

#### Mayor and Common Council Borough of Flemington

May 10, 2021

Online during COVID-19 Emergency

#### Call to Order

Mayor Driver called the meeting to order at 6:34 p.m.

#### **Executive Session (6:34 PM)**

1. RESOLUTION 2021-109: TO RETIRE INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING THE POTENTIAL SALE OF BOROUGH PROPERTY AT 144 MAIN STREET, AND TO DISCUSS THE HIRING OF A BUSINESS ADMINISTRATOR

**RESULT:** 

ADOPTED [UNANIMOUS]

MOVER:

Jeremy Long, Council Vice President

SECONDER:

Kimberly Tilly, Council Member

AYES:

Giles-McCormick, Hand, Johnston, Long, Runion, Tilly

Executive Session opened at 6:34 p.m. Minutes kept separately. Executive Session ended at 7:12 p.m. No action was taken. Council recessed until the Regular Meeting at 7:30 p.m.

#### 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	
Malik Johnston	Council Member	Present	
Jeremy Long	Council Vice President	Present	
Christopher Runion	Council Member	Present	
Kimberly Tilly	Council Member	Present	
Betsy Driver	Mayor	Present	

#### I. Mayor's Report

Mayor Driver noted that an executive session earlier this evening addressed the topics of potentially hiring a business administrator, and the potential sale of Borough property at 144 Main St. No action was taken.

On Friday she attended a vaccine event with the Governor at the Route 12 county facility. The county Health Department is going to start visiting homebound people to provide COVID-19 vaccines.

Regarding resuming in-person Council meetings, she said Borough Hall is too small to allow for social distancing, and the county charges an hourly rate for use of the historic courthouse, if it's even opening that to public meetings. Until there are no social distancing mandates, Council will continue to meet through Zoom.

Rumors about asbestos causing a work stoppage at the hotel are false; the developer has gone as far as he can for now-they're within the 45-day window following Planning Board site plan approval. Earlier work was done to keep the building from collapsing.

A settlement offer in the Hotel redevelopment lawsuit is being discussed by lawyers.

The VFW made a difficult decision to cancel the annual Memorial Day parade; services to be held will be private. This was done for the wellbeing of the VFW's aging membership.

#### II. Council Members' Reports

Council Member Tilly

Fire Dept. - They handled 16 incidents in April, requiring 28 hours and 30 minutes. DPW meets Thursday; the HPC meets next Wednesday, and the Library Board the following Friday.

Council Vice President Long

Planning Board - meets tomorrow, looking at a final resolution for the hotel redevelopment project, completeness for Captiva's plans for the former Global Ag property. Other projects coming up are the Roth project at 91 Main St. and a billboard on Route 202 north planned by Premier Outdoor.

Police: April report - 266 motor vehicle summonses issued. Incidents are increasing; in Feb-March there were 1,843; in April there were 3,467. He discussed the types of incidents happening and investigations underway.

Council Member Runion

The Environmental Commission meets a week from today, 7 p.m. on Zoom. He said he thought in-person meetings would be valuable for Council, and paying a fee to the county to use the historic courthouse would be worthwhile. He said Council should take a position on that.

Council Member Johnston

He's participating in the Citizens' Group. He meets with the DPW this Thursday. He agrees with the Mayor that meetings should continue to be held virtually.

Council Member Hand

Community Garden Committee - They're working on attaining nonprofit status and setting bylaws. A class is planned on Sunday, May 16 at 10 a.m. on weeds, at Tuccamirgan Park.

Council President Giles-McCormick

She discussed events planned at the Samuel Fleming House, and her participation in an Arbor Day tree planting at Tuccamirgan Park on April 30. FCP - The Hunterdon Art Tour was well attended. Several events are being planned for the summer, including the Corn, Beer and Tomato Fest and car shows. Details will follow.

Opportunity Zone Committee - Stantec, the vendor that is assembling information gathered from the discussions about the future of Flemington, has been meeting with groups that gave feedback; a public presentation will come soon.

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

Skylar Bird, 1 Cedar St., Lambertville, said he and his father are the prospective buyers of 144 Main St., and believe Flemington is the next great destination in Hunterdon County. He's learned that if you believe in something you don't give up on it, and they're continuing to pursue the purchase.

