



Mayor and Common Council Borough of Flemington

March 14, 2016

Council Meeting Room

Work Session Agenda (7:00 P.M.)

Update on United Way Activities in Flemington - Bonnie Duncan

Mayor Greiner stated that United Way has been renovating 20 Fulper Road for quite a while, and you all probably have noticed it. They are approaching a grand opening at the end of April. I have asked Bonnie Duncan, the CEO of United Way, to come speak to us about the center. What is going on at the center, and what United Way is expecting to happen over at the center when it opens?

Bonnie Duncan stated that we are very excited about the volunteer center. This center is unique in that it is the only volunteer center that is brick and mortar in the State of NJ. It is something for Hunterdon County to be proud of with the work that we do at the Center. I would ask you to think of us as not as a charity or a non-profit, for we really are a not for loss business. We take an intricate roll in our community to build the infrastructure around us. As we see what the Borough of Flemington would like to do around its Business Improvement District, we see this as an opportunity to also connect business to individuals, residents with the business community. When you ask someone what attracts them to certain communities, one of the things that they do cite as a positive is that sense of community. If we continue to build that caring community that we have, and have always had, we can create new ways of promoting. I think it will be a benefit to all of us here in the community. We like that we can bring voluntarism and all people of all walks of life together to make a difference in our community. We are very focused on making changes. The volunteer center was put together in about 100 days with 2300 volunteer hours. It is a volunteer center built by volunteers. The volunteers take ownership in the building when they are the ones that built it. This helps when the volunteers take ownership in the building, and this helps with substantiality of volunteer efforts.

Mayor Greiner asked Bonnie Duncan if this is a first having volunteers do the building itself?

Bonnie Duncan replied that you do not see volunteers doing projects built this way. We selected a project manager that we did because he had a history of working on projects like this one. Most of the contractors wanted to only work with the contracting staff, and there were very few that wanted to put in breaks of their work to allow the volunteers to put some sweat equity into the building.

That was a unique effort in its self, outside of Habitat for Humanity model. It was this style model that we followed. We like to say that it is not just the people we serve, but the opportunities that we give to people to volunteer that are most critical. When we look at our programs, we look at them from both sides. We have an incredible group of volunteers that dedicate well over 100 hours a year. We had a volunteer that put in around 1,000 this past year. We have many dedicated individuals that come out and work towards the efforts.

Once we built our facility we wanted to take a look at how our volunteers could help the community with the day to day activities that we do. We embarked on creating a space that could also be a space for disaster. We have been written into the county plan to be the volunteer media agency. For non-emergency responses or the recovery responses to disasters, the United Way will play a lead, and we are doing this in concert with the county organization assisting in disaster. This is another way to utilize the building and have spoken with the Borough of Flemington on this so that we are all consistent across the board on this. We want to be an intricate part of the Flemington Community. Our Block Party is scheduled for April 30, 2016 and we hope that everyone will come out for our ribbon cutting and enjoy this event. If you or your company would like to volunteer please let us know.

Attorney Goodman asked what would be going on at the United Way on a day to day basis?

Bonnie Duncan stated that at this time they are working on the tax preparation project. This is where people can come, and receive help with their taxes. Last year, we did over 1100 tax preparations, and they were able to 225,000 in preparation fees. We had an exit survey, and most that received a tax credit stated that they would be using this for their savings or to help pay down debt. It is a great service that is provided by our professional volunteers that are experts in this area. This draws people in with this program, and then introduces them to the other services that we can provide for them as well. If we can't help them we can usually refer them to someone who can help them. We have a backpack project that we target the children that are on reduced lunch to help them get a positive start in the beginning of the school year. Even though we are based in Flemington, we will be serving all of Hunterdon County in these efforts. The holidays, we served around 800 families for the holiday season. These are some of our bigger programs and we do have many other smaller programs as well. The Flemington center had 1 1/2 staff members and the rest are volunteers that help to keep it running.

Mayor Greiner asked where the closest other United Way Center is located.

Bonnie Duncan replied that there are no other centers in NJ. This is the first brick and mortar building in NJ. If you are in other areas and wanted to volunteer, you would be referred to an agency, and sent out through the agency to volunteer in a certain area. We are the first to have a Center.

Mayor Greiner asked how they were able to do the tax preparation project in the past without a center?

Bonnie Duncan stated that they would use libraries and other facilities that were available to do these projects in the past across the County. If anyone has any questions, and would like to talk to a United Way Representative just please feel free to contact us.

Mayor Greiner thank you for the great presentation. If anyone would like to discuss items or ask questions please feel free to do so at this time.

John Anderson, JCP&L, stated that there will be a doing some vegetation work on the west Flemington sub-station which is located off of Capner Street, starting in April. Board of Public Utilities have new regulations that all the utilities on the State of NJ have to be followed. What this means is that there will be more enhanced tree work on the circuits that are located when you first come out of the sub-station. The reason for this is that there were rather extensive studies that were done in the aftermath of Super Storm Sandy. This study showed, where a lot of the tree damage was, the impact that it had on the circuits, and the number of customers impacted. The bottom line is that they found that when you had a tree limb that comes down just outside the sub-station, on a circuit, it takes the whole circuit out. This is across the State; not just for JCP&L. I would like to, at some point, have the Mayor take a ride so that I can point out the areas that will be impacted. It comes down to that where there are trees that are coming over the conductors, those trees are going to have to be pruned back. In other parts of town, it will be our standard tree cutting practices.

Mayor Greiner asked if this is the same standard or is this a new one that is calling for more extensive cut back?

John Anderson explained that we are on a four year cycle. These circuits get maintained once every four years. Starting this cycle in 2016 and for the next four years as these circuits come up to be done, and sub-stations come up to be maintained, they will all be receiving the same kind of review for enhanced tree clearances. This work will be done by bucket trucks or by hand.

