



Mayor and Common Council Borough of Flemington

January 23, 2017

Historic Flemington Courthouse

Work Session (7:00 PM)

A. Police Department Update: Chief Jerry Rotella

Police Chief Jerry Rotella updated council on several issues, including speeding and stop sign violations and taxis, and he reported on statistics for 2016.

Speeding and stop sign issues are a constant battle, he said. Police rely on residents to tell them where and when they see violations, so they can narrow the timing of their patrols. Patrols rotate around the borough. One problem site is the corner of Park Avenue and Court Street, and residents can expect officers to be out there in enforcement mode, Chief Rotella said.

Message boards help the enforcement effort, the chief said. The digital signs can read out someone's speed-they're a way to educate drivers and people in the area about what speeding looks like.

Regarding taxis, Chief Rotella said that last summer they started receiving a lot of complaints about illegal taxis - taxis that weren't registered, or drivers that weren't licensed as taxi drivers. Now that the borough has an ordinance governing taxi registration, officers have found that drivers that are in compliance are coming to the police to report on drivers and services that are not in compliance. Problems have included taxis delivering alcohol. Cpl. Louis Hribik started a surveillance investigation and at the end of 20 days, he had issued 52 summonses. They included 9 illegal taxis, 3 companies delivering alcohol, and 5 vehicles were impounded.

Monitoring the taxis is a constant battle, he said, noting that fines and penalties set out in the borough's ordinance aren't as severe as they should be to make drivers and taxi owners comply.

Councilwoman Tilly said it was good to hear that compliant taxi services are almost self-policing.

Councilman Swingle said that alcohol being delivered by taxi has a cascade effect.

Mayor Greiner asked if the alcohol being transported by taxi is usually going to the same places. Chief Rotella said a bilingual officer was able to order alcohol and have it delivered with no problem. It's all around, he said.

He noted that the recent enforcement efforts have stirred things up, and that police will revisit the situation in a few weeks.

Chief Rotella reported on Computer Assisted Dispatch (CAD) reports for 2015 and 2016. There were 11,228 incidents in 2015 and 13,341 in 2016, he said. He noted that an incident could be a crime, a service call, or a question.

Looking at a few specific locations, he reported the following numbers:

Hunter Hills:	2015	2016
	357 CAD reports	497 CAD reports (78 generated by officers on foot patrol)
	11 assaults	14 assaults
	12 domestic viol.	16 domestic viol.
	23 noise complnts	23 noise complaints

Steve's:	2015	2016
	43 CAD reports	51 CAD reports
	17 m.v. crashes/stops	17 m.v.
	0 burglar alarms	4 burglar alarms
	2 noise complnts	2 noise complnts
	1 domestic viol.	2 domestic viol.
	23 squad calls, misc.	26 squad calls, misc.

With the CAD system, the police can check statistics for any location in the borough, Chief Rotella said.

In closing, he noted that the Police Department will team up with HART commuter services again this spring for another Street Smart pedestrian safety campaign.

Councilwoman Liebowitz asked how the new officers were adjusting, and Chief Rotella said they're doing well.

B. The Borough newsletter

Councilwoman Liebowitz discussed the borough newsletter, saying it could use more content from council members. Frequency may be reduced to two issues a year; there's a possibility the borough might have to pay for postage to mail the newsletter. It will be discussed in budget meetings.

Councilwoman Tilly noted that a big complaint about the newsletter is its lack of timeliness. Councilwoman Liebowitz said the newsletter's publishers still need 6 weeks' lead time to put out an issue.

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
Phil Greiner	Mayor	Present	
John Gorman	Councilman	Present	
Marc Hain	Council President	Present	
Brooke Liebowitz	Council Vice President	Present	
Susan Peterson	Councilwoman	Absent	
Brian Swingle	Councilman	Present	
Kim Tilly	Councilwoman	Present	

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

Alan Brewer, Coppermine Village, asked about the motion to rescind authorization to renew the liquor license for Stagecoach Liquors. It's a procedural issue, Mayor Greiner explained - a petition is pending before the state Alcoholic Beverage Commission that the state must act on before the borough can issue the license.

Mr. Brewer also asked about the financial impact of promoting two police officers. Mayor Greiner said the promotions are already built into the budget, so the move is revenue-neutral. The promotions are backfilling vacancies created by former Chief Becker's departure.

Former Councilwoman Michelle Oberst asked what role Robert Shore plays in the borough that allowed him to be included at the reorganization dinner following the Jan. 3 reorganization meeting. Mayor Greiner said officials decided to be gracious about the situation.

