



Mayor and Common Council Borough of Flemington

October 26, 2020

Online during COVID-19 Emergency

Work Session (7:00 PM)

Residential energy aggregation program options - Vicki Molloy, VP, Concord Engineering
Ms. Molloy discussed how residential energy aggregation replaces the default rate for energy supply, and is based on a community's local usage. She reviewed the process of joining an energy aggregation cooperative. Residents would have a 30-day window to opt out of the program once it's established. She suggested Flemington join the Hunterdon Area Energy Cooperative, which now includes more than 15 towns. Options exist for renewable energy sources.

Regular Meeting (7:30 PM)

This meeting is being held in conformance with the Open Public Meetings Act, and regulations regarding remote public meetings.

Flag Salute

Foll 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

OEM coordinator McNally said there were 14 new cases of COVID-19 in the county today. He said everyone must remain vigilant. The Borough has reached 102 in case count, with 5 new cases since last week. He discussed Halloween preparations. Trick-or-treating will be on Oct. 31, 3 to around 8 p.m. There will be no parade. The FCP is planning a Halloween event on Oct. 30, 4-6 at the Filling Station in Turntable Junction; a rain date is Sunday, Nov. 1, at 2. Borough Police are supplying lawn signs for residents who will welcome trick-or-treaters. Mr. Runion asked how the Borough is facilitating Halloween. Cpl. McNally said standard road closures will take place at Broad and Bonnell streets, and police will monitor the crowds. There are backup plans for creating one-way foot traffic if necessary. He said no one's being forced to participate; residents can decide to participate based on their comfort level.

II. Mayor's Report

We're consolidating some outstanding bonds, and recently issued bond anticipation notes that replace temporary bonding that was in place for various projects; about half of those were for the water tank. We got a great interest rate. Acknowledgment of the audit is on tonight's agenda; there were no recommendations, which is an indication that the Borough budgets well and spends well. She wished the candidates in Tuesday's election good luck.

III. Council Members' Reports

Council Member Runion

Mr. Runion reported having problems trying to access the Zoom platform to run the Environmental Commission's meeting that was scheduled for Monday.

Council Member Harris

He said the audit is based on self-reporting, and questioned retroactive approvals and how the escrow is handled. He received 15 voicemails and had a range of calls related to recent notoriety. A resident asked about having a street lamp installed on William Street, between Broad and Elwood, where kids access a cut-through to the ball park. Animal Control is very responsive to calls, and wants people to be aware that there is rabies in the area, and pets should be vaccinated. He complimented the high school's communication during the COVID crisis. He discussed having a purchasing manual. He asked about the release of executive session minutes. He noted the shared services study is on the agenda again.

Council President Giles-McCormick

She discussed executive session minutes, saying that any issue that's still ongoing can't be released until it's completed. She outlined events planned by the Flemington Community Partnership, including Halloween events. Restaurant week will be Nov. 8-13. There's a big push on publicizing rental and sale properties that are available in town. The FCP's 2021 budget will be introduced at the next council meeting. The recently-hired consultant has interviewed stakeholders in connection with the Opportunity Zone grant, and larger charrette-style discussions are planned in November. There will also be a way to comment online, if people can't attend a charrette.

Council Vice President Tilly

The Library has reopened with hours on Monday, Wednesday and Thursday 9 a.m. to 7 p.m., Tuesday and Friday 9 a.m. to 1 p.m., and Saturday 10 a.m. to 3 p.m. Masks are required to enter the building. Curbside delivery is still available. People should use the book drop for book returns, due to sanitation procedures in connection with COVID.

The Historic Preservation Commission reviewed a lengthy application at its last meeting. It donated a picture to the Hunterdon Historical Society. The Reopening Committee meets on Wednesday.

Council Member Hand

The Community Garden Committee met on Oct. 17 and looked at two spots in Tuccamirgan Park. There will be a virtual committee meeting on Nov. 12 at 7 p.m.

The Citizens Working Group will meet Wednesday at 7:30 p.m.

Council Member Long

The Citizens Working Group meets tomorrow. At the last meeting, Officer Greg Zytko, the K-9 handler, discussed the duties of the Borough's two police dogs, Jax and Kita. If marijuana is legalized Jax, who's been trained to identify marijuana, won't be used for drug detection anymore. Ms. Hand noted he'll still be used for search and rescue. Officers are helping with Halloween, and the committee is seeking ideas for ways to connect the officers to the community more. The Planning Board meets tomorrow night.

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

Michael Skoczek, CEO of the CEA, said they're not holding the annual Turkey Trot on Thanksgiving Day this year, due to health safety concerns. They will be doing a virtual Turkey Trot, though. A 5K run is being organized online.

