



Mayor and Common Council Borough of Flemington

May 8, 2017

Historic Flemington Courthouse

Work Session (7:00 PM)

All Council Members present, with Councilman Swingle arriving at 7:10 p.m.

1. Discussion of whether to renew energy aggregation agreement with Raritan Township

Mayor Greiner said rates started taking effect last March for the energy aggregation agreement with Raritan Township. Operationally, he said, the program seems to be working well. Borough Hall has not received any complaints, nor have the borough's energy consultants, Gable. Initially 7,750 signed up; that number dropped to 5,550. The real question, he said, is if there is any savings. Gable consultants compared rate rates for energy, and found that all people in the program saved \$1.5 million collectively, or \$225 per household. Mayor Greiner said he looked at his own home, and it was hard to get a clear read, but when he looked at the yearly totals, he found that his bills went up 5% the first year (2015), compared to 2014, and fell 5% the second year (2016), again compared to the 2014 figure.

Councilman Gorman didn't participate in the program, and found that his bills went up about 5% the first year, and rose again in 2016.

Mayor Greiner said the program's been running smoothly, 2 data points suggest some savings and nothing suggests there was no savings, and he sees no reason not to continue with the agreement.

Council President Hain said he had opted out of the program, and saw a 5% increase in the first year and about a 4% drop the second year.

Council Vice President Liebowitz said some people like the program, and she sees no reason not to participate again. She asked if people will need to sign up again; Mayor Greiner said that might happen if the partnership goes with a new energy supplier.

2. Presentation regarding options for water tank on Shields Avenue- Borough Engineer Robert Martucci, P.E.

Mayor Greiner introduced the topic, saying the tank keeps water pressure in the borough steady and stores reserve capacity. It's old and past-due for maintenance.

Mr. Martucci said the borough has 7 active wells, and the Shields Ave. tank can hold 1 million gallons. The Flemington Water Company serves 4,600 residents and maintains 17 miles of water mains.

The Shields Ave. tank was built in 1970, and there has been no significant maintenance since its construction. A cathodic protection system against

corrosion was damaged by ice and is unworkable. There is sediment buildup in the tank, and cellular antennas and cables need to be reconfigured.

Mr. Martucci outlined 3 options: rehab the existing tank, replace the tank, and install an elevated tank next to the existing tank at the site.

Option 1- Mr. Martucci said it doesn't consider future needs. Water Superintendent Josh Parks said they've been having trouble finding anyone who could supply water while the tank is out of commission - the standard for drinking water is too high. Cost is estimated at \$2.5 million, based on estimates.

Option 2- The borough's pressure issue is not resolved. Cost is estimated at \$6 million.

Option 3- Resolves the pressure issues, creates opportunity to circulate water between the two tanks, either tank can be isolated for maintenance, better in fire situations. Cost is estimated at \$4.5 million (\$3.5 million for construction, \$1 million for design and engineering).

Mayor Greiner said he understood the main safety issue with the sediment in the tank is that we can't determine how corroded the bottom is; Mr. Martucci confirmed that. Mayor Greiner asked for an estimate of keeping to a 10- to 15-year maintenance schedule; Mr. Parks said it depends what happens - warranties may cover some issues. Mayor Greiner asked if they anticipate any issues with the pumps the borough has being able to pump water to the top of the new tower. Mr. Martucci said the plan is to keep the new tank's top as level as possible with the old tank.

Mr. Swingle said in light of the fire at Tlrpok's Cleaners, pressure is an issue, and by adding the standpipe the borough could get the full million-gallon pressure.

Joey Novick, 11 E. Main St., asked about the nature of the sediment in the tank. Mr. Parks said it's a little bit of everything - the borough pumps groundwater, so there's likely some silt, and also rusty-looking material that comes from corroded pipes.

Mayor Greiner thanked the water department and Mr. Martucci for all their work. He said it's a big chunk of debt. The project could add about 50% to debt service, which would raise rates about 3%, he said - not as bad as it might be.

Mr. Swingle noted councils have been kicking this particular can down the line for a long time.