Joann Braun, stated that her topic is about the future of Main Street, and the Union Hotel re-development. I was excited about this project until I read about it not being restoration but destruction. I am not against doing this project, and I

liked what was in the plan. I think this is a good idea. I also think that knocking down the hotel, and the building next to it, is unfortunate. They are both beautiful buildings. I think that this is going to take away from Flemington. I lived here pretty much all my life, and if people are wondering what is wrong with this town, it is because we had movie theatre, roller rink, bowling alley, race track, and fairgrounds. There were so many things to do here. All of that is gone. This is why people don't come here, and people don't support their own downtown area. It is a combination of things. If you knock down the hotel, it will be a huge mistake. Once the hotel is gone, it is gone. I did start a Facebook page, "Save the Union Hotel," with about a 1000 members that all want to see something done. I also have a petition for people to sign. People have come up with ideas, and I would like to read what one person said. As a carpenter that uses old world techniques and tools, as well as modern to replicate the look and character of these old historical buildings, I would hate to see another one of these buildings demolished. Just think about what they had to work with 200 years ago. These buildings are not just buildings; They are works of art. The craftsmen put their hearts and souls into their work, unlike many today, that would like to just knock down what is in the way and put in a bland box in its place for the sake of making a buck. History should be saved and cherished. Without it, we will lose the knowledge of what we have come from. With that being said, if the building does end up with the right people, and trust I would love to be part of it. Need be I would offer my own time, and talents outside of my everyday job to see this building become what it once was. It is signed John P. Rollick. He also signed the petition.

Joey Novick, 11 East Main Street, stated I would encourage people to sign the petition, and join the group. This can only help in possible swaying. The reality is this we have to follow the money. Years ago, when they took down the Flemington Fair Grounds, it made me cry. I remember listening to the cars every Friday and Saturday night. As someone that chose to live in Flemington, I can tell you that it was absolutely wonderful to hear, and smell the gasoline. I can say that with all due respect to all the folks who are developing, the money is what made all the difference there. When they chose the zoning for the Flemington Fair Grounds, it enriched people, and it made people money. Just like when they took out Cinema Plaza, and replaced with Starbucks, CVS, and a bar. That is what the money says, that we need with the demographics. The reason that we don't have a movie theatre is that they say people won't come. This frustrates me immensely. No matter how many petitions, and how many groups you put out there, if something is profitable and you are judging things only on the basis of profit, this is the direction it is going to go. I would ask, how many of you would support a tax increase or another bond to spare the Union Hotel? This is a very big question. When I was campaigning, and going door to door, it was about 50/50. When you bring up the subject of money, people start backing off. The amount of tears that are going to fall when the first strike of the

wrecking ball hit the Union Hotel will be enough to fill Main Street. I really hope that this does not happen.

Council President Swingle stated that there needs to be an alternative plan. Mr. Cust has stated publicly that he would consider other options as long as they were economical. I would ask that you come up with plans, and present them. If you do not like the plan, you can't just say you don't like it. You can come up with other viable options, and also think of the economic impact as well.

Al Brewer, 1 Coppermine Village, Could you expand on any traffic delays from the construction on the Route 202, Route 31 & Route 12 circle? Are there any updates on the delays and time?

Councilman Gorman stated that this is a State project so we do not have much say in this area. The State came to us, and explained what they were planning on doing but did not say anything about delays. I would say that there will have to be delays. They are creating a double circle when this is done.

Mayor Greiner replied that they would have to go back to the DOT but will look into this, and see if there is any information on this. I will ask them when and how long the delays will be.

Stephanie Stevens, stated, I would like to address very briefly the Union Hotel. I think to tear out the middle of your National Registered Historic District is unconscionable. There are compromises always in Historic Conservation. I would think that someone on your Council, Planning Board would have something to say about the site plan. Do you have design standards? If you do not, you need to get them. What about the height of this project and about how high they may need to go? I was appauld when I saw the presentation of those buildings. It looked like urban renewal, and this is Flemington. This is the County Seat. That hotel was the center of the world in the 1935 era. I think knocking this down is just unconscionable. I understand the Councils problems, but there are more ways than one to solve this issue. I think that the Council has a lot of say over this situation. I do not think that Mr. Cust has the right to knock down this whole area.

Mayor Greiner stated that since this is a redevelopment area, we are able to write standards to reflect what we think needs to go in there. As we said in the beginning, it is a question really of alternatives. It is not just a question of do you like the hotel? We all do. This is one alternative simply because someone has put this on the table. We did not ask for it, but someone put this on the table, so this becomes an alternative. If we say no or make this hard, then this can go away. Then the question is now what? We have waited for years and no one has come forward that has been able to accomplish anything up there. Hope is

not a strategy. We can sit back, say we don't like this, and hope that someone else comes along and does just what we want. Then we can be having this conversation again in another 10 years. The feedback is heard and understood. None of us can speak for Mr. Cust at this point. Mr. Cust is aware of all of this. There is a process moving forward.

Stephanie Stevens, asked will you be going through this process. Planning Board, the site plan.

Mayor Greiner, stated that I will be talking about this in my Mayor's report. I would like to explain that. I just want to state that we do not have any agenda item about the Hotel tonight. I just want to make this clear. I think there was misinformation going around that we were going to discuss the Hotel, but we are not. If anyone wants to make comments during Public Comments you are free to do so, but I wanted you all to be aware that we have nothing on the Agenda for tonight.

Motion to Close the Work Session

RESULT:	APPROVED [5 TO 0]
MOVER:	Marc Hain, Council Vice President
SECONDER:	Michelle Oberst, Councilwoman
AYES:	Hain, Liebowitz, Oberst, Swingle, Tabussi
ABSTAIN:	John Gorman

Regular Meeting Agenda (7:30 P.M.)

