



Mayor and Common Council Borough of Flemington

February 27, 2017

Historic Flemington Courthouse

Executive Session (6 PM)

Amended to include legal advice on the Open Public Records Act, legal advice regarding the borough's contract for animal control and, if time, legal advice regarding 90 Main Street.

Work Session (7 PM)

No topic was scheduled for the work session, so Mayor Greiner opened the floor to the DIY group, which had asked to address council.

Joey Novick, 11 E. Main St., spoke for the group, saying Council President Marc Hain had asked about a sign in the window of 90 Main St., a borough-owned building that DIY is using at no cost.

Mr. Hain said he'd received a complaint about the sign, which said, "Silence is Violence." At the end of November, he and Councilman Brian Swingle met with the DIY group after a Black Lives Matter gathering that the group sponsored necessitated police coverage. They agreed at that time that all signs would be approved before being placed in the window, he said. Mr. Hain said council should make some decisions regarding use of the building - what is allowed and what is not.

Mr. Novick said the DIY group proposes that the only signs to be allowed in the streetfront windows are ones that reflect programs that are occurring or planned, or artwork. He also said there could be a situation where not everyone agrees on the suitability of a sign, and he proposed a disclaimer, saying the opinions expressed don't necessarily reflect borough officials' thinking. He also proposed a memorandum of understanding by both sides be written.

Mr. Swingle said borough officials keep trying to work through situations with DIY, but they keep coming up. He said there has to be some recognition on the part of the DIY folks that they're intending to have an effect, but they aren't the ones feeling the effect; it's a borough building, and borough officials are feeling the effect. The DIY group has to have an understanding that this is a problem, he said.

Municipal Attorney Barry Goodman said that under the Local Public Contracts Law, borough property cannot be used for political purposes.

Mayor Phil Greiner said he had two questions for the group - how would they feel about having no signs allowed in the window, and are they willing to take down the Silence is Violence sign.

Jeff Hersch from the DIY group said that with an agreement in place about how to proceed, that wouldn't be a problem.

Mr. Novick said the group has good intentions, and offers a lot of programs that benefit the community.

Councilwoman Brooke Liebowitz said the group is an asset to the borough, recently hosting a poetry slam and other activities, but said the activities can't be political.

Mr. Hersch asked where the line is, for example when considering a work of art. Attorney Goodman said the council shouldn't address such issues in the hypothetical; it should address each issue as it arises.

Mr. Greiner said DIY started as an arts and music organization, and said he didn't want it to be used as a home base for political ideology. Anything that's political, half the people who see it won't agree with it, he said.

Mr. Novick made another suggestion that once a quarter, a DIY representative come to a council meeting to report on what's going on.

Mr. Hain said that this year the group has a liaison dedicated to it. He said a memorandum of understanding should have been completed a long time ago, so everyone knows what the guidelines are.

Councilwoman Kim Tilly said this was the second time through an issue with DIY; if there's a third incident, will there be any consequences? Mr. Novick said that's the reason for a memorandum of understanding.

Councilman John Gorman said borough officials don't want the use of the building abused. The building is going to be sold, and DIY knows that, he said. He told the group's members they should make good decisions while they're there.

Mr. Swingle asked the group to recognize they're operating within a commercial district, and are affecting people's lives.

Attorney Goodman suggested the council amend the agenda to have a quick executive session for legal advice on the issues raised.

John Goodwin, 41 E. Main Street, said DIY is an artistic space, and while statements might offend certain people, that blue line down the middle of the road offends others.

Attorney Goodman said the Local Public Contracts Law covers public buildings; roadways aren't a part of that.

Robert Shore, 47 Broad St., said our country's Constitution guarantees free speech, and a sign in a window could arguably be freedom of speech. He added that the DIY folks have to be guided by decency and common sense.

Kelly Ospina, who works at 8 Main St., asked how many complaints council had received. Mr. Greiner said he'd received one; Mr. Swingle said he'd received three or four.

