



# Mayor and Common Council Borough of Flemington

September 25, 2017

Historic Flemington Courthouse

## Work Session (7:00 PM)

Carol Dvoor, Director of Safe Harbor Child Access Centers, said her organization provides a place for court-ordered supervised parental visits. It's all-volunteer and has a 501(c)3 established. She asked if the borough can offer her any help. She's looking for new space for the program and wants to remain in Flemington. She mentioned the arrangement Flemington DIY has for free use of borough-owned property at 90 Main St., and added that she's not looking for that, but she is looking for support. Ms. Dvoor said she's trying to generate additional funding for her organization and intends to offer a new program on refinishing furniture. She said she brings about 20 to 30 people a week into Flemington. She said if anyone knows of opportunities for space opening up, she'd welcome the information.

Councilwoman Peterson asked if the Safe Harbor program has a set schedule; Ms. Dvoor said not now. Generally, visits are arranged on evenings and weekends. The furniture program will run during the day.

Mayor Greiner asked if it's part of a national organization. Ms. Dvoor said yes; its fore-runners were in Washington, but there's been nothing out this way.

Councilman Swingle said raffles and all kinds of things can be used to get word out about the program.

Mr. Hain moved to close the work session; Mr. Gorman seconded. All present voted in favor. The session ended at 7:20 p.m.

## 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	Absent	
Phil Greiner	Mayor	Present	

### I. Mayor's Report

Attended a variety of functions:

- Central Jersey Jazz Festival; New Jersey Affordability Summit sponsored by the state Chamber of Commerce; Flemington Community Partnership stakeholders' meeting; River Valley Realty ribbon -cutting for its new space on Main Street; and he bagged groceries at ShopRite during a recent hunger drive.

The Hotel Area Redevelopment Committee has been meeting regularly, and expects to introduce a Redevelopment plan at the Oct. 23 council meeting, with a public hearing in November.

Mr. Greiner praised the efforts of Councilmen Marc Hain and John Gorman who, working with the Parks and Recreation Committee and the Police Department, arranged to continue with the annual Halloween parade after the VFW, its longtime sponsor, said it couldn't afford to do it anymore. He thanked the VFW for its many years of dedication in presenting the parade.

COAH - Today the court issued its final judgment accepting the settlement of a lawsuit over the borough's affordable housing obligation. He said in terms of affordable housing obligations, the borough should be good until 2025.

Later in the meeting, Mayor Greiner extended his thanks to Joey Novick for getting volunteers for the Central Jersey Jazz Fest organized.

## II. Council Members' Reports

### Councilman Gorman

At council's last meeting we heard the VFW wouldn't be able to present the annual Halloween parade; now we're doing it. The Parks & Recreation Committee is providing the money for it, and the Police Department is organizing it with the help of Rebecca Newman and Allison Purcell in the Borough Office. There will be music, gifts and trophies. It's great that we could pick this up and make it happen, and thanks go to the VFW for the great job they've done with this over the years.

DPW - I meet with them regularly. They've been picking up yard waste; they're doing their best to keep up with it.

E. Main Street - 2 contracts are underway. The first is for water main, sewer and other underground work. Now we've got the second one coming up - sidewalks, drainage and paving. I'd like to think we'd get it done by Halloween, but there's a lot of concrete under the road that has to be removed, and that takes extra time.

### Council President Hain

The Halloween parade will be on Oct. 31, 5-7 p.m. There will be a DJ, fire trucks will light up the area, and more. Categories are age groups 0-3, 4-6, 7-9 and 10-13; there's also a category for groups, and Barkley's is sponsoring a dog costume contest.

Police - Met with staff on the 13th to see how everyone is doing. We're in the process of replacing a patrolman, and doing background checks now.

Environmental Commission- Last meeting was canceled due to a lack of quorum. The commission will meet next on Oct. 16.

Planning Board - Meets tomorrow night - considering completeness for the Islamic Center, and holding a public hearing on 70 Church St. for preliminary and final approval.

Council Vice President Liebowitz

Library roof and masonry project: The state Historic Preservation Office approved the borough's application for this project, and a meeting is set up for next week on next steps. The work will address the roof, masonry, and the front door.

Gas station property: Officials have spoken with our Realtor and the state Department of Environmental Preservation, and she said the DEP realizes the original asking price for the property is too high, and indicated it would be flexible working to sell the property. The Realtor is preparing a marketing report to share with the DEP.

Seniors: She's planning some community meetings at the Herman Kapp apartments.

Councilwoman Peterson

Fleming Castle - On Oct. 14, 1-4 p.m. they're having a pumpkin painting party. They're collecting donations now for their annual tricky tray, which will be held Dec. 1. Friends of the Fleming Castle is looking for docents. Ms. Peterson said she's thinking of visiting the Herman Kapp senior residences to see if anyone there would like to volunteer.