#### IV. Approval of Minutes

**RESULT:** 

Motion To: Approve Minutes: April 26, 2021 Regular Council Meeting

APPROVED [5 TO 0] MOVER: Kimberly Tilly, Council Member

SECONDER: Jessica Hand, Council Member Giles-McCormick, Hand, Johnston, Long, Tilly AYES:

ABSTAIN: Christopher Runion

Motion To: Approve Minutes: April 26, 2021 Executive Session **RESULT:** APPROVED [5 TO 0]

MOVER: Kimberly Tilly, Council Member SECONDER: Jessica Hand, Council Member

AYES:

Giles-McCormick, Hand, Johnston, Long, Tilly

ABSTAIN:

Christopher Runion

#### Regular Agenda

Motion To:

Amend the Agenda to Include Resolution 2021-110

RESULT: APPROVED [5 TO 0]

**MOVER:** Caitlin Giles-McCormick, Council President

SECONDER: Kimberly Tilly, Council Member

AYES: Giles-McCormick, Hand, Johnston, Long, Tilly

**ABSTAIN:** Christopher Runion

RESOLUTION 2021-110: AUTHORIZING THE MUNICIPAL BUDGET FOR THE YEAR 2021 TO BE READ BY TITLE

**RESULT:** ADOPTED [5 TO 0]

MOVER: Caitlin Giles-McCormick, Council President

**SECONDER:** Kimberly Tilly, Council Member

AYES: Giles-McCormick, Hand, Johnston, Long, Tilly

ABSTAIN: Christopher Runion

RESOLUTION 2021-88: SECOND READING, 2021 MUNICIPAL BUDGET

Motion to open public hearing: Giles-McCormick, seconded by Long. All members voted yes to open the public hearing. The hearing opened at 8:05 p.m. No one commented. Motion to close public hearing: Hand, seconded by Giles-McCormick. All voted yes to close the public hearing. The hearing was closed at 8:07 p.m.

A motion was then made to amend the agenda to include a budget amendment resolution.

Motion To: Amend Agenda to Include Resolution 2021-111

**RESULT:** APPROVED [5 TO 0]

MOVER: Caitlin Giles-McCormick, Council President

SECONDER: Jeremy Long, Council Vice President

AYES: Giles-McCormick, Hand, Johnston, Long, Tilly

ABSTAIN: Christopher Runion

RESOLUTION 2021-111: RESOLUTION TO AMEND THE MUNICIPAL BUDGET FOR 2021

RESULT: INTRODUCED [5 TO 0] Next: 5/24/2021 7:30 PM

Caitlin Giles-McCormick, Council President MOVER:

SECONDER: Jessica Hand, Council Member

Giles-McCormick, Hand, Johnston, Long, Tilly AYES:

ABSTAIN: Christopher Runion

A public hearing on the budget amendment will be held at the May 24, 2021 Council meeting. Following that, a vote on adopting the budget will be held.

ORDINANCE 2021-12: FIRST READING, AN ORDINANCE AMENDING CHAPTER 11 TITLED UTILITIES IN THE CODE OF THE BOROUGH OF FLEMINGTON, SPECIFICALLY SECTION 11-4.4 SEWER CHARGES

RESULT: INTRODUCED [UNANIMOUS] Next: 5/24/2021 7:30 PM

MOVER: Kimberly Tilly, Council Member SECONDER: Jessica Hand, Council Member

AYES: Giles-McCormick, Hand, Johnston, Long, Runion, Tilly

6. RESOLUTION 2021-106: APPOINTING THE BEAUTIFICATION LIAISON AS CLEAN COMMUNITIES COORDINATOR

RESULT: ADOPTED [UNANIMOUS]
MOVER: Jessica Hand, Council Membe

MOVER: Jessica Hand, Council Member SECONDER: Kimberly Tilly, Council Member

AYES: Giles-McCormick, Hand, Johnston, Long, Runion, Tilly

 RESOLUTION 2021-107: DECLARING A DEPARTMENT OF PUBLIC WORKS VEHICLE SURPLUS AND AUTHORIZING ITS DONATION TO THE FLEMINGTON-RARITAN FIRST AID AND RESCUE SQUAD

RESULT: ADOPTED [UNANIMOUS]

MOVER: Kimberly Tilly, Council Member

SECONDER: Caitlin Giles-McCormick, Council President

AYES: Giles-McCormick, Hand, Johnston, Long, Runion, Tilly

8. RESOLUTION 2021-108: DECLARING THE FIRST FRIDAY IN JUNE TO BE NATIONAL GUN VIOLENCE AWARENESS DAY

Mayor Driver read the resolution.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Jéremy Long, Council Vice President

SECONDER: Caitlin Giles-McCormick, Council President

AYES: Giles-McCormick, Hand, Johnston, Long, Runion, Tilly

V. Public Comments - Session II (up to 3 minutes each, for a maximum of 30 minutes)
No comments.

#### VI. Attorney's Report

At the next meeting, Council will likely be voting on an addendum to the contract for the sale of 144 Main St. Attorney St. Angelo will also be working on the Community Garden Committee bylaws.

