



# Mayor and Common Council Borough of Flemington

October 10, 2017

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Historic Flemington Courthouse

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## Work Session (7:00 PM)

No special topic. An unidentified man in the audience said he lived near the water tower on Shields Avenue, and is wondering about the status of the project. Mayor Greiner said council has approved a bond ordinance funding the work, which will entail building a smaller tank near the current tank, connecting them, then taking the larger tank offline for repairs. Councilman Swingle said the project is in its early stages and they can't put a date on things yet.

Alan Brewer, 1 Coppermine Village, said Flemington-Raritan school district contract negotiations are completed, leading to a 12% increase for taxpayers. He asked the council what impact that will have on residents. Mayor Greiner said there are declining enrollments there, and people don't expect to see the budget going up. Mr. Brewer said there's no correlation between dropping enrollments and staffing cuts.

Councilwoman Kim Tilly, liaison to the school board, said council doesn't have any influence on the school district budget. She also said the 12% increase is over 4 years. Mr. Brewer asked to have a liaison from council talk to the school board to see where efficiencies might be gained. Mayor Greiner said the council doesn't carry any official weight with the school board, and it's best for people concerned to go to the school board directly.

With no more comments forthcoming, Councilwoman Tilly moved to close the work session, seconded by Councilwoman Liebowitz. All present voted in favor. The session ended at 7:11 p.m.

## Regular Meeting (7:30 PM)

Flag Salute

Roll Call:

Attendee Name	Title	Status	Arrived
John Gorman	Councilman	Absent	
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	

Council Vice President Liebowitz moved to amend the agenda to include a quarterly report on the FCP by Ex. Dir. Ann Meredith. This was seconded by Council President Hain, and all members present voted in favor.

#### I. Flemington Community Partnership Quarterly Report - Ex. Dir. Ann Meredith

Ms. Meredith showed a 2-minute video being used for marketing the borough. The FCP's 3 main goals are to strengthen business by offering support and resources, attract new businesses with a friendly environment, and increase the money spent in the borough.

Marketing efforts include a monthly newsletter, new opportunity alerts, and regular mail signup. The newsletter is being shared on social media, through press releases, online and through mailings. In the next quarter the FCP plans to segment its database so it can address specific groups.

Other marketing efforts include the recent Hackathon and developing a tech committee; creating BFFs - Best Friends of Flemington, who will be "Partners in Positivity"; and improving the functionality of the FCP's website. Seward Johnson sculptures are bringing lots of attention and will remain in town through the holidays. Holiday plans will be announced soon.

Visual Improvement efforts include offering A-Frame boards for stakeholders to advertise; storefront improvement grants of up to \$1,500 in matching funds; and the sculpture installation. In the 4th quarter a street data program will launch.

Economic Development efforts include the Hack Hunterdon tech group, which meets monthly; a welcome program for new businesses; the Club 10 card which offers 10% discounts to businesses. The FCP is also publishing a "doing business in Flemington" pamphlet, with the help of some borough employees.

A Real Estate committee has formed, and its first job is addressing how to promote existing inventory in the borough. There's also a Main Street Theater initiative that may start by showing movies in the historic courthouse. The hope is to launch a regular series of movies in town. A Borough-wide banner project will help guide visitors and build the brand of Flemington. It'll have a processional effect, with 45 vertical banners installed hopefully before the Turkey Trot on Thanksgiving.

Alan Brewer, 1 Coppermine Village, suggested that at events, food trucks be sited so they don't compete with existing restaurants; he said what was done at the Central Jersey Jazz Fest worked well. Kaitlyn Giles-McCormick asked if the FCP's website will have more content, and could it include a thorough events calendar. Ms. Meredith said yes.

Lois Stewart, 26 Spring St., asked how long the Seward Johnson sculptures will be in town and how much they cost. Ms. Meredith said they'd be here until around Jan. 1, and that FCP stakeholders - businesses paying an extra assessment for the FCP - covered the \$10,000 cost.

## II. Mayor's Report

Mayor Greiner outlined his recent activities, including speaking to a political science class at Hunterdon Central High School.

Oct. 6 - helped volunteers decorate the borough for Halloween; Rebecca and Allison at Borough Hall organized things and rounded up volunteers; there were about a half-dozen volunteers from the Raritan Learning Cooperative helping out.

