



Mayor and Common Council Borough of Flemington

October 24, 2016

historic Flemington Courthouse

Work Session (7:00 PM)

1. DISCUSSION OF ROOF REPAIRS AT BOROUGH HALL

Borough Engineer Robert Martucci gave an overview of options for roof repairs at Borough Hall and the firehouse. He noted the repairs needed are greater than originally thought. There are several different types of roof designs on the building, and a basic plan would create proper pitch, replace the tar, soffits and gutters. Options and alternatives include adding gutters in a high area of the roofing. Estimates indicate the base cost could be around \$160,000, and that could rise to around \$180,000 if alternatives are added in.

The timing was discussed. One alternative is to start right away, with repairs commencing in early December; the committee is leaning toward this option because it would prevent possible leaks during the winter. While people are working on the roof, no one will be allowed underneath in the portion of the building being worked on.

Councilwoman Brooke Liebowitz noted that the roof of the library is in need of repair as well, and she was wondering if the borough could get a better deal if both roofs were done together.

Council discussed advertising for bids for the roofing project, due in mid-November.

Discussion was also held on heating and cooling for the Samuel Fleming House. Councilman John Gorman gave some facts about the borough's oldest house, saying the building holds a large collection of antiques, and right now it is without heat. Councilman Brian Swingle said he has no issue with doing work that is needed and doing it correctly, but his concern is that if the borough is going to make this investment, that it address issues regarding the function of the Samuel Fleming House Museum board.

Mayor Phil Greiner asked if council members might want to get estimates on heating only, for a cost comparison.

Ms. Liebowitz said she would research whether the borough can access open space funds for the project, since the work would protect artifacts in the house. Consensus was to plan for a resolution at the November meeting to install heating and cooling at the Samuel Fleming House, while continuing to research the various options.

Regular Meeting (7:30 PM)

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

Flag Salute

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

1. RECOGNITION OF DETECTIVE CORPORAL LAUREN BIVONA FOR HER RECENT DOMESTIC VIOLENCE SERVICE AWARD FROM SAFE IN HUNTERDON

Mayor Greiner noted that Borough Police Detective Cpl. Lauren Bivona recently received the Domestic Violence Service Award from SAFE in Hunterdon. He read her resume, noting her commitment to addressing domestic violence is long-standing, and praised her efforts. Cpl. Bivona thanked the borough and the Police Department for their support, adding that all of the Police Department deserves the award. She received a round of applause.

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

Bob Schwade, 12 Park Ave., asked about the notice of tax liens posted on the borough website. Tax Collector Rebecca Newman described how liens are placed, and when.

Michael Skoczek, CEO of the CEA, which runs the annual Turkey Trot in the borough, asked if the borough could restrict parking on Bonnell Street for several hours during the race, in addition to closing the road to traffic. It was noted that this has been done several years in a row, and that parking for residents is available at St. Magdalen's, and at RFIS.

Lois Stewart, 26 Spring St., asked for council's response to the National Trust for Historic Preservation's designation of Flemington's Main Street as among the country's most endangered historic sites, and whether anyone had responded to a letter received from the Trust in August. Mayor Greiner said it wasn't appropriate to poll council members. Ms. Liebowitz said that after discussion of this issue at the Oct. 12 council meeting she called the letter's author twice, leaving messages both times about alternatives or grants the Trust might have to offer, and has received no response.

Ms. Stewart also asked about the status of the development agreement with John Cust, Jr., and Mayor Greiner said it's about 45 pages long, and currently under review by Mr. Cust. Council is hoping to have the agreement finalized by the end of the year.

Kim Tilly, 68 Bonnell St., said if the council is considering restricting parking on both sides of Bonnell Street during the Turkey Trot, it should keep in mind that

runners from around the region park at St. Magdalen's and RFIS, so space for residents there might be limited.

Tony Previte, North Main Street, noted that the Global Ag property and the Nilkanth property have been cleaned up, and asked if the area around Steve's convenience store could be dressed up. It's very drab in the area, he said. He also suggested renaming the Stagecoach Plaza as Peace Plaza.

Chris Englehardt, 180 Main St., asked about phases and timelines for the Main Street redevelopment project, and Mayor Greiner said it's likely the south half would be built first, followed by the north half and then the medical building area. The redevelopment agreement being worked on will spell out the timeline and phasing, he said. Ms. Englehardt asked about demolition, and Mr. Greiner said that would precede the construction phases.