Tax appeals - There have not been a lot of tax appeals filed - 4 at the county level, and 2 at the state tax board.

#### VII. Payment of the Bills

Motion To: Pay the Bills in the Amount of \$832,635.03

RESULT: APPROVED [UNANIMOUS]
MOVER: Kimberly Tilly, Council Member

SECONDER: Jessica Hand, Council Member

AYES: Giles-McCormick, Hand, Johnston, Long, Runion, Tilly

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

None needed.

IX. Adjournment

Motion To: Adjourn

Attest: Sallie Graziano, Borongh Clerk Approved by Corneil: 5/24/2021 RESULT: APPROVED [UNANIMOUS]

MOVER: Jessica Hand, Council Member

SECONDER: Jeremy Long, Council Vice President

AYES: Giles-McCormick, Hand, Johnston, Long, Runion, Tilly

The meeting adjourned at 8:24 p.m.

Attest:

Sallie Graziano, Borqudh Clerk

38 Park Avenue Flemington, NJ 08822 Meeting: 05/10/21 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

#### **RESOLUTION 2021-88**

DOC ID: 3447

#### Second Reading: 2021 Municipal Budget

BE IT RESOLVED that the 2021 Municipal Budget, shown in the attached document, be adopted by the Council of the Borough of Flemington, County of Hunterdon, State of New Jersey.

Introduced: April 12, 2021

Amended: May 24, 2021 M 1910, 2021 AY

Attest:

Sallie Grazianó, Borough Clerk

Following the public hearing a motion was made to amend the budget. (See Resolution 2021-111). A public hearing on the amendment, and final action on the budget itself, is set for the May 24, 2021 Council meeting.

38 Park Avenue Flemington, NJ 08822

#### ADOPTED

**RESOLUTION 2021-106** 

Meeting: 05/10/21 07:30 PM Department: Clerk of the Borough Category: Appointments Prepared By: Sallie Graziano

> Initiator: Sallie Graziano Sponsors:

> > DOC ID: 3486

### Appointing the Beautification Liaison as Clean Communities Coordinator

WHEREAS, municipalities receiving Clean Communities grant funds are required by the Clean Communities Act (Clean Communities Act P.L. 2002, c. 128) to submit statistical reports to the Clean Communities Council; and

WHEREAS, the Borough of Flemington participates in New Jersey's Clean Communities Program, which is a comprehensive, statewide litter-abatement program; and

WHEREAS, the Borough must designate a Clean Communities Coordinator; and

WHEREAS, a vacancy currently exists in the position of Clean Communities Coordinator; and

WHEREAS, Mayor Driver recommends that the position of Clean Communities Coordinator be filled by the Council Member assigned as the Beautification liaison;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that the position of Clean Communities Coordinator be assigned to the Council Member who holds the position of Beautification Liaison, which for the year 2021 is Council President Caitlin Giles-McCormick.

Adopted: May 10, 2021

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

**RESULT:** 

**ADOPTED [UNANIMOUS]** 

MOVER:

Jessica Hand, Council Member

SECONDER:

Kimberly Tilly, Council Member

AYES:

38 Park Avenue Flemington, NJ 08822

#### ADOPTED

Meeting: 05/10/21 07:30 PM Department: Clerk of the Borough Category: Financial Approval Prepared By: Sallie Graziano

> Initiator: Sallie Graziano Sponsors:

> > DOC ID: 3484

#### **RESOLUTION 2021-107**

## Declaring a Department of Public Works Vehicle Surplus and Authorizing Its Donation to the Flemington-Raritan First Aid and Rescue Squad

BOROUGH OF FLEMINGTON COUNTY OF HUNTERDON

WHEREAS, a 2004 Ford F-350 pickup truck, VIN 1FTSF 31L84 EE095 66, utilized by the Flemington Borough Public Works Department, is no longer fit for service; and

WHEREAS, the vehicle is being declared surplus; and

WHEREAS, Flemington-Raritan First Aid and Rescue Squad would benefit from a donation of this vehicle for training purposes;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that the 2004 Ford F-350 pickup truck, VIN 1FTSF 31L84 EE095 66, be declared surplus and be donated to the Flemington-Raritan First Aid and Rescue Squad.