Tony Previte, 25 N. Main St., said the downtown looked great with the Christmas lights, but he noted that the tree in front of the mural wall kept falling over. He noted that Steve's Store was dark, and said he's seen a lot of problems there. He asked the borough to consider having an employment agency take up quarters in a vacant storefront to take calls and arrange work for people. He said the situation at Steve's store affects the quality of life of homeowners in the area. Councilman Swingle said the Flemington Community Partnership is going to be expanding its decorating efforts in the coming year.

Council President Marc Hain moved to amend the agenda to table Ordinance 2017-3, the taxi ordinance. Councilman Swingle seconded the motion and all voted in favor, with Ms. Peterson absent.

2. Mayor's Remarks

- I briefly attended the county freeholder reorg meeting on January 3 and also attended the Raritan Township reorg dinner on January 5.
- I am delighted to announce that Tom Costello, whose popular store and restaurant on Stangl Road were lost to fire damage last year, intends to reopen his oil-and-vinegar shop in Turntable Junction.
- Tonight we begin the process to sell the gas station property at 144 Main St. The steps to sell are: (1) we adopt an ordinance authorizing the sale, which is on the agenda for first reading tonight, (2) we advertise and then conduct a public auction, (3) we accept a bidder, or else we reject all bids and may proceed to list the property for sale before going out to bid again. Our agreement with the DEP allows them to consider and reject any sale for less than \$380,000, if they choose to do that.
- The borough's cost for the two redevelopment lawsuits through December is \$11,970, or about \$5,000 per month. This means we must at least discuss an increase of \$60,000 or more of legal expense as we develop our 2017 budget. If the plaintiffs are incurring expenses at about the same rate, that is \$10,000 per month by the two sides over issues that have little to do with the redevelopment - things like moving one meeting here on short notice, one speaker out of 183 going over three minutes, and OPRA-fishing through 6 years' worth of e-mails in the hopes of finding something else to hold against us. It seems like such a waste of resources all around.
- As we have mentioned in the past, we are working to finalize a settlement that the court can approve to address our COAH obligation. This was one of the reasons that the redeveloper agreement was not finalized last year, because COAH units do not produce the same revenue as market rate units and therefore affect the economics of any redevelopment project. We believe we are close to settling our affordable housing obligation so we can move to wrap up the redeveloper agreement.
- Our annual budget development workshops are underway. Two workshops are done. The next three will resume on Thursday evenings at 7:00 PM at Borough Hall from February 2 through February 16. We are hearing input from all the departments and commissions, and we review all the line items in the budget. Then, we aim to put it all together so we can introduce the budget on March 13 and adopt it on April 12, which, if accomplished, would meet the state deadlines for the second straight year. If we feel we have not yet developed the very best outcome we can produce, then of course we will not rush a budget through just to make a deadline.

3. Council Members' Reports

Councilman Gorman

Mr. Gorman said the Water Department is making connections to complete the loop near the Route 202-31 circle and the new Burger King, so access to the restaurant is easier.

He attended a meeting of the Flemington Raritan Recreation Committee, where they talked about fireworks for 2017. They're thinking of keeping the fireworks where they were held in 2016, but taking precautionary measures so there's less chance of someone being injured by fallout.

Mr. Gorman noted that work is almost done putting a new roof on Borough Hall and the Fire Department.

He noted it's budget hearing time, and he's been attending budget hearings.

Council President Hain

Mr. Hain said he attended the Planning Board's reorganization meeting, and noted that the Global Agway Redevelopment Plan will go before the Planning

Board at its meeting Jan. 24, if the ordinance endorsing the plan is introduced later this evening.

Mr. Hain attended the Parks and Recreation Committee's reorganization meeting, and noted that the chair resigned. Councilman John Gorman has been named the new chairman. The committee is starting planning for summer recreation classes, and is looking into what can be done about repositioning fireworks on the field to limit debris. Last year's show was 25 minutes long and used 2-1/2 and 3-inch mortars, he said. The committee is looking into whether there's something else that can be done.

As police commissioner he's been involved in interviews for the two promotions pending before council, and he said they interviewed four candidates, all of whom were very qualified.

He mentioned that taxis have raised a lot of issues - unlicensed taxis, alcohol delivery, and spoke to the need for increased fees for violations.

Mr. Hain provided the following statistics for police in 2016:

26,478 duty hours; 225 traffic citations; 315 parking citations; 1,650 license plate reader violations, 8600 car patrols; 1400 radar; 1800 investigations; 312 accident investigations; 2,635 warnings.

In a borough smaller than a square mile, police vehicles logged 68,378 miles, he said.

There were 15 juvenile delinquency calls, 271 disorderly conduct calls, 27,013 phone calls.

Council Vice President Liebowitz

Ms. Liebowitz said she attended the first Redevelopment Committee meeting in January, and said they're still working on the Cust project, and that things are going well. She added that tonight's agenda includes a resolution regarding the Global Agway redevelopment plan.