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

Flag Salute

Attendee Name	Title	Status	Arrived
John Gorman	Councilman	Present	
Marc Hain	Council Vice President	Present	
Brooke Liebowitz	Councilwoman	Present	
Michelle Oberst	Councilwoman	Present	
Brian Swingle	Council President	Present	
Carla Tabussi	Councilwoman	Present	
Phil Greiner	Mayor	Present	

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

Kenneth Cummins, Hunterdon County Historic Society, stated a resolution was passed last Tuesday by the Hunterdon County Historic Society, and I would like to read this to the Council. The Resolution is attached to the minutes.

Jerry Jones, 20 Spring Street, stated we have been residents for 24 years now. Over the last few years, we have been watching the Union Hotel deteriorate. We have watched the back of this building cave in. My wife, and I are truly committed to help the Borough do something about this. It is great that someone has come through with some money. The truth is that this plan is not at the right scale. If you think about the town of Flemington, and the size that is being proposed, this would be great in a denser populated area, but not in this community. I would like to see the Board go back to the proposal and come up with something that is better scaled for this Borough.

Mike Gronsky spoke about the proposal for Main St redevelopment. I come here as a representative from the Union Forge Heritage Association, and Union Township. We also have projects in High Bridge, New Jersey. I have lived in this county for 53 years and have been to Flemington many times. I would like to show support for the preservation of the Historic Union Hotel, and for the other buildings as well. Not everything that is old can be saved or should be saved. I know that anything that is 150 years old can be considered historic. However, in a case that we are talking about tonight honestly is historic and should be preserved because of the history, and because of the fabric of Main Street. I just would like to see this redevelopment become part of Main Street and see the Borough consider preservation of Flemington. I would suggest you look at other alternatives and consider the comments that people are making. Please consider the history, the scope, and scale of this project. I hope that the preservation and the new development can go hand in hand.

Tony Previte, 45 North Main Street, stated, I have lived in this town close to 25 years now. When I first came to town, one of my first stops was the Union Hotel. It was a restaurant and bar at that time. There was music, and it was a great place to be. I have been watching the Borough go through the throws of what to do with this Hotel. The factor now is the millions of dollars it will cost to restore this dilapidated, and falling apart, structure. No one wants to touch this, and this has been an issue for years. Unless someone steps up and has the money, we need to face realistic facts here. That hotel is a mess, and where has everyone been in the last 5 to 7 years? Where were all the volunteers, and where was the Historic Preservation Committee, that told us to put a tarp on the roof? Our population is aging, and children are going off to college. To match this development with the core of Flemington is going to be a tough match up.

I don't want to see the Hotel gone, but if it is time, and we are going to lose the redevelopment, then we need to move forward.

Lee Roth, read a speech and this speech is attached to the minutes.

Richard Giffen, I am a resident, and a structural engineer. I have been in the Union Hotel about seven years ago. I feel that there is hope for this building, and that this is a building that structurally could be saved, and made part of the new re-development plan. I feel that it will take a few million to make this building back to what it once was and preserve our history. I think you can keep the front and two sides, and redevelop the back of this building. The back and remaining property can be redeveloped by Mr. Cust.

Lois Stewart, 26 Spring Street, I spoke about not destroying the historic ambiance, and historic presence by replacing the building. Flemington has the 2nd largest historic district in NJ. I wonder what impact that would have on Flemington the historic preservation listing on the state level? I do not think that they will be nearly as interested in this town if half of it is torn down. I will present a few quotes from a book from 2005 that I found that was sponsored by the Department of Community and Economic Development.

Steve Tuccio, 61 Elwood Avenue, stated that the redevelopment plan is completely out of scale compared to the rest of Flemington. As I understood it, there should have been full disclosure to everyone that will be affected as the development is implemented as proposed on the impact to the town both economic, and day to day life level. This should include infrastructure improvements. The infrastructure that we have at this time will not support the development as proposed. We might dig up items that have been long forgotten and the cost of making these items right.

Hunterdon County Preservation, Raritan Township, We are not only talking about the Hotel, we are talking about the entire street scape. The buildings that we are talking about are all historic significance and will affect the street scape. There is a 20% tax credit for historic buildings through the government for preserving the buildings. We need to show that we do not support what is being proposed.

Chris Englehardt, 180 Main Street, I am concerned with the scale of this development. It is so massive and totally out of scale. There are elements that we should keep. It is like a wave washing over this town. They want to destroy the heart of this town. It is so appealing that it can't keep the facades of the buildings so we will have the street scape. I believe that we are second to Cape May with our architecture. I was wondering if we can have a meeting with Mr.

Cust for people who have ideas. I believe he can have a lot of the elements that he has planned, but we can also keep the street scape. We do not need a 100 room hotel. I think we can keep a lot of what we already have.

2. Mayor's Report (up to approximately 3 minutes)

Mayor Greiner reported the following:

Kimi Goetz will be at the Flemington Furs, on March 31, 2016 from 6 to 8 p.m. Please feel free to come out and meet her. Our town has done a great job in supporting her in this great journey.

Participated in meetings with Ms. McManus, about hiring an Administrator for COAH, this item is on the agenda for this evening.

Update about the Union Hotel, the next step is to work out a de-development agreement. If we come to an agreement with Mr. Cust, this will come before the Council and would be open for public comment. We would also be working on the redevelopment standards for this area and would specify what we think should go in there. This will also be subject to public comments. If we get past all of these stages, it would then go to the Planning Board for a site review. We cannot speak for this developer, but they are aware of what the feedback is, and there has also been some positive feedback on this also.

2016 Budget - we are ahead of schedule and are planning on having our first reading on the Budget this evening. The Public Hearing will be on April 11, 2016 at the Regular Council Meeting.