3. FIRST READING: 2017 FLEMINGTON FCP BUDGET

Flemington Community Partnership Board Chairman Dr. Paul Marciano and Executive Director Judy Goodwin discussed the organization's accomplishments in 2016 and its goals for 2017. Ms. Goodwin said the group's vision for Flemington is "ambitious, big and long-term." The budget includes startup costs for assets that will produce dividends in years to come, she said. She discussed four categories: Economic Development, Marketing, Visual Programs, and Administration. For economic development, the FCP is planning a Flemington Borough Market, and its task now is to frame out the vision. It's intended to attract more vendors to the borough. For visual programs, she mentioned the streetscape improvement plan for Main Street, and said the FCP plans to enhance the sprucing up of Main Street where possible, and use signage to make access to businesses clear during construction. For marketing, she said the groundwork has been done and the FCP is ready to develop a more robust branding campaign. In 2017 it plans to have reports available of current businesses and available opportunities.

For administration, she said costs are projected to remain flat from 2016 to 2017. Councilman Brewer asked about bringing the Central Jersey Jazz Fest back to Flemington, and Ms. Goodwin said the festival organizers have reached out to the FCP, indicating they want to move it back to Main Street.

Council members thanked the FCP for its work to date, and all it's been able to accomplish.

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

4. Mayor's Report

-10/17: Participated in the Flemington Town Crawl, a fund-raising restaurant-hopping event to support the Hunterdon Helpline, which also sponsors

- Salsa Night. Of about 50 attendees, all contributors to the Helpline, only one other person was a borough resident, so it was a good chance for these folks from outside the borough to see our town.
- 10/22 - Attended the PBA's first Community Day - Primarily organized by Flemington officers Brian McNally and Frank Emmanuel; Rebecca Newman organized the cornhole tournament, with 20 teams entering at \$50 apiece. The PBA supports officers and their families in times of need, and it raises money and donates to charitable causes in the community.
 - 10/23 - attended piano concert played by former councilwoman Dorothy Fine to raise money for the Friends of the Flemington Library group. Held at the Woman's Club, it was attended by about 60 people and raised just under \$1,000. Dorothy's musical talent is a gift to the community. If you have an opportunity to hear her play, take it.
 - Our borough web site now has a separate page for Union Hotel-area redevelopment topics, as was suggested at a council meeting this summer. The material is grouped into three categories that correspond to the three designated redevelopers. You can find a history of past redevelopment efforts for the hotel, the February and August presentations, the mayor's message about our economic slide, and the two recent lawsuits filed by Lois Stewart, Gary Schotland, and the Historic Flemington LLC group. You can also find the RFP and four developer proposals from the previous era, and the study to expand the redevelopment area. Last, there is the initial redevelopment plan.
 - Have seen remarks on-line about the need for a "well thought-out [redevelopment] plan" rather than the current plan, and the recent mailer about the protest rally describes the current plan as thoughtless. I have been working on hotel redevelopment since late-2010, and I can say with no reservation that Mr. Cust's plan is the best thought-out plan to come along in that whole time. It addresses both borough and county needs. It provides a liquor license back on Main Street, restaurants, housing, retail, parking, a Union Hotel with people who stay in it, and the first higher education institution anywhere in Hunterdon County. Plus a significant boost in revenue through a negotiated tax payment far in excess of what we currently get for the affected properties. The plan depicted in their mailer and in the master plan, is also well thought out, but not in as much detail as the Cust project. For example, it does not address who will pay for the parking solution, which is a huge factor. More important, there is no one offering to build it, so it remains in second place.
 - Finally, remember that the general election is November 8, so everyone please get out and vote. Councilman Brewer joined the council on March 28 as an appointed replacement for Carla Tabussi. That appointment expires when someone is elected to the seat on November 8. Since Mr. Brewer is not on the ballot for that seat, I would like to thank

him for his service on the borough council this year and wish him well in whatever endeavors he may pursue in the future.

5. Council Members' Reports

Councilman Brewer

Mr. Brewer noted that this is his last meeting on council. He thanked his colleagues, saying he came to council with the idea of changing things, but "I've been a team player, and I've had the opportunity to work with dedicated individuals. They do listen and they're all good community-minded people." He thanked the community for the opportunity to serve.

Councilman Gorman

Mr. Gorman said leaf pickup is commencing, and urged residents to pile their leaves next to the curb. He also noted that the Water Company workers have been repairing several leaks.