Oct. 8 - The first annual Main Street half-marathon was held; turnout was bigger than the Turkey Trot's turnout when that event first started.

The Draft Hotel-area Redevelopment Plan is being circulated among borough professionals; plans are to introduce the document at the Oct. 23 meeting, then refer it to the Planning Board for review.

The borough received legal action Number 6 from Lois Stewart, Gary Schotland, and the Friends of Historic Flemington LLC; he will let Borough Attorney Barry Goodman explain the latest in his report.

The Borough is issuing a Request for Proposals for professional services in 2018.

## III. Council Members' Reports

Councilman Gorman

Absent.

Council President Hain

Police - addressing a few items on the consent agenda: Res. 2017-175 is for the resignation of Detective Musacchio. He wishes him the best in his new position with the county.

Res. 2017-176 authorizes hiring Patrolman Zytko. He's worked in Mansfield Township, and is a K-9 officer. He's ready to come onboard. Res. 2017-182 endorses purchasing a K-9 for the Police Department. The cost of \$15,000 will come from forfeiture funding from the county. The purchase should have no budget impact. The dog, Jax, is 2 years old and certified. He comes from Mansfield Township, and they have \$25,000 invested in the dog, so \$15,000 is a very good deal.

Environmental Commission - Next meeting is Oct. 16; Lidl market plans are on the agenda.

Sustainable Jersey - Waiting to hear results of Round 2 application.

Parks & Recreation - Halloween parade planned Oct. 31, 5-7 p.m. There will be a DJ, trophies, goodie bags. It's co-sponsored by Parks & Rec. and the Police.

Thanks to the VFW who handled arrangements for so many years.

Kimi Goetz - A fundraiser is planned Oct. 20 at IHOP; 50% of the check will be donated to her Olympic skating effort. She's 1 of 6 people that made the World Cup team, and is working hard.

Council Vice President Liebowitz

The Library repair project will be going out to bid shortly. After consulting with CFO Bill Hance, she said about \$300,000 is left in the budget for the work. JCP&L helicopters will be flying over Flemington in the coming weeks; they're checking lines.

Hydrant flushing is starting Oct. 16 and continuing through mid-November. If you notice murkiness in your water, let the cold water run into your bathtub until the line clears.

Applications are available online for the Adopt-A-Tree program.

Councilwoman Peterson

Fleming House Museum - This Saturday (Oct. 14) there will be a pumpkin painting event.

She will be going to the Kapp senior residences to do a program about the Samuel Fleming House, and hopes to recruit some docents while she is there.

HPC - There are 2 openings for alternates. Regarding recent projects, the County Chamber of Commerce is starting painting on its new home, the Large House.

The HPC is interested in having the town's historical district map redone; there are many discrepancies and a lack of detail. There are 3 different levels proposed for the remapping; she's hoping to discuss options for inclusion in the next annual budget.

DIY - 2 concerts and an art show were held over the weekend, and two more concerts are planned. On Oct. 27, a Halloween dance is planned.

Beautification - JCP&L is coming out to discuss light sensors that are used in the Snowflakes installed on poles through the holidays.

Councilman Swingle

The revised resolution on tonight's agenda addressing racism really reflects the values of our community.

Mr. Swingle moved to amend the agenda to add a resolution authorizing the Mayor to sign a letter in support of Skunktown Distillery establishing a presence in the Borough of Flemington. Council Vice President Liebowitz seconded; all members present voted yes. The resolution will be added to the start of the regular agenda.

Councilwoman Tilly

Fire Dept. - Engine 493 is out of service for major repairs; work is planned on two other trucks as well. The Department did not get grant approval for an exhaust remediation system. They'll be reviewing the application to see where improvements could be made for a future attempt.

First Aid Squad - The squad received a \$25,000 donation from Wakefern Corp., parent company of ShopRite, toward its new building. Bricks are still for sale to support the effort.

School district - The Board of Ed. has negotiated a four-year contract. It will be posted online at the school district website when it's complete.  
Nothing to report for OEM and Finance.

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

Tim Hester, Bonnell Street, thanked Council members Swingle and Liebowitz for their help in revising a resolution addressing hate groups.

