



Mayor and Common Council Borough of Flemington

August 24, 2020

Online-Only during COVID-19 Pandemic

Work Session (Canceled)

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. OEM Report

Read by Mayor Driver: The Borough reopening is paused at Stage 2, due to indoor capacity constraints. There have been no new COVID-19 cases in the borough in more than 8 weeks. OEM is working with the FCP about fall events, to ensure compliance with Executive Orders. We can expect news of FCP events in the coming weeks.

II. Mayor's Report

She's hoping the study regarding Liberty Village will encourage mixed use development there, rather than purely residential. There are 6 more weeks to go to complete the Census count. She and the borough attorney met with the potential buyers of 144 Main St., and that will be discussed in executive session later on. Permits are likely to be taken out soon for work to stabilize the structure of the Union Hotel. The plan is to start by removing the additions in the back of the building, and then work from the basement up. Main Street traffic may have to be diverted at times during the bracing process. Archaeological digging behind 90-100 Main has turned up the foundation of a house, and some Fulper pottery.

On Sept. 14, an amended Redevelopment Plan agreement and contract of sale for 90-100 Main St. will go before Council. She discussed the process. The first reading of the amended Redevelopment Plan will take place on Sept. 14. Borough Hall will have a large-screen TV and computer set up so that residents

who lack internet connectivity in their homes can participate in the meeting. There will be room for 10 people only, due to COVID-19 restrictions. Contact the Clerk for a reservation, which is first-come, first-served. A public hearing is set for Sept. 29, after which the amended plan would go to the Planning Board for approval. Throughout this, the current site plan and redevelopment plan remain in effect, and if the amended plan fails to pass, the developer can proceed with the original plan.

III. Council Members' Reports

Council Member Harris

He's had an inquiry from the courts about obsolete equipment. The Shade Tree commission had an inquiry from a developer working near Lone Eagle. He supports the encouragement of mixed uses at Liberty Village.

Council Vice President Tilly

The HPC met last week and discussed a roof project on Brown Street and a fence on Mine Street. Alternates are needed; see Ms. Tilly if interested. Fire officials meet tomorrow. The Redevelopment Committee has met several times in recent weeks. The Reopening Committee is looking at the impacts of virtual school schedules.

Council Member Hand

Flem-Rar school district, for grades K-8, will open virtually-only through October 30. Hunterdon Central High School is still planning a hybrid opening. The Citizens Working Group has met twice, and there's a lot of positivity. The Community Garden Committee is coming together, and is likely to start meeting soon.

Council Member Runion

The Environmental Commission will meet on Sept. 21. He's been working on Sustainable Jersey action items. He had a question from a resident about graffiti in town. There was general discussion about how graffiti is handled; if it's on private property it's the responsibility of the owner, and if it's on public property, the Borough has to clean it up. Ms. Tilly, as property maintenance liaison, asked to be notified if anyone gets complaints about graffiti on private property.

Council Member Long

Planning Board - the board's by-laws and rules for citizen input have been posted on the Planning Board page of the Borough website. It meets every 2nd and 4th Tuesday of the month. He encouraged people to check out the board's work.

Citizen Working Group - The last meeting they came up with a lot of questions, and they'll be answered by the Police Chief at the group's next meeting

Wednesday. There's lots of interest, and he noted the group's work has just begun. A report will be presented at the end of the year.

Council President Giles-McCormick

Samuel Fleming House museum hosted an ice cream social that drew around 40 people. Census results so far have the Borough response at 67.4%. People are knocking on doors now to reach people who haven't yet responded. The deadline is Sept. 30.

The Opportunity Zone committee met with planner Lelie to go over the zoning portion of the grant. Charettes should be starting soon; more information will be available in September. The FCP is continuing its business spotlights. The Central Jersey Jazz Fest has moved to a virtual event, and the FCP is planning to host several viewing parties.

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

No comments.

V. Approval of Minutes

Motion To: **Approve Minutes: August 10, 2020 Council Meeting**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Vice President
SECONDER:	Jessica Hand, Council Member
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

Consent Agenda

Ms. Tilly moved the consent agenda, seconded by Ms. Hand. All voted in favor of adoption.

1. RESOLUTION 2020-149: AUTHORIZING EXTENSION OF AN ACCESS AGREEMENT TO ALLOW THE COURTHOUSE SQUARE REDEVELOPER TO PERFORM ARCHAEOLOGICAL WORK PURSUANT TO SHPO'S APPROVAL OF AND CONDITIONS FOR THE SALE OF THE 90-100 MAIN AREA PROPERTIES
 2. RESOLUTION 2020-150: AUTHORIZING THE MAYOR TO SIGN THE HAZARD MITIGATION PLAN
 3. RESOLUTION 2020-151: AUTHORIZING THE MAYOR AND CLERK TO SUBMIT A GRANT APPLICATION IDENTIFIED AS TA 2020 FLEMINGTON BOROUGH 00005 MAIN STREET STREETScape PROJECT PHASE II
 4. RESOLUTION 2020-152: AUTHORIZING A TOWN WIDE YARD SALE TO BE HELD ON OCTOBER 3RD & 4TH, 2020 WITH RAIN DATES OF OCTOBER 10TH & 11TH, 2020
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Regular Agenda