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
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	
Phil Greiner	Mayor	Present	

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

Jose Sanchez, a registered taxi company owner in the borough, asked for council's help in controlling illegal taxis in the borough. He said 12 taxi services are registered, but there are something like 18 companies running illegal taxis in the borough. He said the permitted taxi owners are losing customers to illegal taxis. Mayor Greiner said his comments were disturbing, in light of the fact that council just revised its taxi ordinance to address such issues.

Mr. Sanchez said the illegal taxis keep changing vehicles, so it's likely hard for police to spot them, but the legal taxi drivers know who is driving illegally because they see them out making pickups. Attorney Goodman suggested Mr. Sanchez and other drivers provide license plate numbers of illegal taxis to the police, so they can issue tickets.

Lois Stewart, Spring Street, asked about temporary water ponds set up during the Tirpok fire to contain water. She asked if the borough didn't have enough water to fight the fire. Councilman Swingle said the county's task force set up temporary water sources. Councilman Gorman said firefighters were spraying 2,000 gals a minute on the fire, and 700 gallons was coming from Flemington. The borough "opened up the gates" to keep up with it, he said. Mrs. Stewart asked if that was a necessity or a precaution. Mr. Swingle said it was more a precaution, that the borough wanted to reserve some capacity, but also bringing in extra water helped get the water to where it was needed more quickly than it could travel through the water mains. Mayor Greiner said water and air quality was being monitored throughout the fire, and all reports were that the air and water were OK.

Former Councilwoman Michelle Oberst said in working on taxi ordinance revisions, the committee put in that police would issue stickers for legally registered taxis. Mr. Swingle said that's still happening.

Valli Murphy, Annandale, praised DIY Flemington, saying it provides a sensory art class for young people with developmental disabilities which is very welcome.

Merry Larue, with Oldwick Community Players, said that group has used the DIY space for auditions and rehearsals, and probably wouldn't have been able to produce its last play without that.

Judith Seegers, Raritan Twp., said he young adult children enjoy DIY activities, and she likes taking part in Saturday morning tap dance classes there. She said over the years arts in Flemington have gone up and down, but DIY is vibrant, and it's not just for young people.

Michael Hoopberg (?), Lambertville, said he's played music sometimes at DIY, and it's the most positive, accepting and safe place, where diversity is appreciated.

Michael Harris, 173 Main St., said he'd heard about restraints the council had put on DIY, and he hopes there will be continued dialogue to prevent excessive costs due to programs planned.

Megan _____, Stockton, said DIY is a positive space, a drug-free environment that's a great place for a lot of people to make friends. She said it's boosting the town.

Mayor Greiner said the borough has a lease now with the group.

Robert Shore, Broad St., said the heavy hand of council brought out people who felt they needed to support DIY.

Councilman Swingle said he's tried over the years to help DIY. He said the law requires council to do certain things, and he was thankful that DIY and the council were able to work out a lease agreement.

Municipal Attorney Barry Goodman said there's a requirement under the Local Public Contracts Law that there be a lease in place, and that lease was negotiated.

2. Mayor's Report

New parking spaces are marked at Borough Hall; there are four 15-minute spots across from the entrance to Borough Hall, and more visitor parking in the adjacent municipal lot.

The library is hosting movie nights, and on Thursday it will show La La Land at 6:45 p.m. Movies are free.

April 25- Went to Superior Court in Somerville, where the COAH lawsuit settlement was approved on the spot. Borough officials have received a report from our planner, Beth McManus, on how to proceed.

April 26- attended a Holocaust program, at which Archie Fagan from Shop-Rite spoke.

April 27- attended the dedication of the Samuel Fleming House porch, an Arbor Day planting of trees at RFIS, and the opening of Kwenyan Associates at 200 Main St. Mayor Greiner displayed the Chief's Robe he was presented, to wear at the event.

April 29- attended the Hack Hunterdon wrap-up.