Regular Meeting (7:30 PM)

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

Following the roll call, Mayor Greiner noted that before commencement of the early executive session at 6 p.m., council amended the executive session's

agenda to include legal advice regarding animal control, and if time, the DIY use of 90 Main St. It didn't discuss the DIY at the executive session; he said he expected it to be a topic at the late executive session scheduled for the end of the meeting.

Mayor Greiner called for a motion to amend the agenda to add a resolution on how the council wishes to proceed regarding animal control services. Mr. Hain made the motion; it was seconded by Mr. Liebowitz, and all voted yes to amend the agenda.

Flag Salute

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	Present	
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)

Al Brewer, 1 Coppermine Village, read a letter to council members, saying for too long he's read too many comments indicating that our community is certainly divided over the Cust plan and a desire to preserve historic buildings. He said it's a quality of life issue, and something the council hasn't considered is, what are the real opinions of residents? He suggested doing a survey of one or two questions, to gauge residents' support or opposition to the pending plans. He said while he respects every member of council, he seriously believes it's time to at least poll residents and ask them - at least they'll feel their voices were heard.

Tony Previte, 45 N. Main St., asked if anyone on council had any comments regarding his suggestion to include Steve's convenience store in the Global Ag redevelopment area and adding a welcome center and police substation there in place of the store. Doing so would get police off Main Street and into an area where there are problems, he said. He noted that the wallet of one of his family members was stolen from a vehicle parked at the top of his driveway recently. He also said he took a recent tour of the Global Ag property recently and saw it was littered with bottles along the Hopewell Avenue side.

Robert Shore, 47 Broad St., asked about the budget, wondering what the single biggest expense is. Mayor Greiner said Police costs and benefits come to about \$1.2 million. Mr. Shore said that at the last meeting he put forth the idea of outsourcing police coverage to surrounding towns, and said he feels Raritan Township makes the most sense.

Steve Tuccio, 61 Elwood Ave., said he wants to understand more about a proposed PILOT for the Cust project, wondering about long-term implications for taxpayers.

Mayor Greiner said he wrote an article about it which is on the borough's website, historicflemington.com. Mr. Tuccio asked how the PILOT could not impact the taxpayer due to the lost tax revenue. Mr. Greiner said that by reducing the tax levy, a PILOT benefits all residents alike.

Joey Novick asked how long the PILOT is for, saying that if taxes on other properties do go up and that property doesn't, what would the effect be. Mr. Greiner said the Redevelopment Committee intends to offer a PILOT to Mr. Cust. The PILOT would be adopted by a separate ordinance, he said. It could be for up to 30 years, and the terms are to be negotiated, which means it doesn't have to be the same fixed payment for all 30 years.

Mr. Novick asked if it's the council's intention to have the terms increase over time, and Mr. Greiner said they haven't had a detailed discussion about it beyond a starting point.

Richard Giffen, 9 Highland Ave., asked if Mayor Greiner is an expert on PILOTS, saying there was a lot of wrong information in the article he wrote. Mr. Greiner asked what the errors were; Mr. Giffen didn't elaborate. Mr. Greiner said Raritan Borough is considering an apartment complex that's larger than the one proposed in Flemington, and that anticipates 6 additional students. He said for the sake of argument, he projected what would happen if there are 50 students added in Flemington. He said it would reduce the costs of other students to have more in the system, and there wouldn't be as many teacher layoffs; he said there would be no measurable impact.

Chris Englehardt asked about the State Historic Preservation Office and the borough-owned property at 90 Main St. Mr. Greiner said an application would go to SHPO about 90 Main St. depending on when the developer wants to submit it, maybe June. Then SHPO's sites council would hold a public hearing, make a recommendation to SHPO, and one of the DEP's commissioners would make a final decision.

Elise Mataliano, 253 S. Main St., said she puts 50 hours a week into DIY and loves her hometown. She said she's a little frustrated by the way DIY people are treated in town. She said they're promoting acceptance for people who are marginalized in the community, and that the social climate in this town is changing.