Adopted: May 10, 2021

Attest:

Sallie Graziano, Borough Clerk

Betsy Driver, Mayor

RESULT:

**ADOPTED [UNANIMOUS]** 

MOVER:

Kimberly Tilly, Council Member

SECONDER:

Caitlin Giles-McCormick, Council President

AYES:

38 Park Avenue Flemington, NJ 08822

#### ADOPTED

**RESOLUTION 2021-108** 

Meeting: 05/10/21 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano

Initiator: Sallie Graziano Sponsors:

DOC ID: 3487

## Declaring the First Friday in June to be National Gun Violence Awareness Day

This resolution declares the first Friday in June to be National Gun Violence Awareness Day in Flemington, NJ to honor and remember all victims and survivors of gun violence and to declare that we as a country must do more to reduce gun violence.

WHEREAS, on average there are nearly 13,000 homicides involving guns every year; and

WHEREAS, Americans are 25 times more likely to be killed with guns than people in other developed countries; and

WHEREAS, protecting public safety in the communities they serve is the highest responsibility of elected officials; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-inhand with keeping guns away from dangerous people; and

WHEREAS, Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade, was shot and killed weeks later in January 2013; and

WHEREAS, a national coalition of organizations has designated June 4, 2021 as the 7<sup>th</sup> national Gun Violence Awareness Day in honor of Hadiya Pendleton and the 96 Americans whose lives are cut short by shootings every day; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to Wear Orange on June 4th, the first Friday in June in 2021, to help raise awareness about gun violence; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep children safe;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Flemington declare June 4, 2021, to be National Gun Violence Awareness Day, and they encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor human lives.

Adopted: May 10, 2021

Attest:

**Mayor Betsy Driver** 

Sallie Graziano, RMC, Borough Clerk

RESULT:

ADOPTED [UNANIMOUS]

MOVER:

Jeremy Long, Council Vice President

SECONDER:

Caitlin Giles-McCormick, Council President

AYES:

38 Park Avenue Flemington, NJ 08822

#### ADOPTED

Meeting: 05/10/21 07:30 PM Department: Clerk of the Borough Category: Board Policy Prepared By: Sallie Graziano

Initiator: Sallie Graziano

DOC ID: 3488

#### **RESOLUTION 2021-109**

# To Retire into Executive Session for the Purpose of Discussing the Potential Sale of Borough Property at 144 Main Street, and to Discuss the Hiring of a Business Administrator

WHEREAS, the Common Council of the Borough of Flemington desires to discuss the potential sale of Borough-owned property at 144 Main Street; and

WHEREAS, an executive session for this discussion is justified under N.J.S.A. 10:4-12 (7), which cites:

any pending or anticipated litigation or contract negotiation other than in section (4) herein which the public body is, or may become a party; and

WHEREAS, the Common Council of the Borough of Flemington also desires to discuss a personnel matter involving the hiring of a Business Administrator; and

WHEREAS, an executive session for this discussion is justified under N.J.S.A. N.J.S.A. 10:4-12 (9), which cites:

any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting; and

WHEREAS, a date cannot yet be given for when the minutes from the executive session may be made public;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the Borough of Flemington go into executive session for the above-started purposes.

Adopted: May 10, 2021

Attest:

Śallie Graziano, Borough Clerk

Delay Dilver, Mayor

**RESULT:** 

**ADOPTED [UNANIMOUS]** 

MOVER:

Jeremy Long, Council Vice President

SECONDER:

Kimberly Tilly, Council Member

AYES:

38 Park Avenue Flemington, NJ 08822

#### ADOPTED

Meeting: 05/10/21 07:30 PM Department: Clerk of the Borough Category: Board Policy Prepared By: Sallie Graziano

> Initiator: Sallie Graziano Sponsors:

> > DOC ID: 3492

#### RESOLUTION 2021-110

## Authorizing the Municipal Budget for the Year 2021 to be Read by Title

#### **Borough of Flemington**

County of Hunterdon

**WHEREAS**, N.J.S.A. 40A:4-8 provides that the budget be read by title only, at the time of the public hearing, if a Resolution is passed by not less than a majority of the full membership of the governing body, providing that at least one week prior to the date of hearing a complete copy of the approved budget has been posted on the bulletin board in Borough Hall, and copies have been made available by the Borough Clerk to persons requiring them on a daily basis thereafter, including the date and time of the actual public hearing held as a result thereof; and

WHEREAS, these required conditions have been made.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, that the municipal budget of the Borough of Flemington be read by title only.