Flemington BID- I would like to express my thanks to all that have volunteered their time on the FBID and to all the employees. We will probably agree this evening on moving on from this group and moving forward with another group. It has been a lot of work. Despite the issues, I know that things would not have happened without a lot of work going on all around.

3. Council Members' Reports (up to approximately 3 minutes each)

Councilman Gorman

Councilman Gorman reported the following:

Union Hotel - Glad to see that everyone has come out to express their feelings and ideas on this project.

Street Scape - The engineer was selected, and you will start seeing the workers out on Main Street getting ready for this project.

JCP& L - It is up to JCP&L to run the wires underground and clean up that aspect of Main Street. It is the decision of JCP&L if they choose to run the wires underground.

Attended Parks & Recreation meeting. Councilman Hain gave that report.

Update on Capner Project - DEP sewer and water - hope to wrap the sewer part of the project up next week.

Council Vice President Hain

Council Vice President Hain reported the following:

Attended the Environmental Commission meeting. We are applying for a grant that would be able to be used for trails and access routes into the parks. Each of these grants are \$1,500.00.

Attended a Planning Board meeting, and we are working on coordinating Ordinances with the Master Plan.

Parks and Recreation - The fireworks will be July 3rd with a rain date of July 5th. We have applied for a state license so that we will be able to do a raffle to help with the cost of this event.

Attended the Budget workshops, and this was a lot of work and preparation.

Thank you for the previous Board of the BID for all their hard work, and I am looking forward to what is coming up.

Councilwoman Liebowitz

Councilwoman Liebowitz reported the following:

Attended the Global Ag meeting in the beginning of March, and we are making great progress with this project. When we meet again next month, we will be discussing some of the options that we would like to see on this site. We are happy to see this moving forward.

Website has launched. There are recent updates, and there are still some pieces missing, but we are moving forward. Hopefully, most of these will be completed by the end of this month. There were many who helped work on this and the Administrative staff. Thank you, Jodi, for all your help on this.

Kimi Goetz - I wanted to add that she is 1st in the United States. When she skated at the World Cup, she became the top ranked speed skater in the United

States. This is exciting since she has only been doing this for a few years moving up from roller blade. It is great she is being celebrated.

I have been helping some of the residence, Karen Walsh would like to do Yoga in the Park, and I have been helping her with this idea. We are looking for sponsors for this project.

New Visitor Kiosk - I have been working with Bob Flisser on this project. The kiosk will be built with his group, and we have found someone that is going to donate the labor for this project. We will be working on getting the materials for this project. I am requesting the Borough letterhead, or does this have to be done by resolution?

Mayor Greiner responded that it would depend on if the Borough would be paying and how much.

Councilwoman Liebowitz stated that the carpenters union has volunteered to do the labor for free.

Attorney Goodman commented that this should be done by Resolution to authorize the work to be done.

Councilwoman Liebowitz will look into what other protocol will need to be done to proceed.

Thank you to the Volunteers, Board members, staff, and Megan for all the work they have done for the FBID. I know it can be a thankless job, and Megan did the best she could with the climate that she was in. We are moving forward and looking positively towards the future. I hope everyone will come together and help support the new BID.

Councilwoman Oberst

Councilwoman Oberst reported the following:

Attended meeting about the Union Hotel and Mr. Cust as well as other development items that are going on in town. We are open to feedback from the HPC and the Planning Board. We are not just giving the rights away to the developer and saying build anything you would like. We do want to monitor this situation. As Mayor Phil Greiner has said, we want to hear alternatives and do we have any alternatives? If you have any plans or other possibilities, please bring them forward. As of now, this is what we have. This building has been vacant since September of 2008. The condition of this building is not getting better and is not being maintained. This is not a project that Mr. Cust is putting

together. This is a product that is trying to sell to attract people to our town and to improve the quality of life. To revitalize a whole section of town right now is not visited right now. We look forward working with his team, and we appreciate the concerns and ideas that you have.

We have been also been working with the redeveloper of Cut Glass. We are working with them to see what the plan is and to move forward with this redevelopment. This project has been going on for at least seven years. We are looking forward to getting this project back on track as well.

Samuel Fleming House - February meeting was cancelled and they had a meeting on March 10, 2016. I was only able to attend for a short time since I was needed at the Budget meeting.

Business Improvement District - As much as I would like to move on and move forward and get the BID going to serve the Business community, I would like to thank the current volunteers, and the District Management Corporation, for their years of service. The BID is something I believe that we do need in this town, and I look forward to having some success and positive outcome from the Board that will be established.

Council President Swingle

Council President Swingle reported the following:

Union Hotel- Glad to hear everyone's sentiments, and I am hearing you all completely. We are frustrated with all the years of failed efforts. It has been years of trying to save this building, and the project never happened. For the first time, we have a project on deck that could be very beneficial to the Borough. Hopefully, there is a happy medium we will continue to hear your thoughts. Please, if anyone has proposals out there, please bring them forward. We welcome the conversation. The conversation needs to move forward so we can make progress. If we let this building sit a whole lot longer, eventually, we won't be able to reclaim it, and we will have to worry about demolition. I do not want to see us get to that point. We are open to hearing what you all have to say and offer. This is a community conversation.

Global Ag and Cut Glass projects are moving along. There is so much happening with them at this time. Hope to report more in the future.

Global Ag - we are making progress and have had discussion on this project.

Cut Glass - We have seen some updated plans and have seen some new life in this project.

Budget - I think everyone has covered this already this evening.

Thank you to all the BID members and volunteers. We all realize all the years of hard work to put together what was there, and we had a lot of great successes. There was a lot there that we will learn from with this next iteration. I think that a lot of the people and volunteers will circle back. They are all volunteers at heart. I think they will help, and I would like to thank Megan and the staff for their dedication and time to Flemington.