Mr. Greiner said, we've given you free space, bought a furnace for the building, pay the utilities, and you feel we're picking on you?

Ms. Mataliano said no, it's more that when DIY members hear comments like they're trying to get a rise out of town officials, when in reality they're supporting borough officials.

Mr. Greiner said the group's discussion about Black Lives Matter cost the borough thousands of dollars in police coverage. It was a public safety concern that had to be addressed, he said, and the borough can't keep doing that.

John Goodwin, 41 E. Main St., asked why borough officials felt the need to call out the police for a Black Lives Matter discussion, saying they should leave the group alone.

2. Mayor's Report

Budget development is in the final stages, and we are on track to be able to introduce the budget on March 13. If anyone is curious about the number of meetings we schedule on the budget, it is because we find it a useful and informative opportunity to meet with all the department heads to review their operational issues as well as budget requests. It also provides an opportunity for the heads to get to know council members other than their designated liaisons.

2/14 – delivered library books to residents at Kapp Senior Center as part of the library's regular program that does that every two weeks. Started by Dorothy Fine, with ongoing help from library board member Grace Fuoti, the program lets seniors who can't get out still borrow and return books. It is a successful part of the library's efforts to expand their outreach to the community.

2/22 - met with Councilman Brian Swingle and the DPW team to preview a presentation on how to address extensive maintenance on the borough's water tank off Shields Ave. This will be the subject of a work session discussion on April 12.

We have done much work on the redevelopment project, including nearly-final discussions on the redeveloper agreement. We expect to vote on an agreement at one of the March meetings, and, as previously indicated, will make the document available in advance of the meeting.

3. Council Members' Reports

Councilman Gorman

Mr. Gorman has been away, but gave an update on water company items. The borough is putting new meters in throughout the town, he said. The borough has to account for its water usage, and he said the new meters will help workers find where there are leaks. He asked residents to get back to the installers working with In Line Services trying to set up appointments to install the new meters. He also asked people to be sure to clear the area around their meters, so the workers can get to them.

Council President Hain

Environmental Committee- The group is working on renewing its status with Sustainable Jersey. A submission is due by June 4, so the committee is meeting twice a month to get through the renewal process. After June 4, the state will review the application, then allow two more months for updates.

Parks and Recreation- The committee met with Garden State Fireworks representatives to discuss problems from last year's fireworks event. The show used 2-inch mortars fired, and 2-1/2-inch and 3-inch mortars fired with flares. The 2-1/2-inch mortars reach 50 feet less in height than the 3-inch mortars, so they

talked about reducing the number of 3-inch mortars, which would allow them to set up back a ways. That could limit drift over the corner of Capner and Allen streets, where problems have occurred in the past. The committee also reviewed its summer recreation program, discussed lighting at Tuccamirgan Park, and lighting at the Gazebo.

Planning Board- the Planning Board is due to meet Feb. 28. Lone Eagle Brewing wants to add a deck, and there are several applications pending with the Historic Preservation Commission.

Administration- the group hasn't met.

Police- PBA negotiations are continuing, and going well. Mr. Hain gave a report on statistics: 4,492 miles driven; 85 motor vehicle summonses issued; 6 parking summonses issued; 10 license plate reader summonses; 214 warnings; 2 criminal arrests; and 15 disorderly conduct charges.

Council Vice President Liebowitz

Teamsters negotiations are continuing- the 7th meeting was held Thursday. She said negotiators are still working to get under the 2% cap.

Budgets- Ms. Liebowitz said that to meet with every department head and go over every item in their budget is so important. Care of taxpayers' money is our most important responsibility, she said.

RFP for Global Ag- The release date will be March 1, pending approval by the council at tonight's meeting.

Library- This building has needed a roof for a long time. An architect went to look at it and will be coming back with an estimate. The work will be put in the capital budget this year, she said.