May 4- spent 3 hours at the scene of the fire at Tirpok Cleaners, along with Council Members Tilly, Swingle and Liebowitz. It was an outstanding demonstration of professionalism by our OEM, Fire and Police officers. Everything was beautifully coordinated. As well as that was managed, I've asked our OEM Director Mary Melfi and Fire Chief Scott Williamson to lead in doing a post-mortem analysis of the fire, to see if any lessons can be drawn from this. Our hearts go out to the Tirpok family, and borough officials are doing what they can to help.

May 6- attended the Friends of Historic Flemington rally on the courthouse steps.

May 7- attended and spoke at the memorial service for longtime clerk and former Mayor Bob Hauck, who was a dedicated public servant.

3. Council Members' Reports

Councilman Gorman

The DPW has been cleaning up; the borough's had a lot of rain lately, and there's been a lot of water collecting.

- attended the Arbor Day celebration at RFIS. There was a free raffle for a bush and a tree, and seedlings were given to all the kids.

The Parks and Recreation Committee meets tomorrow night (5/9) at Borough Hall at 7:30 p.m.; fireworks are planned, and everything seems to be on schedule.

- attended the memorial service May 7 for former Mayor Bob Hauck.

- A preconstruction meeting is set for the E. Main Street water and sewer project, so work can get started.

- Tirpok fire - Mr. Gorman noted that no one got hurt, and he said a lot of people have offered to take in sewing or handle other services Tirpok's provided, as the company plans to rebuild.

Council President Hain

The Environmental Commission meets May 15, and continues to work on Sustainable Jersey certification.

Parks and Recreation Committee meets May 9. Regarding the fireworks, they've decided to reduce the amount of 3-inch mortars used, to hopefully reduce fallout. The smaller mortars should rise about 50 feet less in height, and they're planning to move the setup back about 25 feet, so hopefully that will help with debris fallout. The committee just sent notices out to people near the fireworks location, asking them to notify police if they'll be out of town during the fireworks, so people can do spot checks on their homes, watching for stray embers.

Police- The pedestrian safety campaign has concluded, and they're now analyzing the data gathered. The PBA contract negotiations are progressing; there's another meeting on Wednesday, and they're hopeful things will wrap up. March Police Statistics: 3,856 miles driven, 2,293 duty hours, 8 parking violations, 15 license plate reader summonses, 195 warrants, 7 criminal arrests, 14 disorderly conduct citations, 19 motor vehicle accidents.

Mr. Hain said a recent fundraiser at TGI Friday's shows how Flemington continues to support Kimi Goetz, Olympic hopeful speed skater. She can use the borough's support, he said, since her training and supplies are costly.

Council Vice President Liebowitz

Library- We're moving forward with a project for the roof and the front door.

Contractors are looking at the roof, and we anticipate funding the project will come to around \$400,000. The roof has been leaking for a decade now, and it's

not something that can be put off any longer. The HPC has been contacted about the door replacement.

The Request for Proposals is out for marketing 144 Main St.; responses will be opened May 22 at Borough Hall.

Herman Kapp residences - There was talk of a 17 to 23% rent raise, and the owners got money from the borough to provide low-cost housing, so Ms. Liebowitz reached out to County Clerk Mary Melfi to get deeds and easements. She got financial statements from the NJ Housing Mortgage Finance Authority, and contacted other officials. The increase ended up being 2%, not 17 to 23%.
Tirpok fire - Ms. Liebowitz said the fire was so emotional to see, but the people handling things were so professional.

Councilwoman Peterson

A lease is signed with Flemington DIY. Ms. Peterson thanked Jeff Hersch, Nicole Maniez, the new representative working with the group, and Mayor Greiner for all their efforts. She said she's optimistic this partnership will provide activities and avenues for artistic growth in the borough. Now they're working on some minor fire code issues. Every Saturday at 8 a.m. there's tai chi, and tap dancing at 11 a.m. Mondays from 6-9 there's a knitting group, which she plans to check out. Other planned events include a movie night May 18 showing "Blind Chance,"; May 25, a jazz pianist; May 26, DIY's third-anniversary celebration; May 27, another concert.

