BOROUGH OF FLEMINGTON
REGULAR COUNCIL MEETING
SEPTEMBER 14, 2026

Mayor Karrow called the meeting to order at 7:01 p.m. announcing that all laws governing Open Public Meetings Act have been met and that this meeting has been duly advertised.

SALUTE TO THE FLAG

Mayor Karrow stated a notice was provided as required. The annual meeting notice is on file in the Office of the Municipal Clerk for public inspection.

ATTENDANCE ROLL CALL:

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

Mayor Karrow amended the agenda to include a brief Executive session to discuss potential litigation regarding a sign on the Route 12/Route 231 Circle, and to table the introduction of Ordinances 2026-16 and 2026-17 for a future work session to discuss the proposed safety changes. Ordinance 2026-15 will proceed as planned.

Council President Parker requested adding another resolution to the agenda regarding valet parking in front of the Union Hotel.

WORKSESSION – ORDINANCES #2026-16, #2026-17 & VALET PARKING RESOLUTION

Councilman Levitt stated Ordinances 2026-16 and 2026-17 are state-mandated updates to the Borough's safety ordinances, specifically regarding shade trees, with an original deadline of June 2024. The process was complicated by the fact that shade tree information is spread throughout the administrative code. Planner McManus, the Environmental Commission, and the Shade Tree Commission collaborated on the draft. However, the current version contains errors and was presented in a confusing format with many markups, making it difficult to understand the proposed changes. A clean, redlined version is needed before the Council can proceed.

- **Overview of Proposed Ordinance Changes**

  - **Ordinance 2026-16 (Streets and Sidewalks):** Adds the words "and street trees" to clarify that abutting property owners are responsible for maintaining and repairing sidewalks, curbs, and street trees. This clarifies existing code rather than creating a new responsibility.
  - **Ordinance 2026-17 (Tree Removal):**
    - Relocates tree removal provisions to a more appropriate chapter in the code.
    - Updates the list of acceptable trees for planting.
    - Updates landscape and stormwater basin standards for new site plan applications.
    - Creates a new process for tree removal and replacement to comply with stormwater management regulations.

- **New Tree Removal Process and Classifications**

  - **Old Process:** A simple $10 application was required. A Code Enforcement Officer would determine if a tree was dead, dying, or a hazard, in which case no permit was needed for removal. A permit was required only for healthy trees.
  - **New Process:**
    - Classifies trees into four categories based on diameter at breast height.
    - Requires a permit for removing healthy trees, which necessitates either replacing the tree or paying a fee in lieu of planting. The replacement obligation increases with tree size.
    - **Exemptions:**
      - Hazard trees (dead, dying, confirmed by a licensed expert or code official) are exempt from replacement rules.
      - Residents can remove up to three "Category 3 and under" trees in a rolling five-year period without replacement requirements. This does not apply to very large "Category 4" trees.

- **Fee Structure and Financial Concerns**

  - The Shade Tree Commission proposed a fee structure for removing healthy trees to discourage the practice and fund the "Adopt a Tree" program, where planting a new tree costs about $750.
  - An initial proposal suggested fees of $750 for Category 1-2 trees and $900 for Category 3-4 trees. This was later revised to start at $350 for a Category 1 tree (based on a $150 tree and $200 planting cost) and scale up, aiming to be slightly higher than self-replacement to encourage homeowners to plant trees themselves.
  - A conflict was noted in the draft: one section listed varying fees, while another cited a flat $900 fee. This needs correction.
  - Significant concerns were raised about the financial burden on property owners, especially seniors and those on fixed incomes, who already face high tree removal costs (e.g., $3,000-$6,000). The added replacement fee could lead to residents leaving hazardous trees standing.
  - Council members advocated for considering "extenuating circumstances," such as removing a healthy tree for a home addition and potentially offering a reduced fee in such cases.

- **Property Owner Responsibility for Street Trees**

  - The Ordinance clarifies that the grassy area between the sidewalk and street is the property owner's responsibility.
  - Confusion exists regarding Main Street, where a past "streetscape improvement" project led business owners to believe the town had taken over tree maintenance. The town's position is that it only agreed to water the new trees for two years, after which responsibility reverted to property owners.