Animal Control- Following the arrest of the borough's Animal Control Officer, he is no longer on the job, and he is not providing services, Ms. Liebowitz said, noting that she didn't want residents to worry.

Councilwoman Peterson

Ms. Peterson addressed Al Brewer in the audience, saying she supported his idea of sending out a survey to residents to ascertain their opinions of the planned hotel-area redevelopment. She said she also questions the amount of children that might be housed in the planned apartments; since the project's aim is to attract Millennials it might bring in more children.

HPC- A working meeting is set for Wednesday, and the website designer will be there.

Fleming Castle- The Friends group is going over its bylaws with its attorneys. A docents' lunch is being held later this week. Old York is working on the furnace in the museum. Museum cookbooks are available for sale at Borough Hall.

Beautification- They're planning a townwide cleanup for a Saturday morning in late April to early May. The work would start on Main Street; it's largely a litter pickup. She said everyone knows she believes in taking care of what we have. Two workers from the DPW will be cycling through the town all day long picking

up the bags of litter. She asked people to check the Flemington Community Partnership Facebook page and the borough website, historicflemington.com, for updates.

DIY- she said she will be working with Joey Novick to see about getting a memorandum of understanding done.

Flemington Raritan Business Association- This group, which started the car shows, reached out to Ms. Peterson saying it had \$9,000 left over and would like to donate an outdoor Public Address system that could help the car shows and could also be used for the Christmas parade and other events. Ron van Horn is looking into options.

Councilman Swingle

Redevelopment Committee- Mr. Swingle said there have been a lot of meetings, and it's been a long process, but they're making good progress. A Hack Hunterdon event will bring IT to the borough when it's held at the Feedmill Station.

Budget meetings- A little more fine-tuning remains to be done.

DPW- There are all kinds of different projects being looked at: work on East Main Street, water betterment in general, well 11, water meter replacement.

Mr. Swingle also noted that teacher contracts are in the beginning stages of being negotiated.

Councilwoman Tilly

Fire Department: To clear any misconceptions regarding the Fire Department, they are a 100% volunteer organization. Every time that whistle blows, our neighbors put their life on the line and they don't receive any payment for it. The least we can do is to say thank you the next time you see them. I know their fundraising envelopes have been sent out and I'm sure they would appreciate any support you can give.

I attended a fundraising meeting for the Fire Department. We brain-stormed some new ideas and resurrected some old ideas for raising money. In addition to their envelope drive, look for a couple of new events from the Fire Department this year.

The Fire Department is always looking for new members. If you are interested, please contact Chief Williamson at chief49@flemingtonfire.org or Deputy Chief Nemec at deputy49@flemingtonfire.org.

Next meeting is Tuesday, Feb. 28.

First Aid & Rescue Squad: The next meeting is Monday, March 6.

Schools: The FRSD Color Run is scheduled for Sunday, April 23. Registration is \$20 now through March 12. On March 13, registration goes up to \$25 a person.

On Tuesday, March 21, 7 p.m., the Reading-Fleming Intermediate School PTO will host a free concert featuring the Hunterdon Harmonizers, Whitehouse Wind Symphony and Flemington-Raritan School District K-8 Student Choir. This special spring concert will be the fourth year the PTO has organized the event for the

community. The concert will be held in the RFIS gymnasium located at 50 Court St. in Flemington and is open to the entire community.

This Friday and Saturday, March 3-4, JP Case Middle School presents "Shrek Jr., the musical!" Tickets are available at the door.

For more information on any school events, go to the FRSD website, www.frsd.k12.nj.us.

OEM- We plan to have a work session on March 27 to discuss emergency notifications. Until then, please "like" Flemington Borough Office of Emergency Management's Facebook page.

Administration- Nothing to report.

Finance- The Finance Committee has not met but we are still in the budget process, hopefully holding our last scheduled meeting on Thursday, March 2.

Other- Mediatech will be holding its Makers Day on Saturday, March 25.