Councilwoman Tabussi

Councilwoman Tabussi reported the following:

Historic Preservation Commission - is involved with the redevelopment committee. The HPC expressed a concern to be involved in the plan, and they have moved in that direction of including the HPC. The HPC has done a lot of great work over the years, and this is going to be a huge project. We are considering all this input and will help with the redevelopment project.

The HPC is also very busy doing the house tour planning for this year. They are looking for sponsorship at all levels. The HPC Chair, Elaine Gorman, is in the room tonight so if you have any interest in being a sponsor, please feel free to reach out to Elaine.

Attended the 2016 Budget meeting, and I am very glad that we are early on the Budget.

Attended two meetings about the Wet Weather Facilities, and we are currently planning actions for DEP feedback on our permitting discussions that we have been having with the DEP. We are coming closer to reaching a solution for our Wet Weather Facility. That is a sewer facility that we have in Flemington.

We did have work done in the Borough hall recently. We had rewiring that was done for both the Borough Hall and the Fire Department. We also had to replace a section of the floor in the Fire Department due to a sewer issue.

There was a trash pickup issue last Thursday. The truck ran out of fuel, and they came back first thing on Friday morning to finish the trash pickup. We hope that this did not put any residence out.

4. Approval of Minutes

Motion To: **Approve Minutes: February 22, 2016 Regular Council Meeting**

RESULT: **APPROVED [5 TO 0]**
MOVER: Marc Hain, Council Vice President
SECONDER: Michelle Oberst, Councilwoman
AYES: Hain, Liebowitz, Oberst, Swingle, Tabussi
ABSTAIN: John Gorman

Motion To: **Approve Minutes: March 2, 2016 Special Council Meeting**

RESULT: **APPROVED [6 TO 0]**
MOVER: Marc Hain, Council Vice President
SECONDER: Carla Tabussi, Councilwoman
AYES: Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

Motion To: **Approve Minutes: March 2, 2016 Executive Session Minutes**

RESULT: **APPROVED [6 TO 0]**
MOVER: Marc Hain, Council Vice President
SECONDER: Brian Swingle, Council President
AYES: Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

Consent Agenda

1. RESOLUTION 2016-49: 2016-49: AUTHORIZING THE PARTIAL RELEASE OF A BOND HELD ON BLOCK 39 LOT 6 & 7 IN THE AMOUNT OF \$15,000.00

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: John Gorman, Councilman
SECONDER: Marc Hain, Council Vice President
AYES: Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

2. RESOLUTION 2016-50: AUTHORIZING THE CLOSING OF A BOROUGH STREET FOR A BLOCK PARTY FOR THE UNITED WAY

RESULT: ADOPTED [UNANIMOUS]
MOVER: John Gorman, Councilman
SECONDER: Marc Hain, Council Vice President
AYES: Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

3. RESOLUTION 2016-51: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE # 2013-004 HELD ON BLOCK 2 LOT 45 QUALIFIER C0011, KNOWN AS 11 WILLIAM MARTIN WAY, OWNER D & D DEVELOPERS IN THE AMOUNT OF \$41,682.35

RESULT: ADOPTED [UNANIMOUS]
MOVER: John Gorman, Councilman
SECONDER: Marc Hain, Council Vice President
AYES: Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

4. RESOLUTION 2016-52: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE # 2015-001 HELD ON BLOCK 1 LOT 6.30, KNOWN AS 630 GEORGE WILSON BLVD., OWNER LAWRENCE FIGALORA IN THE AMOUNT OF \$1,455.40

RESULT: ADOPTED [UNANIMOUS]
MOVER: John Gorman, Councilman
SECONDER: Marc Hain, Council Vice President
AYES: Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

5. RESOLUTION 2016-53: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE # 2015-0018 HELD ON BLOCK 29 LOT 3.01, KNOWN AS 126 MAIN STREET, OWNER VICTOR AND JILL VELEZ IN THE AMOUNT OF \$2,108.82

RESULT: ADOPTED [UNANIMOUS]
MOVER: John Gorman, Councilman
SECONDER: Marc Hain, Council Vice President
AYES: Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

6. RESOLUTION 2016-54: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE # 2015-002 HELD ON BLOCK 12 LOT 2, KNOWN AS 5 HIGHLAND AVE, OWNER PAUL DEMARCO IN THE AMOUNT OF \$1,992.83

RESULT: ADOPTED [UNANIMOUS]
MOVER: John Gorman, Councilman
SECONDER: Marc Hain, Council Vice President
AYES: Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

7. RESOLUTION 2016-55: AUTHORIZING AND OFF PREMISE RAFFLE LICENSE TO BE HELD ON MAY 26, 2016 BENEFITING THE READING FLEMING INTERMEDIATE SCHOOL, PTO, INC.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: John Gorman, Councilman
SECONDER: Marc Hain, Council Vice President
AYES: Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

8. RESOLUTION 2016-56: AUTHORIZING THE AWARD OF CONTRACT FOR THE UPGRADES FOR SECURITY AT BOROUGH HALL IN THE AMOUNT OF \$17,500.00 TO DESAPIO CONSTRUCTION

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: John Gorman, Councilman
SECONDER: Marc Hain, Council Vice President
AYES: Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

9. RESOLUTION 2016-57: AUTHORIZING THE MAYOR AND CLERK TO SIGN AN AGREEMENT WITH MARTIN ALLEN, ESQ OF THE FIRM DIFRANCESCO, BATEMAN, COLEY, YOSPIN, KUNZMAN, DAVIS, LEHRER & FLAUM P.C. TO REPRESENT THE BOROUGH IN A TAX APPEAL FILED BY LIBERTY VILLAGE

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: John Gorman, Councilman
SECONDER: Marc Hain, Council Vice President
AYES: Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