Edita Krunec, president of Select International Tours in the Borough, discussed a recent incident where she said she felt intimidated by the mayor's spouse.

Rob Wall, 47 Capner St., discussed a Facebook post the Mayor placed on her personal Facebook page a few weeks ago, and called again for her apology. He commended Council members who sought the Mayor's censure, and criticized those who did not.

Robert Shore, 47 Broad St., used his 3 minutes to call for silence unless the Mayor said why she won't apologize to the community. He said residents can reach out to him to sign a petition for the Mayor's recall.

V. Approval of Minutes

Motion To: **Approve Minutes: October 13, 2020 Regular Council Meeting**

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

Consent Agenda

Moved by Tilly; Seconded by Giles-McCormick. All members voted to approve the Consent Agenda.

1. RESOLUTION 2020-180: AUTHORIZING RETURN OF \$300 ESCROW FEE FOR A STREET OPENING PERMIT ISSUED FOR 146 MAIN STREET
2. RESOLUTION 2020-181: APPOINTING WILLIS TOWERS WATSON AS RISK MANAGEMENT CONSULTANT FOR THE BOROUGH OF FLEMINGTON FOR 2021
3. RESOLUTION 2020-182: AUTHORIZING THE APPOINTMENT OF SALLIE GRAZIANO, BOROUGH CLERK, AS THE FUND COMMISSIONER FOR STATEWIDE INSURANCE FOR 2021
4. RESOLUTION 2020-183: AUTHORIZING APPLICATION TO THE STATE HISTORIC PRESERVATION OFFICE FOR PROJECT AUTHORIZATION REGARDING THE SALE OF BOROUGH PROPERTY AT 144 MAIN ST., BLOCK 38, LOT 1.01
5. RESOLUTION 2020-189: CERTIFYING THAT ALL MEMBERS OF THE GOVERNING BODY OF THE BOROUGH OF FLEMINGTON, HUNTERDON COUNTY, HAVE REVIEWED THE 2020 BEST PRACTICES CHECKLIST INVENTORY AS PROMULGATED BY THE DEPARTMENT OF COMMUNITY AFFAIRS

Regular Agenda

1. ORDINANCE 2020-18: BOND ORDINANCE PROVIDING FOR VARIOUS ROADWAY IMPROVEMENTS, BY AND IN THE BOROUGH OF FLEMINGTON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY; APPROPRIATING \$1,672,550 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,591,952 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Mr. Harris asked for details on what work would be done. Mayor Driver said the Borough has a complete streets policy, where water and sewer, pavement, sidewalks and curbing are all addressed. This bond would be for the road improvement part. Mr. Harris said DOT requirements at the intersection of Church and Main, where he lives, will be a challenge for the Borough. The Mayor said the Borough previously obtained a DOT grant to improve the intersection.

RESULT:	INTRODUCED [5 TO 0]	Next: 11/9/2020 7:30 PM
MOVER:	Kimberly Tilly, Council Vice President	
SECONDER:	Michael Harris, Council Member	
AYES:	Giles-McCormick, Hand, Long, Runion, Tilly	
ABSTAIN:	Michael Harris	

2. RESOLUTION 2020-184: AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN AMENDED EASEMENT

Mr. Runion and Mr. Harris discussed the timing of the Environmental Commission's review of the project. Attorney St. Angelo said the purpose of the resolution is to amend the easement in the area to allow for placement of a sign as shown in site plans approved by the Planning Board. If the Borough has to access something that requires removal of the sign, then it can be removed.

RESULT: **ADOPTED [5 TO 0]**
MOVER: Jeremy Long, Council Member
SECONDER: Kimberly Tilly, Council Vice President
AYES: Giles-McCormick, Hand, Long, Runion, Tilly
ABSTAIN: Michael Harris

3. RESOLUTION 2020-185: CERTIFYING THAT ALL MEMBERS OF THE GOVERNING BODY OF FLEMINGTON BOROUGH, HUNTERDON COUNTY, HAVE REVIEWED, AT A MINIMUM, THE SECTIONS OF THE 2019 ANNUAL AUDIT ENTITLED "GENERAL COMMENTS AND RECOMMENDATIONS"

Mr. Harris said the audit is based on self-reporting. He questioned retroactive approvals, extra-budgetary expenditures and the handling of escrow. The Mayor asked CFO Hance to discuss how the audit is done. Mr. Hance said auditors visit the Borough and do tests of all the purchases, looking at quotes, signatures, Minutes, all Borough operations, departmental financial records, and tax and utility information.