Temporary Valet Parking Resolution for the Union Hotel

A last-minute Resolution was introduced to create three dedicated valet parking spaces for the Union Hotel via a 60-day temporary measure, after which a permanent Ordinance might be considered. The Chief of Police recommended this proactive step to manage expected traffic congestion.

1. **Concerns and Discussion**

- Concerns were raised that local businesses were not consulted, and the Resolution lacked specific hours, potentially blocking parking 24/7.
- The hotel already has unused loading zones, and it was questioned whether three spots were necessary.
- Discussion ensued about the Police Chief's discretionary authority to enforce parking violations. It was suggested that the resolution should include an explicit enforcement plan (timing, ticketing, towing) rather than relying solely on discretion.
- The hotel's valet service plans to place temporary "No Parking" signs two hours before operations begin.
- A suggestion was made to create a town-wide valet licensing system to generate revenue and standardize the process.

2. **Decision**

   After extensive debate, a motion to "do nothing" on the resolution was passed. The issue will be revisited in two weeks. In the interim, the Police Chief will manage the situation on a temporary basis using cones as needed. Data on traffic impacts will be collected for the next meeting.

MAYOR'S REPORT:

Mayor Karrow congratulated the Union Hotel on their opening and reminded Council members of the upcoming Liberty Pole raising on September 19, 2026.

COUNCIL MEMBER REPORTS

COUNCIL VICE PRESIDENT ENGELHARDT:
No report was given.

COUNCIL PRESIDENT PARKER:
Council President Parker praised the turnout for the Hotel ribbon cutting that was held today, and a play will be performed at the Courthouse on Jacob Francis "1776" musical on September 25 & 26, 2026.

COUNCILWOMAN HERBERT:
Councilwoman Herbert reported the School Board approved a referendum for the November 3, 2026, General election to bond for critical infrastructure work, with the state covering 40% of costs. Councilwoman Herbert encouraged residents to attend the information sessions that are scheduled for September 30, 2026, and October 28, 2026. Councilwoman Herbert also reported the Borough joined the NJ Homes Affordable Builders Club and she is registered for the Supportive Housing Association.

COUNCILMAN LEVITT:
Councilman Levitt stated the Union Hotel did an incredible job with the Hotel, and he attended the County's 911 remembrance ceremony at the new memorial on Thatcher Hill Road and the County did a wonderful job honoring the memory of the Hunterdon County residents and everyone who lost their lives that day.

Councilman Levitt continued that a recent pedestrian safety program run by Sgt. Emanuele resulted in tickets for failure to stop at crosswalks. Council discussed the new parking passes and requested for the Police Department to post parking permit pickup times on their website.

COUNCILWOMAN FUSARO:
Councilwoman Fusaro reported there are no Environmental Commission meetings in August or September, and the Hunterdon County Planning and Land Use Board is having a meeting on data centers September 29, 2026.

COUNCILMAN ARIAS:
Councilman Arias reported the HPC meeting for September is cancelled and he, Council President Parker and DPW Supervisor, Mike Campion met at Tuccamirigan Park to revitalize the park, including its soccer and volleyball fields, and to add self-cleaning porta-potties, plus a drainage project.

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

APPROVAL OF MINUTES:

Regular Session August 10, 2026

A ***MOTION*** was made by Councilman Levitt to to approve the minutes, seconded by Councilwoman Herbert with a vote of all ayes, with Council Vice President Engelhardt & Councilman Arias abstaining.

Executive Session August 10, 2026

A ***MOTION*** was made by Councilman Levitt to approve the minutes, seconded by Councilwoman Herbert with a vote of all ayes, with Council Vice President Engelhardt & Councilman Arias abstaining.

Special Session September 2, 2026

A ***MOTION*** was made by Councilman Levitt to approve the minutes, seconded by Councilwoman Herbert with a vote of all ayes, with Councilwoman Fusaro abstaining.

CONSENT:
1. RESOLUTION 2026-150 – RESOLUTION AUTHORIZING THE RELEASE OF $250.00 ROAD OPENING BOND TO CHRIS RUNION

WHEREAS, a road opening bond was collected from Chris Runion for work done at 25 Broad Street; and

WHEREAS, the work has been completed and approved by the Public Works Manager.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington that the Chief Financial Officer is hereby authorized and directed to return the $250.00 road opening bond to Chris Runion for work at 25 Broad Street, Flemington NJ 08822.
Councilwoman Herbert asked for Resolutions #3, 4 & 5 to be removed from the Consent Agenda.

