



# Mayor and Common Council Borough of Flemington

February 10, 2020

Council Meeting Room

## Work Session (7:00 PM)

No topic. After being called to order at 7:03 p.m., the work session was adjourned until the start of the regular meeting on a motion moved by Ms. Tilly, seconded by Mr. Runion, and approved by all members.

## Regular Meeting (7:30 PM)

This meeting is being held in conformance with the Open Public Meetings Act.

Flag Salute

Roll Call:

Attendee Name	Title	Status	Arrived
Caitlin Giles-McCormick	Council President	Present	
Jessica Hand	Council Member	Present	
Michael Harris	Council Member	Present	
Jeremy Long	Council Member	Present	
Christopher Runion	Council Member	Present	
Kimberly Tilly	Council Vice President	Present	
Betsy Driver	Mayor	Present	

### I. Mayor's Report

Mayor Driver expressed disappointment that Council Members Harris and Runion did not attend a special council meeting/ executive session held Sunday, Feb. 9. She noted she may have to leave this meeting early, and if so, Council President Giles-McCormick would take over after a short recess. She asked Council to consider calling an executive session at the end of the meeting, regarding comments made on social media regarding Sunday's meeting.

### II. Council Members' Reports

Council Member Runion

There have been 2 resignations from the Environmental Commission, bringing it down to four members. Anyone interested is welcome. He received a letter from the state DEP and the Borough can now move forward with the electric vehicle charging stations. The \$12,000 grant is ours; they're going to start looking for estimates.

Mayor Driver said she's thinking of holding a Borough Volunteer job fair, so residents can find out about all the opportunities to help out in the Borough.

Council Member Harris

He also attended the Environmental Commission meeting. For the Shade Tree Commission, he will provide a list of members and their terms.

He commented on his questioning of the special meeting/ executive session held Sunday, Feb. 9, saying that to redirect his question of proper notice as an attack on the Clerk was inappropriate. He discussed his objections to the meeting, and said notices should be placed on the Borough website and the calendar on the website.

Council Vice President Tilly

Fireworks - an application to hold this year's fireworks on July 3 has been filed with the school district. The next step is getting letters from the Fire Department and Rescue Squad. She commented on Mr. Harris' social media comments about the Sunday meeting, saying it shows disrespect for Borough officials.

Council Member Hand

She attended the recent Environmental Commission meeting. She said since being on Council she's discovered there are so many opportunities to participate, and she thinks a volunteer fair is a great idea.

Council Member Long

Planning Board - They'll be holding a special meeting tomorrow to review Ordinance 2020-2, which is being reintroduced tonight with detail about the area it covers. They've already reviewed Ordinance 2020-3, which adds certain theaters and social clubs as uses in the Downtown Business District, the Downtown Business II District, and the Village Artisan Shopping District. He attended the champagne and cheese gathering at the Samuel Fleming House. He said it's good to see history being held onto, and the museum is a little gem in town.

He said the special meeting/executive session held Sunday was quite informative. He saw Mr. Harris' social media post while he was at the meeting, and he said that facts matter, social media has changed the dynamics of how we function, and most Flemington residents are tired of the manufactured discontent. He urged Council members to use social media judiciously.

Council President Giles-McCormick

Ms. Giles-McCormick said the Samuel Fleming House's open house drew about 60 people. In March, they'll have an open house featuring Irish soda bread. FCP - New officers were elected on Jan. 27; Tim Bebout is the new chairman. They're developing plans for the next year, 3 years, and 5 years. Forty events are planned for February. Also, in the last 6 weeks, there have been 13 new businesses or changes in ownership in town. DPW - on Jan. 30, a DPW meeting addressed breakdown issues with the garbage company. She noted that the current contract will expire next year.

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Redevelopment - She, the Mayor, and Ms. Tilly have had talks with our attorneys about redevelopment. On Feb. 13 a discovery hearing will be held to discuss evidence in one of the lawsuits.

They've tried more than 20 times over the past year to meet with the Friends of Historic Flemington, but there's always a new block. The developer has shown his willingness to compromise. She renewed calls to the Friends of Historic Flemington to meet with Borough officials.

She took issue with Mr. Harris' social media comments about Sunday's meeting/ executive session, saying timely answers were provided to his inquiries about the meeting, and he chose to ignore the facts. She said such comments make working in the Borough less rewarding.

### III. Public Comments - Session I (up to 3 minutes each, for a maximum of 30 minutes)

Mayor Driver noted the presence of two members of Boy Scout Troop 1969. She said a public hearing will be held on Feb. 24 for Ordinance 2020-1. Public hearings on Ordinances 2020-2 and 2020-3 will be rescheduled to March 9, due to the need to provide notifications to people living within 200 feet of the boundaries of the affected areas.

Steve Karpew, 32 Allen St. - He asked about repairs to Main Street, and rain dates for this year's yard sales. Mayor Driver said we've got grant money for the Church-Main Street section; the big concern is seeing if we can reline the sewer pipes - they're 18 feet deep.