Mediatech is located on the 2nd floor of the Flemington Free Public Library.

4. Approval of Minutes

Motion To: **Approve Minutes: Feb. 13, 2017 Regular Council Meeting**

RESULT:	APPROVED [5 TO 0]
MOVER:	Marc Hain, Council President
SECONDER:	Brian Swingle, Councilman
AYES:	Hain, Liebowitz, Peterson, Swingle, Tilly
ABSTAIN:	John Gorman

Motion To: **Approve Minutes, early Executive Session, Feb. 13, 2017**

RESULT:	APPROVED [4 TO 0]
MOVER:	Marc Hain, Council President
SECONDER:	Brian Swingle, Councilman
AYES:	Marc Hain, Susan Peterson, Brian Swingle, Kim Tilly
ABSTAIN:	John Gorman, Brooke Liebowitz

Motion To: **Approve Minutes, late Executive Session, Feb. 13, 2017**

RESULT:	APPROVED [5 TO 0]
MOVER:	Brooke Liebowitz, Council Vice President
SECONDER:	Marc Hain, Council President
AYES:	Hain, Liebowitz, Peterson, Swingle, Tilly
ABSTAIN:	John Gorman

Consent Agenda

Moved by Marc Hain; Seconded by John Gorman; All Ayes.

1. RESOLUTION 2017-55: AUTHORIZING TOWN WIDE YARD SALES TO BE HELD ON MAY 6TH AND 7TH, 2017 AND OCTOBER 7TH AND 8TH, 2017

2. RESOLUTION 2017-56: UPDATING CONTRACT TERMS FOR BOROUGH LABOR ATTORNEY - RUDERMAN, HORN & ESMARADO

Regular Agenda

Mayor Greiner noted that following discussion at the early executive session regarding animal control services, the regular agenda was amended to insert a resolution about how to resolve issues regarding animal control.

1. RESOLUTION 2017-58: CONCERNING OPTIONS FOR ANIMAL CONTROL SERVICES IN 2017

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brooke Liebowitz, Council Vice President
SECONDER:	Kim Tilly, Councilwoman
AYES:	Gorman, Hain, Liebowitz, Peterson, Swingle, Tilly

2. RESOLUTION 2017-57: AUTHORIZING ISSUANCE OF A REQUEST FOR PROPOSALS FOR REDEVELOPMENT OF THE GLOBAL AG SITE, BLOCK 5, LOTS 1 AND 2 AND BLOCK 14, LOT 1

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

3. ORDINANCE 2017-3: REVISING THE ORDINANCE GOVERNING TAXIS IN FLEMINGTON BOROUGH

RESULT:	INTRODUCED [UNANIMOUS]	Next: 3/13/2017 7:00 PM
MOVER:	Marc Hain, Council President	
SECONDER:	Brian Swingle, Councilman	
AYES:	Gorman, Hain, Liebowitz, Peterson, Swingle, Tilly	

4. ORDINANCE 2017-5: AN ORDINANCE AMENDING CHAPTER VII TITLED TRAFFIC SECTION SCHEDULE III PARKING TIME LIMITED ON CERTAIN STREETS

RESULT:	INTRODUCED [UNANIMOUS]	Next: 3/13/2017 7:00 PM
MOVER:	Marc Hain, Council President	
SECONDER:	Brian Swingle, Councilman	
AYES:	Gorman, Hain, Liebowitz, Peterson, Swingle, Tilly	

5. Motion To: **Open Public Hearing on Ordinance 2017-4**

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

6. ORDINANCE 2017-4: PUBLIC HEARING: BOND ORDINANCE PROVIDING FOR THE EAST MAIN STREET IMPROVEMENT PROJECT, BY AND IN THE BOROUGH OF FLEMINGTON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY; APPROPRIATING \$512,000 THEREFOR (INCLUDING A NJ DOT GRANT IN THE AMOUNT OF \$227,326) AND AUTHORIZING THE ISSUANCE OF \$271,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

PUBLIC HEARING:

Joey Novick, 11 E. Main St., thanked the council for addressing conditions on East Main Street.