1. ORDINANCE 2020-12: FINAL READING: AMENDING THE GLOBAL AGWAY REDEVELOPMENT PLAN

No comments were made by the public. Mr. Harris expressed appreciation that the developer gave several presentations on the plans. He questioned whether the current meeting format encourages public participation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Caitlin Giles-McCormick, Council President
SECONDER:	Jeremy Long, Council Member
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

2. RESOLUTION 2020-148: AUTHORIZING CLOSURE OF PART OF NEW YORK AVENUE FOR A NEIGHBORHOOD PARTY SEPT. 12, 2020 (RAIN DATE SEPT. 13)

Council discussed the COVID-19 pandemic and the need for social distancing, and was reassured that OEM will be stopping by events such as this to make sure the current Executive Orders are being followed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Harris, Council Member
SECONDER:	Kimberly Tilly, Council Vice President
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

3. RESOLUTION 2020-153: AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/ OR EXTENDING ITS WATER FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Harris, Council Member
SECONDER:	Kimberly Tilly, Council Vice President
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

4. RESOLUTION 2020-154: AUTHORIZING CLOSURE OF A PORTION OF ELWOOD AVENUE FOR A NEIGHBORHOOD PARTY AUG. 29, 2020

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Harris, Council Member
SECONDER:	Caitlin Giles-McCormick, Council President
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

5. RESOLUTION 2020-155: RESOLUTION AUTHORIZING AND DIRECTING THE LAND USE BOARD OF THE BOROUGH OF FLEMINGTON TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER A CERTAIN AREA WITHIN THE BOROUGH IS A REDEVELOPMENT AREA

Mayor Driver said this addresses the Liberty Village area. She said COVID-19 has changed everything, and the Borough needs to be ready to meet recovery head-on. The current owner offered to pay for the study, but that's not allowed under the Municipal Land Use Law. If Liberty Village is designated as an area in need of redevelopment, and the current owners are named the redeveloper, then they could retroactively reimburse the Borough for the cost of the study. Mayor Driver said the Liberty Village Redevelopment Committee discussed this proposal for several months and decided to move forward. Attorney St. Angelo said the Planning Board will hold a hearing on whether the area should be designated an area in need of redevelopment. If so, then Council could ask the Planning Board to draft a plan.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Harris, Council Member
SECONDER:	Jessica Hand, Council Member
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

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

No comments.

VII. Attorney's Report

Most of her report will be addressed in executive session. Attorney St. Angelo said 7 tax appeals were filed with the county board. Five were settled, and 2 went to the tax board and were dismissed. There are 3 appeals pending in tax court.

Executive Session

1. RESOLUTION 2020-156: RESOLUTION TO RETIRE INTO EXECUTIVE SESSION FOR THE PURPOSE OF CONTRACT NEGOTIATIONS FOR SHARED SERVICES AND CONTRACT NEGOTIATIONS REGARDING BOROUGH-OWNED PROPERTY AT 144 MAIN STREET

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Vice President
SECONDER:	Michael Harris, Council Member
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

Executive session started at 8:25 p.m. Minutes kept separately. The session concluded at 9:05 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Vice President
SECONDER:	Michael Harris, Council Member
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

Return to Open Session

At 9:05 p.m., upon returning to open session, Mr. Harris moved and Ms. Tilly seconded a motion to recess until 9:15 p.m. All voted in favor. The public session resumed at 9:15 p.m.

Mayor Driver said contract negotiations for the sale of 144 Main St. were discussed, and shared services for a business administrator were discussed. She called for a resolution to amend the sales agreement for 144 Main St. to allow for extended access for 45 days so the prospective buyers could perform due diligence in connection with 2 underground tanks discovered on the property, and provide a \$15,000 credit at the time of closing to compensate the buyers for handling removal of the tanks.

1. RESOLUTION 2020-157: AMENDING SALES AGREEMENT FOR BOROUGH PROPERTY AT 144 MAIN STREET TO ALLOW EXTENDED ACCESS FOR 45 DAYS AND A \$15,000 CREDIT AT CLOSING CONTINGENT ON APPROVAL FROM THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Mayor Driver noted that a special Council meeting is planned for Monday, Aug. 31, at 5:30 p.m., so Council can consider a shared services agreement for a Borough Administrator.

VIII. Adjournment

Motion To: **Adjourn**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Harris, Council Member
SECONDER:	Caitlin Giles-McCormick, Council President
AYES:	Giles-McCormick, Hand, Harris, Long, Runion, Tilly

The meeting adjourned at 9:18 p.m.

Attest: _____
Sallie Graziano, Borough Clerk