10. RESOLUTION 2016-58: AUTHORIZING THE MUNICIPAL ATTORNEY TO FILE CORRECTIVE APPEALS AND COUNTER CLAIMS INSTEAD OF MUNICIPAL TAX ASSESSOR

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: John Gorman, Councilman
SECONDER: Marc Hain, Council Vice President
AYES: Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

11. RESOLUTION 2016-59: RESOLUTION TO APPOINT COMMUNITY GRANTS, PLANNING, AND HOUSING AS THE BOROUGH OF FLEMINGTON'S ADMINISTRATIVE AGENT FOR COAH-RELATED CLIENT SUPPORT SERVICES

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Gorman, Councilman
SECONDER:	Marc Hain, Council Vice President
AYES:	Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

Regular Agenda

1. ORDINANCE 2016-5: PUBLIC HEARING: MODIFY ORDINANCE 2011- 5 TO TERMINATE THE CURRENT BUSINESS IMPROVEMENT DISTRICT'S MANAGEMENT CORPORATION AND REPLACE IT WITH A NEW CORPORATION, PLUS OTHER CHANGES.

MOTION TO OPEN PUBLIC HEARING:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian Swingle, Council President
SECONDER:	Michelle Oberst, Councilwoman
AYES:	Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

Andy Cohen, 79 Main Street, while the District Management Corporation gets formed, I was concerned that none of the staff exists. What will be happening with the events up until the new Corporation gets up and running? How will this be addressed?

Council President Swingle stated that as of now, there has not been a Board meeting that I am aware of. I would assume that these decisions will be being made by the Executive Committee at this moment. They will decide who to lay-off and what direction the Organization would be going. I do not think that any of that has been disclosed to the current Board. I do not know what their intentions are in regards to how much their Organization is willing to fulfill. At this point, seeing that they have laid off their staff, I would think that it would be hard to facilitate that mission going forward. That staff always helped facilitate these events. As far as future events, I think it is relative to how fast the Organization can be put together and get up and running again. It will also be, if there is assistance from the community, to step up and help volunteer to put together these events.

In regards to remaining funds I think it is incumbent upon the current organization to put forth a Budget to finish up and wrap up their obligations and then return any funds that remain back to the Borough. Then the money can be provided to the next Organization to continue on for what is best for Flemington. It is not what is best for the organization, but what is best for the community. I feel this is what should happen.

Andy Cohen, Do you have any time-line on when they will be returning the funds so that they can be used for the events that are coming up?

Council President Swingle stated that he is hoping that this happens as soon as possible.

Elaine Gorman, 34 New York Avenue, The BID has always taken care of the banners that are put up on Main Street, will this be coming back to Council to take care of this?

Council President Swingle stated that at this point, this is relative to if the BID is planning on fulfilling its obligations. If they are not, then it will have to come back to the Borough. It has still been the DPW that has been placing the banners up anyway. The BID was just managing this.

Joey Novick, at the February 22, 2016 meeting, Susan Peterson had made a statement about the property that the BID has, and that it is the property of the BID itself. I was rather disturbed by that since they required a lot of data, forms, and various reports. I was wondering what the decision has been made regarding those items.

Mayor Greiner stated that these items should be treated the same as the return of the funds and returned to the Borough.

Council President Swingle stated that all the items should be returned since they were paid by tax payer's funds.

Al Brewer, 1 Coppermine Village, under the 501 C (3) the designation clause in part of the bylaws, it allows a transfer from one organization to another 501 C (3). Has the Council considered this at this time? I think, more importantly, communication with all the great events that have been occurring. I think the public would like to see Council approach the BID and ask are these going to happen or not? This might clear up what is expected and what the citizens will need to do.

Motion to Close Public Hearing:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michelle Oberst, Councilwoman
SECONDER:	Brian Swingle, Council President
AYES:	Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

Motion for approve Ordinance 2016-5

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian Swingle, Council President
SECONDER:	Michelle Oberst, Councilwoman
AYES:	Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

2. RESOLUTION 2016-43: AUTHORIZATION TO HIRE ADMINISTRATIVE RESOURCES, INC

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian Swingle, Council President
SECONDER:	Michelle Oberst, Councilwoman
AYES:	Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

3. RESOLUTION 2016-47: RESOLUTION TO NAME THREE INCORPORATORS OF THE FLEMINGTON IMPROVEMENT DISTRICT

Lois Stewart asked who the Incorporators are?

Councilwoman Oberst stated that they are Brian Swingle, Dr. Paul Marciano, and Karen Monroy.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Brian Swingle, Council President
SECONDER:	Michelle Oberst, Councilwoman
AYES:	Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

4. RESOLUTION 2016-60: FLEMINGTON BOROUGH SELF-EXAMINATION FOR 2016 BUDGET

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marc Hain, Council Vice President
SECONDER:	Carla Tabussi, Councilwoman
AYES:	Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

5. ORDINANCE 2016-6: FIRST READING: AN ORDINANCE TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) FOR CALENDAR YEAR 2016

RESULT:	INTRODUCED [UNANIMOUS]	Next: 4/11/2016 12:00 AM
MOVER:	Marc Hain, Council Vice President	
SECONDER:	Brian Swingle, Council President	
AYES:	Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi	

6. RESOLUTION 2016-61: INTRODUCTION OF THE 2016 MUNICIPAL BUDGET OF THE BOROUGH OF FLEMINGTON

Mayor Greiner thanked the Council for all their dedication to the Budget Workshops. We have had 7 Budget sessions since the beginning of the year, and this has been a marathon. This is the earliest that a Budget has been Introduced a budget for a number of years. Thanks to the Council and Bill Hance for getting us to this point.