Elaine Gorman, 34 New York Ave., said this street has needed attention for a long time; it's a gateway to the community.

Tony Previte, 45 N. Main St., said there's a tree that overhangs East Main, spanning two lanes, and he suggested the borough have it taken down while the work is being done. Mr. Swingle said project managers are already looking into that.

Robert Shore, 47 Broad St., asked about the borough's total debt. Mayor Greiner said the net debt has declined for the last 2 years, and is around 1.37% of average valuation. CFO Bill Hance said the net debt is \$6,370,000.

Al Brewer, 1 Coppermine Village, asked if this is part of the \$1 million streetscape project; Mayor Greiner said no, it's separate.

Councilman John Gorman noted the work is planned for the area from the Monument on down.

Tony Previte asked if any utilities will be going underground. Councilman Swingle said that would be very expensive.

John Goodwin, 41 E. Main St., asked if there's a timeline yet for the project. Mayor Greiner said he would find out about the timeline and contact Mr. Goodwin.

John Gorman moved to close the public hearing and was seconded by Brian Swingle. All council members voted yes and the hearing was closed.

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

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

Tony Previte, North Main St., said he walked through the Global Ag property and found the doors to the lower building are not secured. The building harbors moonlighters, he said, and the old building next to the red building is open at both ends. He said the liquor, beer, and soda can litter in the area is indicative of the moonlighting, and he wants the conditions addressed before next week, because he believes this is where people are hiding out. Councilman Swingle said another resident has spoken with him about finding small liquor bottles in piles, and he said a pre-emptive cleanup is in order. Mayor Greiner said officials will follow up.

Chris Englehardt, 180 E. Main St., asked if there are plans for more handicapped parking on Main Street, because there's only one space. A lot of people have difficulties getting around, she said, adding that the town is not taking care of people who would like to shop here but cannot. Mayor Greiner said we have a new police chief, and he can get his opinion on the need for handicapped parking. Ms. Englehardt also asked why such a police presence was required for a DIY event. Mr. Greiner said the topic of the meeting, Black Lives Matter, had previously caused some extreme disturbances in other communities, and borough officials have to be responsible for public safety.

Richard Giffen, 9 Highland Ave., asked about the Redevelopment Agreement. Mayor Greiner said it would include an understanding between the parties that there would be a PILOT, but no details on what it would be. Borough officials have enough information to know it's in the borough's best interests, he said. Mr. Giffen asked the mayor how officials can make a decision about a redevelopment agreement without knowing all the details. Mayor Greiner said officials don't want to negotiate the details in public. If officials get to the point where they're considering a PILOT and feel it's not a good agreement, they wouldn't adopt it.

Jeff Hersch of the DIY group said the only people invited to their Black Lives Matter event were professors and the like.

Robert Shore, Broad St., said he's concerned about the formula that determines school funding in Flemington. He said his understanding is that it's based on assessed values, and he believes the Cust project would increase assessed value. Mayor Greiner said PILOT projects are tax-exempt and don't go into the tax rolls.

Mr. Shore said while the Cust project is ongoing, officials need to be encouraging development elsewhere in this town.

Mr. Shore also said that if you're not in the favor of a few council members, the name-calling is offensive. He mentioned DIY and the Fleming House museum board, saying there's a pattern with the way council members talk to other groups.

Steve Tuccio, 61 Elwood Ave., said the mayor's answer to his question about PILOTS was unresponsive. He then asked what council intends to do about enforcing the borough's maintenance ordinance with respect to the Union Hotel. He said the ordinance is being enforced selectively.

Brian Swingle said that's not the case. The Union Hotel property is in bankruptcy court, and residents would assume the cost of maintenance and repairs made to the hotel. The cost factor to fortify the hotel would be significant, he said, with no guarantees that residents would get paid back.

