Engelhardt to pay the bills, seconded by Council President Parker and on Roll Call vote the following was recorded:

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

Motion carried.

WORKSESSION – 2026 BUDGET, CFO BILL HANCE:

CFO, Bill Hance gave an overview of the budget. Council asked questions about the budget.

A ***MOTION*** was made by Councilman Levitt to introduce the budget, second by Councilwoman Fusaro and on Roll Call the following was recorded:

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

Motion carried.

Public Hearing will be held on May 11, 2026

PUBLIC COMMENTS – SESSION II:

Toni Gushue, 605 County Road 519, Kingwood, owner of Within Spirit at 37 Stangle Road, and the FID Board President, stated she just wanted to touch on a couple of things with Turntable Junction. As somebody who's lived basically in this area her entire life through Flemington, Hillsborough, and Branchburg, it's somewhere she frequented pretty much until like the late 2000s.

Now, as an extension between Church Street and Main Street in our Stangl Business District, it is dilapidated and it appears as if it's basically like an abandoned ghost town. There are serious issues with the parking lots, the sidewalks, the structures. It is not the view and the first impression the Borough wants people to have when they come to Flemington.

This property was already deemed to be a site in need of redevelopment in 2014 when the BID did a study on this property, as well as others, including the Union Hotel, the Agway site, and Cut Glass. When the property owner purchased these buildings in 2015, his attorney stated in an article to the Hunterdon Democrat, and I quote, "'They will fix up the grounds a bit and in general "'make it a more inviting place "'and increase sales for the tenants,' end quote." And this statement has basically been, couldn't be any further from the truth of what's happened. When she first was looking to open her business in the Borough, she initially did consider Turntable Junction, but she did her due diligence about it.

Ms. Gushue spoke to other tenants, took a ride and walked around the property, and canceled the scheduled meeting she had because the answer for her was a resounding no. The property conditions in the summer of 2021 when she wase looking were atrocious at that time. There were holes in the roofs with the sky visible from above, rodents, trash, and things have only gotten much worse over time.

Both the current and past tenants have had a number of issues with these units, and she knew they've been in touch with several members of Council in regards to situations they have encountered, the most severe being two that suffered damages and they were forced to move from the property because the property owner did not make repairs that would allow them to be operational, only for them to get sued in the process of vacating. When one of those buildings burned down in September of 2022, the property owner left a fence around the rubble for almost a year. There are four commercial tenants right now in there in a property that has about 25 units, which just goes to show to be a testament of their condition, considering we have multiple businesses who want spaces in the Borough.

People really are not willing to touch these spaces, and to be very honest, the property owner is really not actively looking to rent them out, because they're not even showing up on available commercial property listings when you do a search. The owner's been very happy to take a loss on these properties, and when he's been approached about someone purchasing a building, he's been telling someone very inflated numbers over what these buildings are actually worth. The gazebo and the historic turntable have been sitting there for years with snow fencing and caution tape around them, because they're a safety hazard, instead of being maintained and beautified for people to enjoy, like the gazebos in Court Street Park have been.

These are not new problems that have popped up overnight. Ms. Gushue has addressed them a number of times to our former Executive Director, and our former mayor. She's been told a range of things, like we are working on it, to we are attacking the property owner because of his religious beliefs.

Ms. Gushue stated Council President Parker said it very well a couple of meetings ago, or last meeting rather, when he said the Council cannot keep kicking the can down the road with these properties. There's also concern for the residents. The owner has a residential unit listed right now. It's dingy, there's stained carpeting, the walls have never been painted just wiped down and there's visible smears on them. The kitchen basically looks like it was piecemeal together, and there's a stove sitting on a tiny piece of linoleum while the rest is carpeted. There are no safety screens on the windows, which I believe is a requirement by law.

It's not just reflecting poorly on the commercial tenants who are operating there because the grounds are not maintained and the buildings are not maintained, but it also reflects poorly on those who operate adjacent businesses, the property owner, our Borough officials and Flemington as a whole. Ms. Gushue commented on a statement that was made earlier in terms of We Kids, We Kids actually does not show up on the tax or sewer maps as being a property that the owner of Turntable Junction owns because they're showing up as having a totally different address than what the blocks and lots are, and that added to the confusion with if that was actually a Turntable property or not.

Ms. Gushue personally thought it was owned by Mr. Caruso that owns the building with Rosemary, et cetera, and Mi Sabor in it, so that was an oversight both on Council as well as the FIDs ends. Ms. Gushue continued that as far as Ally not talking to We Kids yet, Ally has been working very

diligently updating the contact information for all 450 of our commercial businesses and has been going face-to-face and meeting with people, making sure people are in the loop about things going on. If they have not had FaceTime with her yet, it just means that it hasn't unfortunately been yet. But again, she also wants to make sure that everyone is on the same page, that that was not something that was either not done or neglected. Ally spoke with all of the commercial tenants at Turntable and Ms. Gushue spoke with all of the past tenants of that property.

ADJOURNMENT:

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

ATTEST:

Carla Conner, Borough Clerk

Marcia A. Karrow, Mayor

Adopted: April 27, 2026