Ms. Liebowitz added that Safe Streets money is available, and she's working on a proposal for a safe corridors to school program.

Councilwoman Peterson – Absent.

Councilman Swingle

Mr. Swingle said the borough is starting to show developers that Flemington is a place they want to be.

He attended his first Department of Public Works water and sewer meeting, and said there are a lot of big projects being discussed, including a water tower and wells. He's learning a lot in a short amount of time, he said.

The Flemington Community Partnership is meeting Wednesday night to discuss its branding and marketing plan, Mr. Swingle said. He encouraged interested residents to attend.

Councilwoman Tilly

Ms. Tilly met with Fire Chief Scott Williamson and Deputy Chief Pete Nemeč. She said the department is always looking for volunteers. She also met with Rescue Squad Chief David Giuliani, who showed her the LUCAS system.

She noted that Flemington-Raritan School Board meetings often conflict with Borough Council meetings. This week is Act of Kindness Week in the schools.

Ms. Tilly serves on the Finance Committee, and noted that the borough is in the middle of the budget preparation process.

4. Approval of Minutes

Motion To: **Approve Minutes: Dec. 22, 2016 Special Meeting**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Marc Hain, Council President
SECONDER:	John Gorman, Councilman
AYES:	Gorman, Hain, Liebowitz, Swingle, Tilly
ABSENT:	Susan Peterson

Motion To: **Approve Minutes: January 03, 2017 Reorganization**

Result: Approved (unanimous): Moved by Marc Hain; seconded by John Gorman; Ayes from Gorman, Hain, Liebowitz, Swingle and Tilly; Peterson absent.

Consent Agenda

Moved: John Gorman; Second: Marc Hain; All Ayes; Peterson Absent

1. RESOLUTION 2017-32: APPOINTING DAVID GOETZ TO THE FLEMINGTON-RARITAN PARKS AND RECREATION COMMITTEE
2. RESOLUTION 2017-33: RESCINDING RESOLUTION 2017-30 RE: STAGECOACH LIQUOR LICENSE RENEWAL
3. RESOLUTION 2017-34: AFFIRMING THE PROCESS BETWEEN IN-LINE SERVICES AND THE BOROUGH FOR ROLLING OUT THE PROGRAM TO INSTALL NEW WATER METERS
4. RESOLUTION 2017-35: AUTHORIZING THE POLICE COMMISSIONER TO SIGN A SIDE-LETTER AGREEMENT WITH PBA LOCAL 188 TO CONDUCT A SIX-MONTH TRIAL WORK SCHEDULE FOR PATROL OFFICERS
5. RESOLUTION 2017-36: AUTHORIZING FOUR OFF PREMISE RAFFLES FOR ST. MAGDALEN'S CHURCH TO BE HELD ON MARCH 17, 2017, JUNE 6, 2017, SEPTEMBER 3, 2017 AND DECEMBER 20, 2017

Regular Agenda

1. RESOLUTION 2017-37: AUTHORIZING THE PROMOTION OF SGT. WILLIAM SORIANO TO THE RANK OF LIEUTENANT WITHIN THE FLEMINGTON POLICE DEPARTMENT

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marc Hain, Council President
SECONDER:	Brooke Liebowitz, Council Vice President
AYES:	Gorman, Hain, Liebowitz, Swingle, Tilly
ABSENT:	Susan Peterson

2. RESOLUTION 2017-38: AUTHORIZING THE PROMOTION OF PATROLMAN BRIAN MCNALLY TO THE RANK OF CORPORAL WITHIN THE FLEMINGTON POLICE DEPARTMENT

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marc Hain, Council President
SECONDER:	Brian Swingle, Councilman
AYES:	Gorman, Hain, Liebowitz, Swingle, Tilly
ABSENT:	Susan Peterson

3. RESOLUTION 2017-39: APPROVING SUBMISSION OF A GRANT APPLICATION WITH THE NJ DEPARTMENT OF TRANSPORTATION FOR THE DEWEY AVENUE IMPROVEMENT PROJECT

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: John Gorman, Councilman
SECONDER: Brian Swingle, Councilman
AYES: Gorman, Hain, Liebowitz, Swingle, Tilly
ABSENT: Susan Peterson

4. RESOLUTION 2017-40: APPROVING SUBMISSION OF A GRANT APPLICATION WITH THE NJ DEPARTMENT OF TRANSPORTATION FOR THE MAIN STREET AND CHURCH STREET IMPROVEMENT PROJECT

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Brian Swingle, Councilman
SECONDER: Marc Hain, Council President
AYES: Gorman, Hain, Liebowitz, Swingle, Tilly
ABSENT: Susan Peterson