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

4. RESOLUTION 2020-186: AUTHORIZING APPLICATION TO THE HUNTERDON COUNTY COVID-19 MUNICIPAL GRANT PROGRAM

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

5. RESOLUTION 2020-187: REAFFIRMING THE BOROUGH'S DESIRE TO WORK WITH THE NJ DEPARTMENT OF COMMUNITY AFFAIRS REGARDING SHARED SERVICES, AS REFLECTED IN RESOLUTION 2019-79 AND RESOLUTION 2019-148

There was extensive Council discussion, starting with Mr. Harris discussing the history of this resolution as he read through its contents. Mayor Driver said Mr. Harris and Mr. Runion have stated on the record that one of the goals of such a study would be the possible merger of the DPW and the Police Department with neighboring communities. Mr. Harris said that was when it looked like we might have to build a new police station. Mr. Long said he'd like to know what the impact would be of getting rid of a Borough Police Department, and he'd like to see a visual representation of the budget, showing where tax money goes. He's also concerned about what our budgets will look like post-COVID. Ms. Giles-McCormick said this issue is one of the main reasons to get a Borough Administrator, so we can do 5-year and 7-year projections and long-term

planning. She said the Borough already has many shared services and said the DCA study would limit the borough, since it requires working with a neighboring municipality and the borough is surrounded by Raritan Township. Mr. Harris said the benefit of such a study would be that it gives the Borough an analysis of its expenditures. He said the Borough could do the study, then may want to pick and choose different communities to work with.

Ms. Giles-McCormick moved to table the resolution so that Council could review the DCA program again and determine how it might be useful to the Borough.

RESULT:	TABLED [4 TO 2]	Next: 11/9/2020 7:30 PM
MOVER:	Caitlin Giles-McCormick, Council President	
SECONDER:	Kimberly Tilly, Council Vice President	
AYES:	Caitlin Giles-McCormick, Jessica Hand, Jeremy Long, Kimberly Tilly	
NAYS:	Michael Harris, Christopher Runion	

6. RESOLUTION 2020-188: AUTHORIZING THE CHIEF FINANCIAL OFFICER TO LEASE A VEHICLE FOR THE OFFICE OF EMERGENCY MANAGEMENT

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Vice President
SECONDER:	Michael Harris, 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)

Rob Wall, 47 Capner St., discussed the Council's failure to act in response to the social media situation. He wished candidates luck and said he hopes whoever gets elected will act independently.

VII. Attorney's Report

In addition to a written report transmitted to Council today, Attorney St. Angelo discussed the status of the release of executive session minutes, how that process is managed, and how redactions are determined. She said regarding a purchasing manual, she and the CFO should review whatever is proposed. CFO Hance said the Borough follows everything the State requires, and said he could forward to Council members what the Borough has done.

Regarding 144 Main St., sale of the property is getting closer, with the purchaser doing environmental testing toward the end of the week.

VIII. Council Discussion on Bylaws

Ms. Hand said she and Mr. Long looked at Madison, NJ's bylaws as a potential template for Flemington. Bylaws set expectations for Council on how members can work better together.

Mr. Long said they help make things clearer and more consistent. He wants to ensure that discussions are civil so Council can focus on effective government. Mr. Runion discussed the Rules of Order.

Mr. Long said bylaws create the framework for big decisions, adding specificity to the general guidelines in Robert's Rules of Order. They would include things like who sets the agenda and how it is set. At the local level we have control to change things; this could be a drop in the puddle that has a ripple effect.

Mr. Runion said what would benefit the public is having Council members explain their votes. He said this discussion seems nebulous and asked what specific bylaws Mr. Long and Ms. Hand would suggest. Mr. Long said the intent is to start the discussion so that Council can have activity that's more constructive. Mayor Driver said the basic question to Council is if they're interested in pursuing the adoption of bylaws. If so, then they should read through the Madison bylaws and come up with suggestions of anything they'd like to add or change.

Mr. Runion asked for more clarity on what bylaws are. Mr. Long said they're the Council's rules and regulations. They explain the processes, and duties are spelled out. Mr. Runion asked if there are any consequences for misconduct. Ms. Giles-McCormick said it depends on what the governing body puts in the bylaws.

Discussion ensued about how Council members should communicate with each other about suggestions, etc., in order to avoid a violation of the Open Public Meetings Act.

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

None needed.

X. Adjournment

Motion To: **Adjourn**

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

The meeting adjourned at 10:21 p.m.

Attest: _____
Sallie Graziano, Borough Clerk