Councilman Hain

Mr. Hain said the Planning Board, Environmental Commission and Parks & Recreation haven't met since the last Borough Council meeting. Regarding Police, he participated in third interviews for two patrolmen, who are both highly qualified. He's asked police to step up patrols to enforce observance of crosswalks. The Police Committee has also been working on the PBA contract renewal.

Councilwoman Liebowitz

Ms. Liebowitz noted the FEMA application for a grant for work on an exhaust system at the firehouse is due before Thanksgiving. She's spoken with FEMA representatives about how to make the borough's application stronger. She met with candidates for positions in the Police Department, and said they're very good. Ms. Liebowitz also thanked Councilman Al Brewer for his service, and said he would be missed.

Councilwoman Oberst

Ms. Oberst said the Samuel Fleming House Museum is planning a tricky tray on Dec. 2. The Redevelopment Committee has been meeting on a redevelopment plan for Main Street, and work on that continues, she said. Ms. Oberst met with the Flemington Community Partnership and she said she was very impressed with the amount of effort and due diligence they're putting forth. Later in the meeting Ms. Oberst noted that the Samuel Fleming House Museum board is still looking for members.

Council President Swingle

Mr. Swingle congratulated the PBA on a successful community day. He said the Flemington Community Partnership has been very active, and serving as liaison to the partnership takes about 15 hours per week of his time.

Earlier in the meeting he noted that Webelos from Cub Scout pack 61 were in attendance, learning about municipal government. They'd taken a tour of Borough Hall earlier.

6. Approval of Minutes

Motion To: **Approve Minutes: September 26, 2016 Executive Session**

RESULT:	APPROVED [5 TO 0]
MOVER:	Alan P. Brewer, Councilman
SECONDER:	Brooke Liebowitz, Councilwoman
AYES:	Brewer, Gorman, Hain, Liebowitz, Swingle
ABSTAIN:	Michelle Oberst

Motion To: **Approve Minutes: October 12, 2016 Regular Council Meeting**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Gorman, Councilman
SECONDER:	Brian Swingle, Council President
AYES:	Brewer, Gorman, Hain, Liebowitz, Oberst, Swingle

CONSENT AGENDA

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

1. RESOLUTION 2016-160: APPROVING THE INSERTION OF \$92,072.89 INTO THE 2016 MUNICIPAL BUDGET FROM THE STATE OF NEW JERSEY FOR THE ALCOHOL EDUCATION, REHABILITATION AND ENFORCEMENT GRANT

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marc Hain, Council Vice President
SECONDER:	Alan P. Brewer, Councilman
AYES:	Brewer, Gorman, Hain, Liebowitz, Oberst, Swingle

2. RESOLUTION 2016-161: APPROVING THE FLEMINGTON BID FUNDS IN THE AMOUNT OF \$29,017.00 TO BE REFUNDED OR CREDITED TO THE PROPERTY OWNERS THAT PAY THE SPECIAL BID TAX

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Marc Hain, Council Vice President
SECONDER: Alan P. Brewer, Councilman
AYES: Brewer, Gorman, Hain, Liebowitz, Oberst, Swingle

3. RESOLUTION 2016-162: AUTHORIZING THE PAINTING OF A BLUE LINE ON MAIN STREET FROM CHURCH STREET TO PENNSYLVANIA AVE TO SHOW SUPPORT FOR OUR FLEMINGTON BOROUGH POLICE DEPARTMENT AND LAW ENFORCEMENT OFFICERS IN OUR COMMUNITY

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Marc Hain, Council Vice President
SECONDER: Alan P. Brewer, Councilman
AYES: Brewer, Gorman, Hain, Liebowitz, Oberst, Swingle

4. RESOLUTION 2016-163: APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE DEPARTMENT OF LAW AND PUBLIC SAFETY

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Marc Hain, Council Vice President
SECONDER: Alan P. Brewer, Councilman
AYES: Brewer, Gorman, Hain, Liebowitz, Oberst, Swingle

5. RESOLUTION 2016-164: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE # 2013-007 HELD ON BLOCK 28 LOT 5, KNOWN AS 74 ELWOOD AVENUE, OWNER FERNANDO TAMILIO IN THE AMOUNT OF \$1272.16

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Marc Hain, Council Vice President
SECONDER: Alan P. Brewer, Councilman
AYES: Brewer, Gorman, Hain, Liebowitz, Oberst, Swingle