A ***MOTION*** was made by Council Vice President Englehardt to approve the Consent Agenda, 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 OR ORDINANCES:

2. ORDINANCE 2026-15 – AN ORDINANCE AMENDING CHAPTER 10 "STREETS AND SIDEWALKS", SECTION 10-4 "SIDEWALK CONSTRUCTION AND MAINTAINANCE" OF THE BOROUGH CODE – TABLED

3. ORDINANCE 2026-16 - AN ORDINANCE AMENDING CHAPTER 2 "ADMINISTRATION", SECTION 2-10 "SHADE TREE COMMISSION" OF THE BOROUGH CODE - TABLED

4. ORDINANCE 2026-17 - AN ORDINANCE AMENDING CHAPTER 12 "LAND DEVELOPMENT DEFINITIONS" OF THE BOROUGH CODE, AND CHAPTER 16 "DESIGN AND PERFORMANCE STANDARDS", SECTIONS 1632 "LANDSCAPE STANDARDS" AND SECTION 1632.1 "PUBLIC ART" OF THE BOROUGH CODE - TABLED

REGULAR AGENDA:

5. RESOLUTION 2026-151 – RESOLUTION APPROVING AIDAN THOMPSON FOR ADMISSION TO ACTIVE MEMBERSHIP IN THE STATE OF NEW JERSEY FIREMAN'S ASSOCIATION

WHEREAS, Aidan Thompson 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 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.

6. RESOLUTION 2026-152 - RESOLUTION APPOINTING CGP&H AS THE AFFORDABLE HOUSING AGENT

WHEREAS, the Borough of Flemington has a need to acquires a Affordable Housing Agent as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

WHEREAS, the term of this contract is one (1) year; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby appoints CGP&H as the Affordable Housing Agent for the Borough of Flemington from April 1, 2026, through March 31, 2027; and

BE IT FURTHER RESOLVED that the Mayor of the Borough of Flemington is hereby authorized to enter said agreement with CGP&H for an amount not to exceed $13,500.00; and

IT IS FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the budget.

IT IS FURTHER RESOLVED that notice of this Resolution shall be noticed on the Borough website at www@historicflemington.com as required by law.

A ***MOTION*** was made by Councilman Levitt to approve the Resolution, second by Councilwoman Herbert 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.

7. RESOLUTION 2026-153 - RESOLUTION AWARDING PS&S THE ARCHITECTUAL DESIGN WORK FOR THE SALLY PORT AT THE POLICE HEADQUARTERS

WHEREAS, the Borough of Flemington received proposals for the architectural design work of the Police Headquarters Sally Port project phase 2B; and

WHEREAS, it has been determined that the proposal from PS & S meets the requirements of the Borough.

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 $167,000.00 to PS & S for the Police Sally Port project.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available in G-02-534-120.

A ***MOTION*** was made by Council Vice President Engelhardt 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.

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

APPROVAL TO PAY THE BILLS:
AUTHORIZING PAYMENT OF THE BILLS IN THE AMOUNT OF $1,053,352.45

A ***MOTION*** was made by Councilwoman Herbertt to pay the bills, seconded by Councilwoman Fusaro and on Roll Call vote the following was recorded:

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

Motion carried.

EXECUTIVE SESSION:

BE IT RESOLVED, that the Mayor & Council will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.

1. POTENTIAL LITIGATION – SIGN ON CIRCLE

- It is unknown precisely when the matters discussed in this session will be disclosed to the public.
- Formal action may or may not be taken after the conclusion of the closed session.
- Matters concerning litigation may be announced upon the conclusion of any trial or settlement of the litigation. Other matters may be made public when the need for confidentiality no longer exists. Action will not be taken.

The Mayor and Council entered into Executive Session and a ***MOTION*** was made by Councilman Levitt, seconded by Councilwoman Fusaro with a vote of all ayes.

ADJOURNMENT:

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

ATTEST:

Carla Conner, Borough Clerk

Marcia A. Karrow, Mayor

Adopted: September 28, 2026