As for the Budget, there are no shockers in the Budget. We have a 3.4 cent increase per \$100.00 versus last year. To put this in prospective, last year, 1.6 cents, and the year before that, 11.6 cents. This is a modest increase, keeps everything on track, and there are no personnel shake-ups. There are no major impacts on any programs. It is pretty much continuing to do everything that we need to do. There is nothing that we are letting go for lack of funds, and we are taking care of business. I have compared the increase from 2000 to now, and the municipal portion of my tax bill has grown at a compound rate of 5.6 percent.

It is a total growth of about a 4% growth, this time, in the total budget. We would like to have this lower, but there are constraints that we live under. There are onetime expenses in this budget also. This is a good budget, and there is nothing to worry about.

Councilwoman Oberst asked Mayor Greiner to explain what this equates to for the average Flemington Borough home of 255,900?

Mayor Greiner stated for an average home at that price, it averages out to be about \$87.00 a year on the 3.4 cents increase.

RESULT:	INTRODUCED [UNANIMOUS]	Next: 4/11/2016 12:00 AM
MOVER:	Brian Swingle, Council President	
SECONDER:	Marc Hain, Council Vice President	
AYES:	Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi	

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

Steve Tuccio, 61 Elwood Avenue, would like to extend my remarks from earlier. I would like to thank this man that has made intelligent comments on the condition of the Union Hotel. I would like to make clear, is the impact on the Borough and its residence while the construction is going on; the long term soft costs of supporting such a structure.

Chris Englehardt, 180 Main Street, how will this affect our water and sewer? Do we have capacity for something this massive?

Mayor Greiner stated that we have some capacity, but this is something that we have to work out with the developer depending on exactly what they will need. They will have to submit exactly what they will need and then we can size up what capacity they will need.

Chris Englehardt, with these buildings and apartments going in, and then more at the Cut Glass property, this is a big increase for our town for water and sewer.

Mayor Greiner stated that it is not really all that big. We already have significant capacity from the original hotel project that was approved earlier. We already have significant capacity in this area. This is something that we have to worry about after they submit the plan.

Councilman Gorman stated they submit they will require and then, this will be worked out through their water and sewer bills. The well is already dug, and it is a matter testing and approval from the State. We are a few years out yet, and this project is not going to happen overnight.

Council President Swingle commented that we are always upgrading our system and staying ahead of the curve.

Mayor Greiner stated that we have some capacity now, and we will evaluate as this progresses and if there is more needed, we will pursue it then.

Lois Stewart, 26 Spring Street, what is the status of the memorandum of agreement with our designated developer?

Mayor Greiner stated that this has just started, so we do not have that yet. This is being handled through the Attorney's, and they are working on it.

Lois Stewart, 26 Spring Street, will the details of this be made public before it is actually signed by this Borough and the developer?

Mayor Greiner stated the agreement itself, it is normally not introduced in advanced because the developer agreement is not like the redevelopment standards. The redevelopment standards actually say what you are willing to place in there, and this has to go through the normal process of coming to Council for a first reading and a public hearing. The development agreement is basically who pays for what, when they need to get things done, and other items such as that. It does not go into too much detail about precisely what it is.

Lois Stewart stated that one thing of crucial importance to the tax payers is who pays for what because certainly the sewer, water, and fire. If this Governing Body would permit seven stories then do we have to get a new fire truck? I, as a

taxpayer, do not want to be paying for a new fire truck. So who pays for what is crucial to the taxpayers of this Borough. I think that this is a huge development. I feel that the tax payers have a right to what kind of commitment you are making to the developer on our behalf. I am very interested in knowing about any potential tax abatements and how long they would be. What percent they would be. There is a lot of information that I feel is crucial to the people who pay the bill in this town.

Jamie Wright, 60 Broad Street, Thank you to the redevelopment committee and the Council for inviting HPC involvement in the redevelopment plan. The Commission is very appreciative of that. I would like to make a disclaimer that anything else that I am about to say is not meant to represent the views of the commission. These are my views as a resident. When I saw the plan that was presented by Mr. Cust, I was really struck by its potential to transform Flemington. It is clear that anytime there is a project of that scope, it really has a lot of potential. I think that from the concept plan to the actual redevelopment standards, I think there is an opportunity to transform this into the best version of itself. The way this can happen is by all of us being good stewards of the resources that we have in this Borough. We have historic resources and from a preservation stand point, the first preference, of course, would be to adapt the use of the buildings that are already there. I would ask that you look carefully if that is an option. If it is not feasible for another reason, then I think that our job is to ensure that any new construction is compatible and sympathetic to the look of our Main Street right now: the architectural style and does it fit with the design, and scale? I think one of the best things about Flemington right now is that if you stand on Main Street, you know you are in Flemington. I think for this redevelopment project to be successful, we need to make sure that it feels authentic to Flemington.

Tony Previte, 45 North Main Street, is Mr. Cust has any plans on having any future meetings with the public? What will the phases be and the timeline? Will the parking be done first? We know that downtown Flemington needs parking so if this could be done first, it would be great. Is this scale what needs to be done to stay on track financially to make this feasible to the Borough and the developer itself? Does he want demolition by the end of year, or is he going to start building by then?

Mayor Greiner stated that the first sign will be when the application comes before the Planning Board. This could be as early as this summer, or it will depend on Mr. Cust getting the design and architectural work, and he will have to take this feedback into account. We will have to see what he feels he can and can't do. There will be a check points before it goes to the Planning Board which are the same as the ones that I already mentioned tonight. Those all involve Public Hearings and will certainly help peel back the project as we see

the project move forward. The Planning Board will review what the architecture will look like and what the terms would look like. I cannot say if there will be another public meeting with the developer as things will be getting unveiled, but we will have to see. This is not intended to be done behind closed doors, and it will not be done behind closed doors.

Tony Previte, the principal item is the bankruptcy. Is the bankruptcy resolved for this property? What happens does the Borough now own this property? Who owns this and does it get transferred to Mr. Cust?