6. RESOLUTION 2016-165: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE # 2013-015 HELD ON BLOCK 35 LOT 74.46, KNOWN AS 46 COPPERMINE VILLAGE, OWNER DENICE TAMAYO IN THE AMOUNT OF \$1294.64

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Marc Hain, Council Vice President
SECONDER: Alan P. Brewer, Councilman
AYES: Brewer, Gorman, Hain, Liebowitz, Oberst, Swingle

7. RESOLUTION 2016-166: AUTHORIZING THE MAYOR AND CLERK TO SUBMIT A GRANT APPLICATION IDENTIFIED AS TA-2016 MAIN STREET STREETScape PROJECT PHASE II

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Marc Hain, Council Vice President
SECONDER: Alan P. Brewer, Councilman
AYES: Brewer, Gorman, Hain, Liebowitz, Oberst, Swingle

8. RESOLUTION 2016-167: REQUIRING THE TAX ASSESSOR TO MAKE WRITTEN NOTIFICATION TO THE BOROUGH COUNCIL & CFO ADVISING THEM OF TAX APPEALS THAT HAVE BEEN FILED

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Marc Hain, Council Vice President
SECONDER: Alan P. Brewer, Councilman
AYES: Brewer, Gorman, Hain, Liebowitz, Oberst, Swingle

REGULAR AGENDA

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

1. RESOLUTION 2016-168: AUTHORIZING THE HIRE OF TWO QUALIFIED CANDIDATES TO THE POSITIONS OF PATROLMAN SCHEDULE B WITH THE FLEMINGTON POLICE DEPARTMENT, AT A SALARY OF \$43,292.00 ANNUALLY

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

2. DISCUSSION OF HEATING/COOLING PROPOSALS FOR THE SAMUEL FLEMING HOUSE

Mayor Greiner noted that this was discussed in the earlier work session, and consensus is that a resolution is planned for the Nov. 21 meeting on a combined heating/cooling system for the Samuel Fleming House; in the meantime research continues on various options.

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

Bob Schwade, 12 Park Ave., referred to a mailing he received from the Friends of Historic Flemington LLC, saying it shows pretty pictures, but there was no money behind the previous plan for development near the Union Hotel. He wanted to remind council that what the flier showed was not a real proposal. Lois Stewart, 26 Spring St., asked about the staging of work renovating Flemington Fur, and if it would require an expanded redevelopment area. Mr. Greiner said that's all part of the redevelopment plan being put in place. He said council anticipates expanding the redevelopment area slightly to cover the area needed. Ms. Stewart asked when the study for the expansion of the redevelopment area would take place. Mr. Greiner said it could come at any time; the council could vote to direct the Planning Board to study the issue, then that board's recommendation would come back to Borough Council.

Tony Previte, North Main Street, asked for response to his request for more fall decorations in that area. Mr. Swingle said the FCP spent a lot of money on fall decorations, and recognized that it missed some spots, and there was a possibility that some hay bales would be reallocated to the Global Ag area. Responding to a question about the status of Global Ag, Ms. Liebowitz said the owner is looking at different plans. They include a temporary fix that could locate a little grocery store there, with perhaps some storage.

Alice Schwade, 12 Park Ave., supported the idea of publishing on the borough website the borough's cost of defending itself from lawsuits. Steve Tuccio, Elwood Ave., said that listing should also include the reason for the costs, which he said was the council's failure to follow the law. Mayor Greiner said the lawsuits are available on the website right now, for people to review.

Borough Attorney Barry Goodman said his firm has sent a letter to the Friends of Historic Flemington LLC's lawyer, asking for withdrawal of the suit because it is frivolous.

10. Attorney's Report

Borough Attorney Barry Goodman said that on Oct. 20, his firm sent a letter to the attorney for Lois Stewart, Gary Schotland and Friends of Historic Flemington LLC, saying the lawsuit against the borough is absolutely frivolous.

Mr. Goodman said he didn't believe the plaintiffs would end up getting any relief, and if they don't withdraw the lawsuit, he will seek attorney's fees from them.

Mr. Goodman also discussed a candidates' night planned by the Friends of Historic Flemington LLC. He said since the group is suing the borough, he feels it's inappropriate for candidates to attend.

11. Payment of the Bills

Motion To: **Pay The Bills**

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Marc Hain, Council Vice President
SECONDER: Brian Swingle, Council President
AYES: Brewer, Gorman, Hain, Liebowitz, Oberst, Swingle

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

Adjournment

Motion To: **Adjourn**

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