Steve Tuccio, 61 Elwood Ave., asked the specific name of the person who instructs DPW workers to cut grass at a house in the borough. Councilman Swingle said there's no 1 specific person who does that; there's a standing policy that for vacant homes in foreclosure, if the grass goes several weeks without being cut, DPW workers go out and cut it.

Alexa Offenhauer, of Clinton, asked how a K-9 would help generate revenues. Council President Hain said it's in seizure funds, when a drug-related arrest is made.

Michael Harris, 173 Main St., asked about K-9 police officers, and what the borough has used before now. Council President Hain said we've gone outside the borough to Readington, the county Sheriff's Department, and some other departments that have dogs. He said the borough has been looking to go this way, and this opportunity arose. Mr. Harris said he's seen the police department expand over the years, and his concern is, as a small town, is there a growing need for that? Mayor Greiner said officials hear every day about the opioid problem. He said purchasing Jax was a great opportunity that came together with hard work of the chief and Commissioner Hain. They got everything lined up to be donated, and it seems very workable.

Lois Stewart, 26 Spring St., asked when the Redevelopment Plan document will be released to residents. Mayor Greiner said no later than when the agenda for the Oct. 23 meeting is published; it's going through editing and review. Ms. Stewart said it would be nice if residents could see it in advance. Mayor Greiner said there will be no discussion on the 23rd; the ordinance is just being introduced.

Betsy Driver, 50 N. Main St., asked about a vehicle to accommodate the new police dog. Council President Hain said Readington Police have offered our department a cage for the back of one of the Borough's Crown Victoria police cars. He said the department is planning to have Patrolman Zytko start working with the dog in January, so there's time to work out some logistics.

Alan Brewer, 1 Coppermine Village, asked where we are for legal costs regarding actions filed by the Friends of Historic Flemington et. al. Mayor Greiner said through July, costs are \$40,000 for this year and last year.

Ms. Stewart asked about Resolution 2017-181. Mayor Greiner said developers are allowed to request extensions to retain sewer reserve, and this is a one-year extension.

## V. Approval of Minutes

Motion To: **Approve Minutes: September 25, 2017 Regular Council Meeting**

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

### Consent Agenda

Moved: Hain      Second: Swingle      Vote: All present voted in favor.

1. RESOLUTION 2017-173: AUTHORIZING THE CLOSING OF STREETS FROM 7:45 A.M. TO 11 A.M. AND RESTRICTION OF VEHICLE PARKING ON THE SOUTH SIDE OF BONNELL STREET FROM 8 A.M. TO 10:30 A.M., ON NOV. 23, 2017, FOR THE TURKEY TROT
2. RESOLUTION 2017-174: AUTHORIZING THE CLOSING OF STREETS FOR THE HOLIDAY PARADE ON DECEMBER 3, 2017
3. RESOLUTION 2017-175: ACCEPTING THE RESIGNATION OF DETECTIVE WILLIAM MUSACCHIO FROM THE POLICE DEPARTMENT AND AUTHORIZING THE HIRING OF A REPLACEMENT OFFICER
4. RESOLUTION 2017-176: AUTHORIZING HIRING GREG ZYTKO TO THE POSITION OF PATROLMAN WITH THE FLEMINGTON POLICE DEPARTMENT, AT A SALARY OF \$59,113.00 ANNUALLY
5. RESOLUTION 2017-177: AUTHORIZING AN ON-PREMISE RAFFLE LICENSE FOR DECEMBER 1, 2017, BENEFITING FRIENDS OF FLEMING CASTLE
6. RESOLUTION 2017-178: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE #2016-008 HELD ON BLOCK 35 LOT 74.36 - 36 COPPERMINE VILLAGE
7. RESOLUTION 2017-179: CREDITING BACK A PORTION OF WATER USE FOR OWNER OCCUPIED RESIDENTIAL UNITS
8. RESOLUTION 2017-180: REVIEWING AND ACCEPTING THE RESULTS OF THE BOROUGH'S 2017 BEST PRACTICES INVENTORY
9. RESOLUTION 2017-181: AUTHORIZING THE MAYOR TO SIGN THE TREATMENT WORKS PERMIT APPLICATION FOR FLEMINGTON GLASS TOWNHOMES (BLOCK 38, LOTS 3.01, 5, 6, 7 AND 20; BLOCK 39, LOT 2)
10. RESOLUTION 2017-182: ENDORSING THE PURCHASE OF A K-9 TO WORK WITH THE BOROUGH POLICE DEPARTMENT