HPC - 2 alternate positions are open; people can contact Chairwoman Elaine Gorman or Mayor Phil Greiner.

Beautification - Snowflake lights will be going up for the holiday tree lighting and parade, and stay up for about a month. Edna Pedrick is checking to see if faulty light sensors have been replaced. Mayor Greiner noted he sent an inquiry to JCP&L about the sensors and hasn't heard back.

Councilman Swingle

Mr. Swingle has been out in the community a lot, hearing about concerns. One issue brought to his attention is a poor drainage area affecting homes on Mine Street; he said we probably need to do some work over there.

Redevelopment Committee - We're getting close to an agreement, and it's getting exciting.

He's been working on tweaking some items in the salary ordinance, and working on the draft of the ordinance that's being introduced tonight.

Councilwoman Tilly

Absent.

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

Joey Novick, 11 E. Main St. - Police and the DPW did a great job at the jazz festival. Mike Campion and his crew were everywhere I needed them. The Police the Explorers made the area safe, and the DPW was working late at night cleaning up for the townwide yard sale the next day. No one knew how to say the word "No" to me.

Tim Hester, Bonnell Street, thanked Council members Liebowitz and Swingle for helping revise a resolution about racism.

Steve Tuccio, 61 Elwood Ave., asked who made the executive decision to have property across from Councilman Swingle's house mowed and landscaped. Mayor Greiner said there have been cases around town, usually when homes are in foreclosure, where the town will go in and do the work. Councilman Gorman said that work gets billed back to the property owner. Mr. Tuccio repeated his question about who decides the work gets done. Mr. Swingle said there's a set of parameters - such as going 2 to 3 weeks without being cut, for bank-owned property.

Richard Giffen, 9 Highland Ave. - Councilman Swingle said recently the Union Hotel development project is on track. This is incorrect. There are many items not addressed that should have been done long ago, such as: insufficient geotechnical investigations, needed to determine foundation requirements. The project shows simple shallow strip footings; it's likely deep foundations or piles will be needed. No environmental investigations have been done. No SOE (Support of Excavation) plans have been produced. These show how foundations will be constructed and how it affects adjacent properties. No MPT (Maintenance and Protection of Traffic) plans have been produced. The project has been underway for 20 months but the documents are still barely at the concept stage. The developer appears to be doing the least amount of work possible to obtain planning permission. This is a very bad sign. It normally means the developer has no intention of constructing the project himself. The borough should force the developer to do work he should have done 18 months ago, or abandon this developer and go out to RFP. It will be quicker in the long run.

Rosie Efthim, 11 E. Main St. - She's sometimes had to get out of her driveway while road construction continues on E. Main St., and the construction workers go out of their way to help her out. She asked Councilman Gorman if Belgian Block curbs will be installed. He said they will in some places; they're doing it where it's necessary. The state won't let the borough take out some of the slate curbing. He said he'd check with the borough engineer to see where the Belgian Block is going and let her know.

Tony Previte, 45 N. Main St., said Hopewell Avenue's getting worse with the heavy truck traffic in connection with the E. Main St. work, and asked if it can get top-coated along with the E. Main St. project. Mr. Gorman said he agreed that the heavy trucks are using Hopewell a lot.

## IV. Approval of Minutes

Motion To: **Approve Minutes: Sept. 11, 2017 Regular Council Meeting**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Brooke Liebowitz, Council Vice President
<b>SECONDER:</b>	Brian Swingle, Councilman
<b>AYES:</b>	Gorman, Hain, Liebowitz, Peterson, Swingle
<b>ABSENT:</b>	Kim Tilly

Motion To: **Approve Minutes: Executive Session Sept. 11, 2017**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Brooke Liebowitz, Council Vice President
<b>SECONDER:</b>	Marc Hain, Council President
<b>AYES:</b>	Gorman, Hain, Liebowitz, Peterson, Swingle
<b>ABSENT:</b>	Kim Tilly

### Consent Agenda

Moved: Gorman                      Seconded: Swingle                      Vote: All present voted yes

1. RESOLUTION 2017-165: AUTHORIZING THE PARTIAL CLOSURE OF MAIN STREET FOR THE HALLOWEEN PARADE
2. RESOLUTION 2017-166: AUTHORIZING DISCHARGE OF MORTGAGE FOR 14 CORCORAN STREET TO JAMES AND BETTY LANE
3. RESOLUTION 2017-167: AUTHORIZING THE MAYOR TO SIGN DOCUMENTS FOR SUBMISSION TO THE STATE DEP REGARDING THE BOROUGH-OWNED PROPERTY AT 144 MAIN STREET
4. RESOLUTION 2017-168: AUTHORIZING RETURN OF \$250 ESCROW FEE FOR A STREET OPENING PERMIT ISSUED FOR 81-95 N. MAIN ST.
5. RESOLUTION 2017-169: AUTHORIZING CLOSURE OF PORTIONS OF MAIN STREET AND N. MAIN STREET FOR THE 2017 MAIN STREET MARATHON OCT. 8
6. RESOLUTION 2017-170: AUTHORIZING CLOSURE OF STANGL ROAD FOR PBA FALL FESTIVAL OCT. 21, 2017
7. RESOLUTION 2017-171: APPROVING ADDITIONAL CAR SHOW DATE FOR OCT. 7, 2017
8. RESOLUTION 2017-172: APPROVING AN OFF-PREMISE RAFFLE FOR SAFE IN HUNTERDON TO BE HELD ON OCTOBER 28, 2017