Mayor Greiner stated that the Borough will not own the property. What usually happens is that in a general situation like this, a development will make agreements with the prospective sellers. They are not going to buy the property without approval, and we are not going to give them approval if they don't own the property. There are things that will have to come together. Usually the developer will make tentative agreements with the sellers. If everything goes through, you close on those, and you can move ahead. This is how it generally works. If he chooses to buy the Hotel, he would buy it straight from the owners, and the town would not be involved in this transaction.

Attorney Goodman, stated that the only item would be that the bankruptcy Judge would have to sign off on this if it is still in bankruptcy.

Councilwoman Oberst stated that we will be meeting with Mr. Cust regularly, and we will be giving updates as we are allowed.

Mayor Greiner stated that what is going on right now is that Mr. Cust is hearing the feedback, and he is meeting with his architect about the feedback. We have not received any of the standards yet and, the Attorneys are working on this. This is where this project is at this time.

Elaine Gorman would like to thank Carla Tabussi who is the liaison for the Council and the HPC for all her service to us. I would like to thank her for pursuing this relationship between the HPC and the developers on this project. We are not allowed to make a public comment on this, but there is a statement that you can read on our website. I would like to thank the Council and the redevelopment committee for letting the HPC participate and allow us to make some suggestions. I am hopeful that we will see something on Main Street that all will be happy to see there.

Lois Stewart, 26 Spring Street, What is a Kiosk and where is this going to be located?

Councilwoman Liebowitz stated that it is like the one that is by the police station and that the location will be a little farther down on Main Street. The site will be determined at another time. It will have the same character as the one that we already have.

Lois Stewart, 26 Spring Street asked Councilwoman Tabussi if she is still working on the revised ordinances, or did it get totally turned over to the Planning Board?

Councilwoman Tabussi stated that it is being worked on in conjunction with the Planning Board. The work load is incredible. We realized the need for this at the beginning of last year to have the Planning Board experts to go through the ordinances, and recognize the changes that to certain parts of the ordinances with that level of expertise. This will help with the vision of the Master Plan match the ordinance. I have been updating Marc on this, and we realized, once we got started, that it was a huge project. We can now figure out the changes that are required.

Lois Stewart, who do we as the public speak to as far as the revised ordinances suggestions?

Mayor Greiner stated that the person would be Susan Englehardt of the Planning Board. You can also speak with Councilwoman Tabussi or Council President Swingle if they will be continuing their role on this project.

Lois Stewart, 26 Spring Street, do you have a listing of the ordinances that will be substantially changed with the master plan?

Mayor Greiner replied that this will come through council; the first reading will be with Council, and then it will go to the Planning Board, and then back for the public hearing here.

Lois Stewart, 26 Spring Street, how does one find out about potential changes prior to first reading?

Mayor Greiner suggested that she can talk to Susan Englehardt, and she can provide her a list. The committee that was appointed last year was Councilwoman Tabussi, Council President Swingle, Jeff Fleischer, Susan Englehardt and Marc Hain is now getting involved.

Lois Stewart, you said when you had the ordinance about hiring the consultants for the new Flemington Improvement District that there are some changes, and you specifically mentioned that it would be four months, and what is the final cost factor? In previous meetings, there was talk about if this can be recouped from the new Flemington Improvement District. Is this still being considered?

Council President Swingle stated \$16,000.00.

Mayor Greiner stated that the resolution was \$4,000.00 up to four months.

Attorney Goodman stated that, at this point, the fees for the consultants would have to come from the Borough. This could change in the future but for right now, we have to consider the Borough is going to incur the cost.

Mayor Greiner stated that it is in the budget. If we get it back, great, but it is in the budget.

Lois Stewart replied that this might explain the increase in the taxes.

Council President Swingle stated that yes, and a few other things that we had to incur the cost of for this year. If there is a way in the future to recoup this money, we will explore it.

Diane Potter, 42 Park Avenue, I would like to make a statement that we have been here for 15 years as a residents, and it has been a remarkable experience. This lead to it being important to be part of the Historic Preservation Commission as Secretary, and dear and near to my heart. I am conflicted with the project as it is set before us. I do see the benefit of the project, and I do feel that the town needs major revitalization. However, I feel so strongly, and it is a passion of mine for the history. I am a history buff, and I like to travel everywhere. I am always moved by the history of a particular city or town. I have felt that this town makes me feel at awe. I would hope that, and I am optimistic that, there will be a collaboration. I am appreciative that the HPC can and has been invited, to speak to the Redevelopment Committee and the Council. I feel that we will be able to have a compromise and make Flemington the town that we can all be proud of.

Beryl Doyle, Raritan Township, stated that Main Street means a lot to me. We were looking for a place where my husband could practice medicine. We knew this was it. He practiced for 29 years here in Flemington. I have written to a program called New Voices. This helps with grants to help residents to work out ways to improve communities. The grant is about 25,000.00. It is awarded to a private entity or a 501 3(C) organization. Frank Banish and Chris Pickell are working with me on this from the Geraldine Dodge Organization. It is nice to have Frank and Chris interested in working on saving the Union Hotel. I really hope that their expertise in this area will lead them to work with Mr. Cust. I really hope that the community members express their passions about Flemington.

7. Attorney's Report

Attorney Goodman has no report at this time.

8. Payment of the Bills

Motion To: **Pay The Bills**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brooke Liebowitz, Councilwoman
SECONDER:	Brian Swingle, Council President
AYES:	Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi

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

There was no Executive Session.

10. Adjournment

Motion To: **Adjourn**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marc Hain, Council Vice President
SECONDER:	Brooke Liebowitz, Councilwoman
AYES:	Gorman, Hain, Liebowitz, Oberst, Swingle, Tabussi