5. RESOLUTION 2017-41: APPROVING SUBMISSION OF A GRANT APPLICATION WITH THE NJ DEPARTMENT OF TRANSPORTATION FOR THE HIGHLAND AVENUE AND ELWOOD AVENUE IMPROVEMENT PROJECT

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: John Gorman, Councilman
SECONDER: Brian Swingle, Councilman
AYES: Gorman, Hain, Liebowitz, Swingle, Tilly
ABSENT: Susan Peterson

6. ORDINANCE 2017-1: FIRST READING: ADOPTING THE GLOBAL AGWAY REDEVELOPMENT PLAN

RESULT: **INTRODUCED [UNANIMOUS]** **Next: 2/13/2017 7:00 PM**
MOVER: Brooke Liebowitz, Council Vice President
SECONDER: Brian Swingle, Councilman
AYES: Gorman, Hain, Liebowitz, Swingle, Tilly
ABSENT: Susan Peterson

7. ORDINANCE 2017-2: FIRST READING: AUTHORIZING THE BOROUGH TO BEGIN THE PROCESS OF SELLING THE BOROUGH-OWNED PROPERTY AT 144 MAIN ST.

RESULT: **INTRODUCED [UNANIMOUS]** **Next: 2/13/2017 7:00 PM**
MOVER: Brooke Liebowitz, Council Vice President
SECONDER: Brian Swingle, Councilman
AYES: Gorman, Hain, Liebowitz, Swingle, Tilly
ABSENT: Susan Peterson

8. ORDINANCE 2017-3: FIRST READING: REVISING ORDINANCE GOVERNING TAXIS IN FLEMINGTON BOROUGH

RESULT: **TABLED [UNANIMOUS]** **Next: 2/13/2017 7:00 PM**
MOVER: Marc Hain, Council President
SECONDER: Brian Swingle, Councilman
AYES: Gorman, Hain, Liebowitz, Swingle, Tilly
ABSENT: Susan Peterson

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

Jane DeHaven, president of the Flemington Free Public Library trustees, thanked Councilwoman Liebowitz for her hard work in arranging repairs of the library's roof.

Steve Tuccio, 61 Elwood Ave., asked how many members the fire department has. Councilwoman Tilly said she understands there are about 40 active

members. Councilman Swingle said in a borough this size, that's a really good number.

Robert Shore, 47 Broad St., asked if the redevelopers' agreement with Mr. Cust for the hotel area had been signed or prepared yet. Mayor Greiner said no, one of the hold-ups stems from the borough's work with the courts on an affordable housing agreement. The Council on Affordable Housing agreement would affect the obligations of any project, he said. He added that while council originally intended to complete the redeveloper's agreement by the end of 2016, members feel they are quite close on the COAH agreement. Mr. Shore asked if the redevelopment area will be expanded to include Spring Street and Bloomfield. Mayor Greiner said that would require a study, and the council would have to ask the Planning Board to look at that.

Kevin DeHaven, Pennsylvania Ave., asked what the estimated value is for 144 Main St. Mayor Greiner said it's being reassessed, but the most recent assessment values it at \$380,000.

Alan Brewer, Coppermine Village, said he's spoken to a lot of residents and neighbors about the proposed redeveloper's agreement, and suggested that to diffuse concerns, when an agreement is finalized, the council could post it on its website and make it available to people. He suggested introducing the agreement at one council meeting and acting on it at the next meeting, to allow people time to review it.

Tony Previte, North Main St., asked if there's been any Request for Proposal activity in connection with the Global Ag site. Councilwoman Liebowitz said there's been a lot of chatter, but nothing specific. Mr. Previte asked about the Nilkanth property, and Mayor Greiner said that is included in the redevelopment area. Mr. Previte asked what's happening with that property, and Councilwoman Liebowitz said again, there's a lot of chatter, with people looking at it, but everything's too preliminary to talk about.

Mr. Previte noted his concern that people from Steve's store are approaching people doing work at homes on Park Avenue, and he again suggested the borough think about putting an employment agency in a vacant building to address the situation.

Joann Braun, 77 Jefferson Court in Raritan Township, asked if anything is going on with the Cut Glass property; Mayor Greiner replied that nothing is happening right now.

8. Attorney's Report

No report.

9. Payment of the Bills

Motion To: **Pay The Bills**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Gorman, Councilman
SECONDER:	Marc Hain, Council President
AYES:	Gorman, Hain, Liebowitz, Swingle, Tilly
ABSENT:	Susan Peterson

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

None needed.

Adjournment

Motion To: **Adjourn**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kim Tilly, Councilwoman
SECONDER:	John Gorman, Councilman
AYES:	Gorman, Hain, Liebowitz, Swingle, Tilly
ABSENT:	Susan Peterson