## Regular Agenda

1. Motion To: **Modify Ord. 2017-13 to Reflect Change in the Police Chief's Salary**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Marc Hain, Council President
<b>SECONDER:</b>	Brooke Liebowitz, Council Vice President
<b>AYES:</b>	Gorman, Hain, Liebowitz, Peterson, Swingle
<b>ABSENT:</b>	Kim Tilly

2. ORDINANCE 2017-13: FIRST READING: SALARY ORDINANCE FOR 2017

Mayor Greiner said the salary ordinance reflects a roughly 4% increase for non-union employees, effective mid-year.

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 10/10/2017 7:00 PM</b>
<b>MOVER:</b>	Marc Hain, Council President	
<b>SECONDER:</b>	Brian Swingle, Councilman	
<b>AYES:</b>	Gorman, Hain, Liebowitz, Peterson, Swingle	
<b>ABSENT:</b>	Kim Tilly	

3. Motion To: **Open Public Hearing on Ordinance 2017-14**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Brian Swingle, Councilman
<b>SECONDER:</b>	John Gorman, Councilman
<b>AYES:</b>	Gorman, Hain, Liebowitz, Peterson, Swingle
<b>ABSENT:</b>	Kim Tilly

4. ORDINANCE 2017-14: SECOND READING: PROVIDING FOR DRILLING OF TEST WATER WELLS BY THE WATER UTILITY OF THE BOROUGH OF FLEMINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY; APPROPRIATING \$215,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$215,000 IN BONDS OR NOTES TO FINANCE THE COST THEREOF

Hearing Opened.

Michael Harris, 173 Main St., asked about the cost of drilling, and if complications arise, and if it's included in the 16% increase in water/sewer bills. Mayor Greiner said this is completely separate from the water tank ordinance. Councilman Gorman addressed the cost of the drilling, saying the test well drilling will cost around \$85,000, then you need a backup test site, engineering costs and inspections. It's going out to bid, he said, and the figure is an estimate.

Mr. Harris asked for an estimate of the cost impact on each household. Mayor Greiner said the borough's total net debt is about \$7 million, and the debt service on that is about 7% to 8% of the budget. He asked CFO Bill Hance, and Mr. Hance said there would be in total about \$15,000 a year of debt.

Motion to close hearing: Moved by Hain, seconded by Gorman; all present voted in favor of closing the hearing.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Brian Swingle, Councilman
<b>SECONDER:</b>	Brooke Liebowitz, Council Vice President
<b>AYES:</b>	Gorman, Hain, Liebowitz, Peterson, Swingle
<b>ABSENT:</b>	Kim Tilly

5. ORDINANCE 2017-15: FIRST READING: AMENDING CHAPTER 7 TRAFFIC OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FLEMINGTON, SCHEDULE XV PERMIT PARKING, ELWOOD AVENUE

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 10/10/2017 7:00 PM</b>
<b>MOVER:</b>	Marc Hain, Council President	
<b>SECONDER:</b>	Brooke Liebowitz, Council Vice President	
<b>AYES:</b>	Gorman, Hain, Liebowitz, Peterson, Swingle	
<b>ABSENT:</b>	Kim Tilly	

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

Michael Harris, 173 Main St., said residents have heard 2 different accounts of the Main Street project, and he said assuming it's on schedule, when are more details about the PILOT going to be available? Mayor Greiner said the Redevelopment Plan is coming soon, and after that the PILOT is one of the next steps.

Tony Previte, 45 N. Main St., suggested having a microphone available for the public to speak into. He also suggested that when contracts for the Police and DPW come up, that they be put on an agenda ahead of time.

Councilman Swingle said he thinks it's a good idea that in the future the ability to block things from being on an agenda be used a little less strongly.

Mr. Previte also discussed the idea of merging with Raritan Township. He said Ho-Ho-Kus has a lot in common with Flemington, and that municipality banned development along its highway to keep the town vital. He said what if, way back when Flemington merged with Raritan Township, officials had done something like that with Route 31. He said it's not too late to do a merger and start simplifying things for taxpayers.

8. Attorney's Report

Nothing to report.

9. Payment of the Bills

Motion To: **Pay The Bills**

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