Fleming Castle- the porch dedication was held. Heating and cooling work is done, and artifacts are going back in. On May 15, 376 fifth-graders will be visiting the castle over four days. A Chocolate event is planned, and on June 10, Colonial music in the afternoon, followed by tavern drinks and snacks in the evening.

Beautification- Planters will be filled by the day before Mother's Day, providing there's no more really cold weather.

Townwide Cleanup- Ms. Peterson thanked volunteer Edna Pedrick and the DPW for all their help. Councilwoman Tilly and her son, and Mayor Greiner participated, and a huge group came from Heritage Baptist Church, about 60 people. There were people of all ages participating, covering Main Street from the Agway site to the Stangl Road area.

HPC- there are several openings. Linda Swingle has stepped down. The group's new website, flemingtonhpc.com, is operating now. Ms. Peterson plans to attend Historic Preservation Commission meetings in other municipalities, to see how they do things. A program is being planned featuring Carla Ciello talking about restoration tips for older homes. Ms. Peterson is now also attending all Planning Board meetings, since the HPC is a regular agenda item for that board.

Councilman Swingle

Mr. Swingle congratulated all the people who helped fight the Tirpok fire. He said they did an incredible job, and he mentioned Water Superintendent Josh

Parks, who oversaw the water system during the fire. He's just one of the people behind the scenes who work hard on behalf of Flemington, Mr. Swingle said. He noted the FCP is working with the Tirkpoks, and borough officials are seeing what they can do to support the Tirkpoks, so they can rebuild in a quick manner. Mr. Swingle noted the fire certainly highlighted the need for the borough to deal with its water situation.

Mr. Swingle discussed Richard Giffen's proposal about tarping the roof at the Union Hotel to prevent further deterioration with borough Construction Official Jeff Klein, and they agreed it's plausible that it could help slow the deterioration of the building. Mr. Giffen was at the meeting, and Mr. Swingle told him he'd like to get Mr. Giffen's thoughts on how to proceed.

The Hunterdon Hackathon was awesome, Mr. Swingle said. There were 11 teams, and about 30 IT professionals gathered to work on a variety of projects. His team won, and he dedicated his portion of the winnings to the Wounded Warriors Project. He said the event raised a lot of buzz about IT in Flemington. Later in the meeting, Mr. Swingle mentioned that the Filling Station beer garden is reopening soon.

Councilwoman Tilly

Ms. Tilly noted that area restaurants including Jack's Pizza, Gabby's, 55 Main and more, provided food and drinks for firefighters as they handled the fire at Tirkok's.

Fire Department - An April 25 fundraiser was held at Matt's Red Rooster. Raffle tickets are still available for a 50/35/15 raffle the department is holding; she has some, and fire department members have some as well.

Rescue Squad- The funding campaign is starting for the squad's new building; it's raising \$2.5 million, with \$1 million come from the sale of its existing property. No amount is too small for people to donate, she said.

Schools- Ms. Tilly discussed the tax assessment for schools, and said that when she asked to see the Flemington-Raritan School District's full budget, she was told she'd need to fill out an Open Public Records Act request for it, which she plans to do.

Ms. Tilly mentioned the tree-planting at RFIS for Arbor Day. She thanked OEM officers for their coordination and contributions during the Tirkok fire.

On Cleanup Day, Ms. Tilly and her son picked up a full bag of garbage in town. She said as she goes for walks through the borough she's going to bring along a small bag so she can continue to pick up any trash she sees.