## Regular Agenda

1. RESOLUTION 2017-184: AUTHORIZING THE MAYOR TO DRAFT A LETTER IN SUPPORT OF SKUNKTOWN DISTILLERY ESTABLISHING A PRESENCE IN THE BOROUGH OF FLEMINGTON

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

2. RESOLUTION 2017-183: REJECTING THE MESSAGE OF ALL HATE GROUPS

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

3. Motion To: **Open Public Hearing on Ord. 2017-13**

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

4. ORDINANCE 2017-13: SECOND READING: SALARY ORDINANCE FOR 2017

Public Hearing opened. Lois Stewart, 26 Spring St., asked about the average rate increase in salaries. Mayor Greiner said it's 4%, effective July 1. Ms. Stewart said the inflation rate was 1.3%, and questioned people getting more than that if their job responsibilities didn't change.

Mayor Greiner said there were a number of factors considered. In a year when union contracts are negotiated, that is a primary factor. Ms. Stewart said the construction official's salary between 2015 and Jan. 1, 2018, is a 31.8% increase. Councilman Swingle said the borough's construction official has been working for \$23 an hour, and that's not an acceptable rate any longer. The borough needs to get that position closer to the market rate, and we need to take care of our employees who take care of residents. The same applies to the director of Public Works, he said; without an increase, the director would have been making less than people he's overseeing. This increase creates a consistent buffer.

Ms. Stewart asked if any consideration was given to taxpayers, who have if not the lowest, then the second lowest income in the county. She suggested that

adjustments be made over several years' time. Councilman Swingle said officials can't obligate future councils, but beyond that, we've been getting away with 1% and 2% increases for many years.

Ms. Stewart said there's going to be a 16% water fee increase. Mayor Greiner said not to forget the \$40,000 she and the Friends of Historic Flemington are costing the borough in legal action. He added that the water tower debt would be phased in over time, and it still makes the water supply economical.

Michael Harris, 173 Main St., asked the Mayor how increases in the salary ordinance compare with increases in the Police and DPW departments, regarding impact on costs. Mayor Greiner said the salary ordinance won't have as large an effect on the budget as the Police and DPW salaries. Councilman Swingle noted that next year the borough's debt service will drop considerably, so that should help.

Motion to close public hearing moved by Swingle, seconded by Hain, all present voted yes.

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

5. Motion To: **Open Public Hearing on Ord. 2017-15**

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

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

Public hearing opened; no comments. Motion to close moved by Hain, seconded by Tilly; all present voted yes.

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

7. ORDINANCE 2017-16: 2017-16 : FIRST READING: CAPITAL ORDINANCE 2017



<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 10/23/2017 7:00 PM</b>
<b>MOVER:</b>	Marc Hain, Council President	
<b>SECONDER:</b>	Brian Swingle, Councilman	
<b>AYES:</b>	Hain, Liebowitz, Peterson, Swingle, Tilly	
<b>ABSENT:</b>	John Gorman	

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

Tim Hester, Bonnell Street, said the council did an amazing thing, passing a fairly radical piece of legislation, and he thanked council.

Gina W., representing the Center for Educational Advancement, thanked the borough for its continued support of the Turkey Trot, which CEA sponsors. They're expecting about 6,000 runners and walkers this year.

#### VII. Attorney's Report

Borough Attorney Barry Goodman said that as part of a lawsuit filed against the Borough, the Borough Council and the Planning Board, a motion has been filed to enjoin any action to move forward with adoption of a redevelopment plan for the hotel area. He said that to prevail, the Friends of Historic Flemington must show irreparable injury will be done by moving forward with the redevelopment plan. Their complaint indicates the two buildings being torn down at some point in the future would be the irreparable damage.

#### VIII. Payment of the Bills

Motion To: **Pay the Bills**

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

#### IX. Executive Session for Any Other Applicable Matter Identified During the Regular Meeting (Action May Be Taken)

None needed.

#### X. Adjournment