Steve Tuccio, 61 Elwood Ave., said all Council members should avoid social media. He suggested that notices of meetings always be posted on the borough website, for the purposes of transparency.

### IV. Approval of Minutes

Motion To: **Approve Minutes: January 27, 2020 Regular Council Meeting**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Harris, Council Member
<b>SECONDER:</b>	Kimberly Tilly, Council Vice President
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

Motion To: **Approve Minutes: January 27, 2020 Executive Session**

<b>RESULT:</b>	<b>APPROVED [5 TO 0]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Vice President
<b>SECONDER:</b>	Jeremy Long, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Long, Runion, Tilly
<b>ABSTAIN:</b>	Michael Harris

## Consent Agenda

Ms. Giles-McCormick asked that Resolution 2020-48 be pulled from the consent agenda.

Consent Agenda Moved: Tilly      Seconded: Harris      Vote: All Members Voted in favor.

1. RESOLUTION 2020-45: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE 2019-002 HELD ON BLOCK 35 LOT 65, 19 CHURCH STREET
2. RESOLUTION 2020-46: RECOGNIZING BLACK HISTORY MONTH
3. RESOLUTION 2020-47: IN SUPPORT OF THE CELEBRATION OF THE 100TH ANNIVERSARY OF WOMEN'S SUFFRAGE
4. RESOLUTION 2020-49: IN SUPPORT OF SECURING A GRANT TO CONVERT HUNTERDON COUNTY POLYTECH TO A FULL-TIME CAREER AND TECHNICAL SCHOOL

## Regular Agenda

1. RESOLUTION 2020-48: TOWN-WIDE YARD SALES MAY 16-17, WITH RAIN DATE OF MAY 30

The original version was amended on a motion by Giles-McCormick, seconded by Tilly, to remove mention of October sale dates, and add a rain date of May 30. All voted to amend the motion.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Caitlin Giles-McCormick, Council President
<b>SECONDER:</b>	Kimberly Tilly, Council Vice President
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

2. ORDINANCE 2020-2: REINTRODUCTION OF ORD. 2020-2 AS AMENDED: ESTABLISHING THE MIXED-USE MULTI-FAMILY OVERLAY DISTRICT

Mayor Driver said the reintroduction is necessary because there was an error in the drafting of the ordinance, and this now excludes some sensitive areas. She read the block and lot description and said this overlay was recommended in the 2015 Master Plan re-examination.

Attorney St. Angelo suggested that the Borough Planner be present at the public hearing.



<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Vice President
<b>SECONDER:</b>	Jessica Hand, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

7. RESOLUTION 2020-53: APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE HUNTERDON COUNTY VOCATIONAL SCHOOL DISTRICT FOR A HEAVY EQUIPMENT PROGRAM

The resolution was moved with the addition of an indemnification clause to the MOU protecting the Borough regarding injury to students, damage to property or environmental damage; a statement that school district personnel will cooperate with the Borough; and that the school district will provide notice of any injuries or spills.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Kimberly Tilly, Council Vice President
<b>SECONDER:</b>	Christopher Runion, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

V. Public Comments - Session II (up to 3 minutes each, for a maximum of 30 minutes)

Steve Tuccio, 61 Elwood Ave., asked about enforcement of property maintenance regulations regarding the Union Hotel. He expressed his distrust of the current redeveloper and asked about de-designating him. He again urged that all Council meetings be noticed on the Borough website.

Steve Karpew, 32 Allen St., asked about the open property maintenance position. Ms. Tilly said it will be posted on the Borough's Facebook page. He spoke against the 3-minute time limit per person for public comments. Mr. Harris noted that in the past, when time allows, we've gone around a second time.

Steve Tuccio, 61 Elwood Ave., encouraged Council to allow longer time periods for comment when possible. He advised Council to stop using Facebook as a commenting venue.

VI. Attorney's Report

There has been some movement with the borough-owned property at 144 Main St. A Response Action Outcome report has been submitted to the state DEP, and she's created an acknowledgment form for potential buyers noting the continued monitoring required.

Regarding a potential ordinance allowing cigar bars and lounges, she said right now new cigar bars and lounges aren't allowed by state law. Legislation is pending that would change that, but she suggested holding off on introducing an ordinance to allow them, until the legislation is in place.

VII. Payment of the Bills

Motion To: **Pay the Bills in the Amount of \$9,135,347.86**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Christopher Runion, Council Member
<b>SECONDER:</b>	Kimberly Tilly, Council Vice President
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

VIII. Executive Session for Any Other Applicable Matter Identified During the Regular Meeting (Action May Be Taken)

None needed. Attorney St. Angelo said that if Mr. Harris or Mr. Runion have any questions about the session that was held on Sunday, Feb. 9, they can review the PowerPoint she presented.

IX. Adjournment

Motion To: **Adjourn the Meeting**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Harris, Council Member
<b>SECONDER:</b>	Christopher Runion, Council Member
<b>AYES:</b>	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

The meeting was adjourned at 9:19 p.m.

Attest: \_\_\_\_\_  
Sallie Graziano, Borough Clerk