4. Approval of Minutes

Motion To: **Approve Minutes: April 24, 2017 Regular Council Meeting**

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

Consent Agenda

Move: Marc Hain Second: Brian Swingle Vote: All Ayes

1. RESOLUTION 2017-92: AUTHORIZING CHANGE IN STREET CLOSURES FOR SALSA NIGHT JULY 15
2. RESOLUTION 2017-93: AUTHORIZING CLOSURE OF STREETS FOR MEMORIAL DAY PARADE
3. RESOLUTION 2017-94: AUTHORIZING THE REASSIGNMENT OF CLERK FUNCTIONS FOR RESIDENTIAL PARKING PASSES, TAXI LICENSING, SOLICITORS PERMITS AND THE ENFORCEMENT OF THE GOOD NEIGHBOR ORDINANCE TO THE FLEMINGTON BOROUGH POLICE DEPARTMENT TEMPORARILY

Regular Agenda

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

1. RESOLUTION 2017-95: AWARDING A CONTRACT FOR THE WELL 10 IMPROVEMENT PROJECT TO DEMAIO ELECTRICAL CO. IN THE AMOUNT OF \$456,400.00

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

2. RESOLUTION 2017-96: EXTENDING THE COOPERATIVE ENERGY AGREEMENT WITH RARITAN TOWNSHIP

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

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

Joey Novick asked Ms. Tilly to confirm that the school board is requiring her to fill out an OPRA request for a full budget. She said yes, and he said that's appalling, that these are records she needs to have to do her job as the council's school

liaison. There should be a comment from the borough as a whole against this, he said.

Shari DeGenova, 31 Maple Ave., said she has 4 children, and two of them are very involved with Flemington DIY. She has a 22-year-old son with autism, and when teens turn into adults, they're done with school and have no services. DIY offered them the opportunity to use its space for art classes for young adults. High school volunteers help, and it's become a socializing experience for people like her son. So far, she said, it's the only way such young people can go into the community in a positive way.

Felix Alamentaro, Mercer County, said people here probably don't realize how unique DIY is. A room to do art in is getting harder and harder to find, and DIY is the only place in New Jersey that's run this well and has these kinds of services. It's important to the town and to the state, he said.

Mallory Seegers, College of NJ, said DIY has been pulling her back to Flemington. She's brought along friends who've never stepped foot in Flemington, and they've all been impressed with the art and music scene. She said she's excited to see her hometown bursting with such a vibrant art and music scene.

JoAnne Elacqua, Raritan Township, thanked Councilman Swingle for pursuing getting an estimate on roof tarping for the Union Hotel. Mr. Swingle said they've only determined that the tarping idea is a plausible way of slowing deterioration; the next step is to see what it would cost. Mayor Greiner said everyone needs to keep in mind that the hotel is private property.

Joshua Venn of Edison said he knows of some people who've moved to the Flemington area because of DIY. Flemington could bring in a lot more foot traffic if it advertised what DIY is doing, he said.

George Eckelman of Readington, who's a businessperson in Flemington, said DIY is bringing what we need in Flemington. He'd love to see signs in windows about what's going on.

Taylor Tolo of Ringoes said she's a social worker, and the DIY organization is run very ethically, with inclusive practices. She then asked if the borough's had any discussions about Safe Cities legislation. She wonders what's being done here to keep everyone safe. Police Commissioner Hain said he'd like to arrange a meeting with Ms. Tolo and the Police Chief.

Karlen Turner, Raritan Twp., talked about the knitting group at DIY, and read a message from a woman with head injuries who spoke about the importance of the group. The message said everyone is made to feel welcome, and the greatest thing the group creates is community.

Lois Stewart, Spring Street, asked what kind of roof is going on the library.

Councilwoman Liebowitz deferred to Historic Preservation Commission Chairwoman Elaine Gorman, who said part of it will be metal and part asphalt.

Joanne Braun, Raritan Twp., thanked DIY for its efforts, saying she participated in an art show there a few years ago.

Richard Giffen, Highland Ave., asked about responses to the Global Ag request for development proposals. Ms. Liebowitz said there was a response from someone who is now working directly with a property owner, so that while that person is not submitting a proposal in response to the RFP, the RFP can be credited with spurring that developer's interest.

Robert Shore said he was pleased to see that another Flemington BID initiative is succeeding.

8. Attorney's Report

No report.

9. 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

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:	Brooke Liebowitz, Council Vice President
SECONDER:	Brian Swingle, Councilman
AYES:	Gorman, Hain, Liebowitz, Peterson, Swingle, Tilly