Mayor Greiner said if the building became structurally unsafe it would be a different matter.

Al Brewer, 1 Coppermine Village, addressed the DIY/Black Lives Matter issue, wondering about the real price to the borough in the future, if any group can invite anyone in and there's a safety concern. He asked the cost of police coverage, and Mayor Greiner said there was \$3,400 of police overtime paid. He said for any public event, if officials are aware an event has public safety overtones, they have to address it first and deal with the cost afterward.

Mr. Brewer asked about the lawsuits pending against the borough. Attorney Barry Goodman said the OPRA lawsuit is ongoing. The other suit, about redevelopment issues, included 5 counts. Three were dismissed previously by the court. A fourth alleged noncompliance with SHPO, but the attorney agreed he didn't have the right information about that and is filing a stipulation of dismissal for that count. That leaves one count, that the attorney's rights were violated because he only was allowed to speak for a little over 3 minutes two times, and resident Edna Pedrick was allowed to speak for about 6 minutes without being stopped. He said that's why public comment sessions are now more closely timed at council meetings.

Joann Braun, Jefferson Court, Raritan Township, asked about the Union Hotel being structurally unsound. Mayor Greiner said if shingles were falling off the town would have to step in. The zoning officer would have to provide notice to the owner, then put a lien on the property and try to recover the cost. Ms. Braun said she's been back there and the hotel's getting worse. If it were tarped a year ago, that would have kept water from coming in. Mr. Greiner said that tarping the roof sounds kind of easy, but you have to get permission from the owner to do that, and chances are good the owner wouldn't accept the liability involved. He added that it's not a public safety hazard that water's falling through the roof.

Robert Snyder of Raritan Township said an important issue for the Planning Board to consider when it's reviewing the Cust project is environmental concerns and sustainability in the construction process. That's important for attracting young people into town, he said. Mayor Greiner said the borough is including in the

redevelopment agreement that it encourages things like that, but not require it. He said he would certainly pass Mr. Snyder's comments on to Mr. Cust.

Al Brewer, Coppermine Village, asked the cost of the pending lawsuits against the borough. Through December it is \$14,521, said Mayor Greiner. Mr. Brewer asked where the money's coming from, and Mayor Greiner said the budget.

Richard Giffen, Highland Ave., said LEED (Leadership in Energy and Environmental Design) standards are a great thing, but if that's not in the redeveloper's agreement it probably won't be done, because that costs more. Robert Shore, Broad St., said the DPW is behind his house, and over the last few years it's gotten run down. He said he's willing to meet with whoever's in charge to offer some ideas for cleanup. He also commented on borough council's planned changes for parking at Borough Hall, saying it's the first indication in a long time that council members are hearing him and taking action.

Mr. Shore then asked if there's been any action on the sale of the hotel. He said there's a two-year waiting period before you can close on a tax sale certificate, so the borough would have time to address maintenance issues and put a lien on the property.

Tony Previte, N. Main St., asked about the timing of development at Global Ag. He said he would stress cleaning up the area. He read off his cell phone number and told council he wants to get some feedback on his ideas.

Steve Tuccio, Elwood Court, asked about the Union Hotel, saying unless something structural posed a safety risk there's no reason to put a lien on it for maintenance? He said when the borough put a lien on a property for lawn cutting, that building was secure. Mr. Swingle said the lawn-cutting was a \$1000 bill, not tens of thousands; that Mr. Tuccio is comparing apples to oranges.

6. Attorney's Report

Attorney Goodman said he covered his report about the lawsuits in comments made during the public comment sessions.

7. Payment of the Bills

Motion To: **Pay the Bills**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kim Tilly, Councilwoman
SECONDER:	Marc Hain, Council President
AYES:	Gorman, Hain, Liebowitz, Peterson, Swingle, Tilly

Motion To: **Go into Executive Session for legal advice regarding 90 Main Street**

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

Adjournment

Motion To: **Adjourn**

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