BE IT FURTHER RESOLVED that this Resolution takes effect immediately.

Adopted: May 10, 2021

Attest:

Betsy Driver, Mayor

Sallie Graziano, RMC, Borøugh Clerk

RESULT:

ADOPTED [5 TO 0]

MOVER:

Caitlin Giles-McCormick, Council President

SECONDER:

Kimberly Tilly, Council Member

AYES:

Giles-McCormick, Hand, Johnston, Long, Tilly

ABSTAIN:

Christopher Runion

38 Park Avenue Flemington, NJ 08822

#### SCHEDULED

Meeting: 05/10/21 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano

Initiator: Sallie Graziano Sponsors:

DOC ID: 3491

#### **RESOLUTION 2021-111**

#### Resolution to Amend the Municipal Budget for 2021

BOROUGH OF FLEMINGTON

**COUNTY OF HUNTERDON** 

WHEREAS, the Local Municipal Water Utility Budget for the Year 2021 was approved on the 12<sup>th</sup> day of April, 2021, and

WHEREAS, the public hearing on said Budget has been held as advertised, and

WHEREAS, it is desired to amend said approved Budget.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Flemington, County of Hunterdon, that the following amendment to the approved Budget of 2021 be made:

Recorded Vote: AYES: Giles-McCormick, Hand, Johnston, Long, Tilly

NAYS: None

**ABSTENTIONS: Runion** 

#### **Dedicated Revenues from Water Utility**

From		

To

Rents

\$1,339,500.00

\$1,404,808.38

Total:

\$1,546,000.00

\$1,611,308.38

#### **Water Utility Appropriations**

From

To

**Deficit in Operation in Prior Years** 

\$17,000.00

\$82,308.38

Total:

\$1,546,000.00

\$1,611,308.38

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services for their certification of the 2021 Local Municipal Budget so amended.

BE IT FURTHER RESOLVED, that this complete amendment or summary, in accordance with the provisions of N.J.S.A. 40A:4-9, be published in the Hunterdon County Democrat in the issue of May 13, 2021, and that said publication contain notice of public hearing on said amendment to be held virtually on May 24, 2021 at 7:30 PM.

Introduced: May 10, 2021

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

RESULT:

INTRODUCED [5 TO 0]

Next: 5/24/2021 7:30 PM

MOVER:

Caitlin Giles-McCormick, Council President

SECONDER:

Jessica Hand, Council Member

AYES:

Giles-McCormick, Hand, Johnston, Long, Tilly

ABSTAIN:

Christopher Runion

38 Park Avenue Flemington, NJ 08822

#### INTRODUCED

Meeting: 05/10/21 07:30 PM Department: Clerk of the Borough Category: Council Ordinance Prepared By: Rebecca Newman

Initiator: Rebecca Newman Sponsors:

#### DOC ID: 3485

#### **ORDINANCE 2021-12**

# First Reading: An Ordinance Amending Chapter 11 Titled Utilities in the Code of the Borough of Flemington, Specifically Section 11-4.4 Sewer Charges

**BE IT ORDAINED** that Chapter 11 titled Utilities in the Code of the Borough of Flemington, specifically Section 11-4.4 Sewer Charges, be revised as follows: (deletions are designated by strike-outs; additions are listed in bold).

§ 11-4.4 Sewer Charges.

<u>2021 2022 2023 2024 2025 2026</u>

Annual fee per unit

<u>450.00 465.00 480.00 495.00 510.00 525.00</u>

 $\underline{525.00} \quad \underline{545.00} \quad \underline{565.00} \quad \underline{585.00} \quad \underline{605.00} \quad \underline{625.00}$ 

Introduced: May 10, 2021

Adopted:

Attest:

Betsy Driver, Mayor

Next: 5/24/2021 7:30 PM

Sallie Graziano, Borough Clerk

RESULT:

INTRODUCED [UNANIMOUS]

MOVER:

Kimberly Tilly, Council Member

SECONDER:

Jessica Hand, Council Member

AYES: