



Mayor and Common Council Borough of Flemington

April 23, 2018

Historic Flemington Courthouse

Work Session (7:00 PM)

1. Flemington's designation as an Opportunity Zone.

Mayor Greiner received a letter from Sen. Corey Booker on March 1, discussing the Investing in Opportunity Act that he sponsored. Every state governor had until mid-March to designate areas as opportunity zones. These are generally low-income areas. Gov. Murphy has designated all of Flemington Borough as an opportunity zone. Criteria include poverty rates of 20%, or median family income levels of less than 80% of the median state income. This is still unfolding. The designation will be in effect until Dec. 31, 2028.

The idea is to attract investment tapping unrealized capital gains that individuals or companies are sitting on; the investors would reap tax benefits. They'd invest through an Opportunity Fund that's certified by the U.S. Treasury. Funds can invest in properties and businesses, but it would have to make a substantial improvement. Investors could reap a temporary deferral of the gain until they're done with the fund, or Dec. 31, 2026; they could see a 10% step up in their basis of assets if invested for 5 years, and up to 15% if in for 7 years; or they could get a permanent exclusion if they were in the fund 10 years or more, seeing a 15% step up in basis of assets and exclusion of capital gains taxes while in the opportunity zone.

Mayor Greiner is participating in a webinar with FCP's Ann Meredith and county Planning Director Marc Saluk later this week, to learn what their roles are.

2. Work Sessions

Mayor Greiner reviewed the council's discussion about work sessions at its last meeting, and said he understands they have 3 options: Start council meetings at 7 p.m. with no work sessions; start meetings at 7:30 p.m. with no work sessions, or leave the arrangement in its current state. He asked council members to let him know their preferences.

Motion to close work session: Gorman; Second: Driver. All present voted aye.

Work session ended at 7:15 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
Betsy Driver	Councilperson	Present	
John Gorman	Councilman	Present	

Marc Hain	Council Vice President	Absent	
Michael Harris	Councilman	Present	
Susan Peterson	Councilwoman	Present	
Brooke Warden	Council President	Present	
Phil Greiner	Mayor	Present	

I. Mayor's Report

4/10- Met with Assemblyman Zwicker in Borough Hall. He's updating himself on who's who, what issues are important to the borough and the like.

4/14- Attended ribbon cutting at Club Pilates at the Shoppes at Flemington.

4/13- Toured the Spring Reins of Life horse farm in Three Bridges, where they work with veterans with PTSD.

4/16- attended county's Killed In Action flag-raising. Flemington has its new KIA flag flying at Borough Hall now.

4/18- Met with JCP&L and OEM officials to go over lessons learned from the winter storms.

This is Restaurant Week in Flemington; there are plenty of participating restaurants, which offers a great chance to try something new.

Property acquisition - Mr. Romanowski hasn't yet followed through on his pledge to sell the properties to Mr. Cust. He has been offered contracts that offer terms to which he's agreed. Eminent domain is not off the table, but hopefully that won't be necessary.

Negotiations with the Friends of Historic Flemington LLC - Their attorney has proposed dates to meet at the end of May. Everyone else is available at 5 p.m. on April 30, to meet in a conference room at Hunterdon Medical Center, which is a neutral locale. We will keep that time open. Several members of the FHF are in attendance tonight - let me know if you will attend.

II. Council Members' Reports

Councilperson Driver

She's received lots of calls about the community pool.

Library Board - meets Friday, 4/27, in the morning.

Fire Department - They're in the middle of inspections.

Rescue/EMS - They trained at the Hunterdon County Emergency Training Center on rope rescues and bleeding incidents. Fifteen members will be going to Virginia for a Rescue Challenge.

There were no emergency call-outs since the last council meeting.

DIY - They're planning a poetry event, and they're doing fundraising to try to become self-sustaining.

WiFi- I'm still waiting for the county to give access to its WiFi so we can broadcast council meetings held at the courthouse. They're working on policy guidelines.

Wednesday, I'm attending a Barriers To Recovery program at the Stangl Stage.

Saturday, the Meta Theater production of "What I Wore" will move to the United Way on Fulper Avenue.

You will notice I have in front of me a piece of brick that was given to me. It allegedly came from the Union Hotel. Last week, the mayor stated that he is advising the designated developer to not offer a single brick in concessions to the Friends group unless they come to the table with compromises. Fact is, it needs to be made clear the Friends group is just a few people. The mayor and the designated developer should be eager to offer bricks to the many residents who are opposed to a 100-foot-tall mega-development in the middle of a national historic district. Until the mayor and the designated developer recognize that the compromises in bricks needs to include the entire town, I'll continue to bring this with me to council meetings as a reminder that we need to represent the desires of the residents, and not just the desires of the developer in finding a compromise and solution that we can all live with.

Councilman Gorman

Friday is Arbor Day. The Shade Tree Commission is holding Arbor Day activities at Reading-Fleming Intermediate School on Thursday at 1 p.m., when we'll be planting a red maple tree. There will also be raffles to give away 2 trees, and seedlings will be handed out. The school asked us to have it on Thursday, because they have other events planned for Friday.

4/10- We had a Parks and Recreation meeting. This committee can bat ideas around about the community pool.

4/11- DPW committee met, and will meet again this Wednesday. They're busy with lots of items in town - streets, cleanup. Regarding the flower pots, it would be a good idea to have fewer in the future; they take up a lot of man hours watering; it adds up. Work is proposed on several streets.

Potholes- We've been filling them with cold patch, but the hot asphalt plant is opening up for the season, and soon we can use that to do more permanent repairs.

Council Vice President Hain

Absent.

Councilman Harris

Recently attended an anti-racism coalition meeting; the next one is set for May 11, 5:45 p.m. at the United Way.

I have enjoyed meals at DeeDee's Brick & Mortar and Blue Fish Grill, and I encourage others to take advantage of Restaurant Week and sample some of what Flemington has to offer.

Hotel - Last week I met with Marc Hain and the construction official. There were no drone photographs reviewed. We had a good discussion and came away with a better understanding of how we view things.

Animal Control - Animal Control Solutions received a call about feral cats at the Agway buildings on Park Avenue, and I've followed up on that.

Schools - no report.

Environmental Commission - Due to meet May 21 at 7 p.m. This commission needs members.

Received a letter from a resident about resolving Courthouse Square issues.

Councilwoman Peterson

Fifteen groups of Reading-Fleming Intermediate School fifth-graders recently toured the Samuel Fleming House museum. A tea there is planned on May 12, 1-4 p.m.

Beautification - Lois Stewart had suggested we have fewer flower pots around town. I researched this and we cannot change the situation now, contractually.

Snowflakes - The cost of storage, repair and installation is rising from \$82 a year to \$85 a year for each snowflake.

Cleanup - the town-wide cleanup is set for May 5; meet at the DPW, behind 8 Main St., at 8 a.m.; the cleanup will be followed by a lunch for the volunteers.

HPC - An informational workshop here at the courthouse on Saturday, on renovating your older home, was attended by 31 people. We've been notified that a new historical walking map is being created by the county Historical Society, with input from the HPC. The HPC is supporting the Flemington Methodist Church's request for a state grant to perform exterior renovations.

FCP - They have an event calendar that lists activities through June. People have been asking for one place where everything is included, and this comes very close. It can be viewed on the Explore Flemington website.

Council President Warden

Seniors - There's a state program of property tax reimbursement for people who are 65 or older, have lived in the state 10 years and in their current home at least 3 years, and make \$87,000 a year or less. It freezes property taxes.

Flemington Community Pool - This suffered significant structural damage over the winter. It's an older pool with a steel frame, and it could be difficult to find someone willing to do the repairs needed. She's speaking with community pool board members about options, and checking to see if a grant program for rural communities could be tapped- the fact that Raritan Township is part owner of the pool may complicate that. She wants to work with the council's Parks and Recreation Committee liaisons and the Parks and Recreation board to get estimates and options for possibly opening the pool for next summer.

Flemington Community Partnership - Restaurant Week is this week.

The Spring Guide to Flemington published by the Bucks County Herald includes a calendar of events, and is available at businesses all around town.

The FCP released a Request for Proposals to manage Filling Station events this year. The FCP is planning a Community Sing-Along on June 2. It's looking for 150-plus people from residences and businesses to sing a 3-part harmony song, and

they'll make a video to promote the town. The Best Friends of Flemington group is holding its kickoff meeting in a couple of weeks. The group aims to address the lack of civility in town; we want to get some Flemington love going.

This election has been very demoralizing and disheartening. I've been threatened, my house has been vandalized, and rumors are being spread about my children. I went to the County Clerk to see about having my name taken off the ballot, but it was too late. Then I went away on vacation with my husband and we talked about it. He said if you quit, you're letting the bullies win. So, I'm staying in the race. I'd like to issue a call for civility in this campaign. Regarding the plans for Courthouse Square, Jack is willing to negotiate, and no one's willing to meet with him to discuss possibilities. There's no reason to hurt people - children and families - over this.

III. Motion To: **Remove Res. 2018-72 from Consent Agenda**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brooke Warden, Council President
SECONDER:	Susan Peterson, Councilwoman
AYES:	Driver, Gorman, Harris, Peterson, Warden
ABSENT:	Marc Hain

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

Jeff Cain, 54 Broad St. - Thank you to Council President Warden for your efforts on behalf of the community pool and the Filling Station. These foster community in Flemington, and there's a paucity of those types of events in Flemington. I care less about the crumbling building across the street and more about people. Thank you for your efforts.

I'd also like to ask that the council reconsider moving forward with eminent domain. It's unwise to trample on private property rights. There are ways to get what you need with negotiations. I don't think eminent domain is the right thing for this type of development.

Lou Reiner, Rt. 12, Raritan Twp. Committeeman - Too often for governing bodies, if you do something wrong no one forgets, and if you do something right no one remembers. To the whole Borough Council, thank you for making the relationships between the borough and Raritan Township work together so well. Our Fire and Police are working together, our DPWs. It would not be possible if not for civil relationships. Always think positive.

Lois Stewart, 26 Spring St. - Regarding Res. 2018-77 on the consent agenda - She has concern about a recent ruling regarding public money being used for a structure if the structure is used by a church. Mayor Greiner said the borough is being asked to support the group's request for funding, not to provide the funding. Attorney Barry Goodman said it's up to the State to decide about the funding question. Ms. Stewart also said the Friends of Historic Flemington group has 7 trustees, not 6.

Al Brewer, 1 Coppermine Village - asked the council if members are for or against eminent domain, saying every resident he knows is against it. If council is against it, what are we doing? He asked members of council to take a straw poll. Attorney Goodman advised against such a poll, saying that at some point council members may have to vote on eminent domain regarding a specific situation, and a straw poll would not be binding anyway. Mr. Brewer said Mr. Goodman's advice wasn't binding either.

Marilyn Wanzer, 128 Locktown-Flemington Road, Delaware Twp. - Asked about the historical building experience of the structural engineer being hired to look at the hotel. Mayor Greiner said they submitted resumes of two of their professionals, and the construction official was satisfied. Magnus Engineering's website has information on it.

Chris Englehardt, 180 Main St., asked the asking price for the borough-owned building at 90-100 Main St., then clarified that she wanted to know what the borough bought it for. CFO Bill Hance said he thought it was purchased for \$1.4 million to \$1.5 million around 2004. Ms. Englehardt asked what that's costing annually. Mr. Hance said it's part of the annual debt payments the borough makes, along with other projects, and it may be about \$75,000 a year in interest and principal.

Joanne Elacqua, Raritan Township, asked what the borough would be asking from Jack Cust for the property at 90-100 Main. Mayor Greiner said the borough would be settling on a price with Mr. Cust, and it would be public. She then asked to clarify if the Mayor said the borough will be pursuing eminent domain. Mayor Greiner replied that he said he was cautiously optimistic we won't have to pursue that.

Steve Tuccio, 61 Elwood Ave., asked about the cost of moving the police station, and where it would move to. Mayor Greiner said we're not sure where it would go, and won't know the cost until we do. In years past there's been pressure to sell the building that currently houses the police, even without the Courthouse Square proposal. Mr Tuccio asked if the concept of moving the police facility, and making it meet current requirements for that type of facility, had been weighed at all. Mayor Greiner said we know we'll have to move it and won't know the costs until we know where it will go. At that point we would also be out from under the debt payments on the current building.

Tony Previte, 45 N. Main St., said foot and bicycle traffic has picked up on North Main Street, and asked if a sign can be posted about blind driveways. Littering has picked up again as well, and he asked if a wire trash basket can be attached to a pole on his side of the street. He also asked if anything's come up about the mural on the wall of the old Agway feed mill. Council President Warden said nothing has come up about that since about a month ago. Mr. Previte asked if any events are planned in the north end of town. Ms. Warden said a couple people have called trying to get in touch with the property owner at the Global Ag site, about some kind of activity. Ms. Peterson said the FCP is having flea markets in town the 2nd Sunday of every month, and if Mr. Previte

wants to get involved, he can come to the FCP meeting Wednesday at 9 a.m. Betsy Driver said the DPW installed the wire waste basket that's on a pole near her home, and she'd like to see a few more in the North Main Street area. Michael Harris said he'd received praise for the Police force's support of people with mental health concerns.

Mr. Harris then referenced Mr. Brewer's call for a straw poll on eminent domain and said he'd like to move to take a straw poll of council members regarding their position on eminent domain concerning the purchase of hotel properties.

Mayor Greiner said it's a problem when someone proposes a motion from the dais, with no copies of the wording to look at. That's why he asks that things be submitted in advance. This issue was mentioned at the last meeting; if you're going to ask council members to vote, you should provide them with a written statement about what they're voting on. Mr. Harris said we've uttered eminent domain at a critical moment, and he wants to know if there are council members who support it.

Attorney Goodman mentioned the Redeveloper's Agreement and said he'd prefer to have to opportunity to discuss the legal ramifications of a move like this, and would welcome going into executive session to discuss that.

Mayor Greiner said at this point, the discussion is about whether or not to amend the agenda.

Council President Warden said it's another question of civility and respect, to bring this up as a straw poll. If a council member wants to know her opinion on eminent domain she'll say right now that she doesn't generally approve of eminent domain. Borough officials got a letter and evidence from Jack, then went to Steve Romanowski and found they're not far off. They came up with a compromise. That's the difference between governing and campaigning.

Mr. Gorman said he's seen straw polls taken in executive session, but he was unprepared to take such a poll in an open meeting. It's not right, not knowing all the facts of the situation.

Mayor Greiner said he's already said he doesn't want to use eminent domain, but it's a tool in the tool box if we need it. It concerns him that some on council want others on council to make decisions before we're at the point where that needs to be done.

Attorney Goodman said eminent domain is part of a bargaining strategy, and if we discuss it before negotiations, we could be giving away a lot of leverage.

Ms. Driver asked where taking a straw poll would get us. Mr. Harris said we've spoken about process. We wait for the process to unfold, but also bemoan the amount of time that's passed. If we're going to pursue this, it's reasonable to see if anyone on council will support it.

Mr. Harris moved and Ms. Driver seconded a motion to ask if council wanted to amend the agenda to ask if a straw poll should be taken about eminent domain. Driver, Harris, Peterson and Warden voted yes. Gorman voted no.

Mayor Greiner said now we have to figure out exactly what to vote on. Ms.

Warden suggested an executive session because it's so vague and members

need legal advice. Mr. Harris said it sounds like we're waffling. He wants the poll taken based on what we know right now. Mayor Greiner said we're not discussing using eminent domain now. The RDA states that if the developer requests eminent domain, council will consider it. We have to go through the steps in the statute, weigh all the information between the buyer and seller and then vote. To vote now is a waste of time.

Mr. Harris called for the vote to be taken. Mayor Greiner raised a point of order with Attorney Goodman, saying council hasn't seen what they're being asked to vote on.

Attorney Goodman said he disagreed with taking the vote due to the possible ramifications. The developer has asked the borough to consider his request. We went back and said they have to show they've in good faith exhausted other remedies, and he doesn't think that information has been reviewed. He raised questions about breach of contract and good faith negotiations.

Mayor Greiner said he's asked Mr. Harris and Ms. Driver not to have these surprise moves at meetings.

Mr. Harris made a motion and Ms. Peterson seconded it, asking if council wanted to take a straw poll about eminent domain. Ms. Driver, Mr. Harris and Ms. Peterson voted yes. Mr. Gorman voted no. Ms. Warden abstained. The motion passed 3-1 with 1 abstention.

The straw poll was then taken. The Clerk read the wording, that council members were being polled "regarding their position on eminent domain, regarding purchase of hotel properties." Ms. Driver, Mr. Harris and Ms. Peterson voted no. Mr. Gorman and Ms. Warden abstained.

V. Approval of Minutes

Motion To: **Approve Minutes: April 9, 2018 Regular Council Meeting**

Councilman Harris said Mayor Greiner had misspoken at the April 9 meeting when he said the borough's attorneys had reached out to attorneys for the Friends of Historic Flemington LLC and heard no response. He said the attorney for FHF sent a response on April 6. Attorney Goodman advised that the minutes reflect what happened at the meeting, not whether or not what was said was correct, and Mr. Harris's comment would be noted in the minutes from the current meeting.

RESULT:	APPROVED [4 TO 0]
MOVER:	Betsy Driver, Councilperson
SECONDER:	Michael Harris, Councilman
AYES:	Betsy Driver, John Gorman, Michael Harris, Susan Peterson
ABSTAIN:	Brooke Warden
ABSENT:	Marc Hain

Consent Agenda

MOVED: GORMAN SECOND: DRIVER VOTE: ALL PRESENT VOTED AYE

1. RESOLUTION 2018-70: AUTHORIZING BLANKET \$100 FOOD LICENSE FEES FOR EVENTS ORGANIZED BY THE FLEMINGTON COMMUNITY PARTNERSHIP
2. RESOLUTION 2018-71: STREET CLOSURE FOR MENTAL HEALTH AWARENESS & CANDLELIGHT VIGIL MAY 19, 2018
3. RESOLUTION 2018-73: APPROVING ROAD CLOSURES FOR FIREWORKS ON JULY 3, 2018 WITH A RAIN DATE OF JULY 5, 2018, AND WAIVING THE PERMIT FEE
4. RESOLUTION 2018-74: AUTHORIZING PARTIAL CLOSURE OF STANGL ROAD FOR CENTRAL JERSEY JAZZ FEST SEPT. 14, 2018
5. RESOLUTION 2018-76: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE 2016-012 HELD ON BLOCK 45 LOT 16, 18 PARKER AVE.
6. RESOLUTION 2018-77: AUTHORIZING LETTER IN SUPPORT OF FLEMINGTON UNITED METHODIST CHURCH'S REQUEST FOR A HISTORIC SITE MANAGEMENT GRANT IN ORDER TO MAKE EXTERIOR IMPROVEMENTS
7. RESOLUTION 2018-78: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE 2017-002 HELD ON BLOCK 17 LOT 9 QUALIFIER C4101, 61 MAIN STREET

Regular Agenda

1. RESOLUTION 2018-64: AUTHORIZING MAGNUS ENGINEERING TO PERFORM A LIMITED STRUCTURAL ENGINEERING EVALUATION OF THE UNION HOTEL FOR A COST OF \$8,800 AS SPECIFIED IN THE ATTACHED SCOPE-OF-WORK PROPOSAL DATED APRIL 17, 2018

Mr. Gorman moved and Mr. Harris seconded the resolution for discussion by council. Ms. Driver said now that the hotel has a new owner, who allegedly has a sales contract, the borough construction official should send out a letter about the need for the structural review. Mayor Greiner said that as of Friday, the title hadn't transferred to Mr. Romanowski yet, because payment hadn't yet been received for the hotel. He agrees such an overture should be made once

he has title. He said there's a potential public safety concern that we should not keep putting this off.

Attorney Goodman said council can authorize the study, but there should be written notice to the owner. Ms. Peterson addressed Mr. Goodman, saying she thought he'd previously said that the borough couldn't make a property owner pay for a study like this. Mr. Goodman said he'd previously stated that it was unclear and he hadn't given legal advice on that. Ms. Peterson said if the work's being done at taxpayers' expense, she's not in favor of it. Mayor Greiner noted that the hotel's structural condition is a public safety issue. Mr. Harris said he's confident the construction official has the authority to determine if fences are adequately placed to protect the public from falling bricks.

Mr. Gorman said there have been discussions for months about doing something to keep the hotel from getting worse, now we're talking about doing that.

Mayor Greiner said if the construction official says he needs a second opinion, we should take that seriously. Trusting the CO means you also trust him when he says he needs a second opinion.

Ms. Driver asked, who is the presumed owner? Mayor Greiner said the only owner we'd deal with at this point is Mr. Romanowski.

Mr. Gorman and Mr. Harris withdrew their motions to adopt the resolution. Mr. Harris then moved and Ms. Driver seconded a motion to table the resolution. All present voted in favor. Attorney Goodman said someone needs to make sure the construction official sends notice to whoever the current owner is about the work and potential cost.

RESULT:	TABLED [UNANIMOUS]
MOVER:	Michael Harris, Councilman
SECONDER:	Betsy Driver, Councilperson
AYES:	Driver, Gorman, Harris, Peterson, Warden
ABSENT:	Marc Hain

2. RESOLUTION 2018-75: AUTHORIZING THE MUNICIPAL BUDGET FOR THE YEAR 2018 TO BE READ BY TITLE

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brooke Warden, Council President
SECONDER:	Michael Harris, Councilman
AYES:	Driver, Gorman, Harris, Peterson, Warden
ABSENT:	Marc Hain

3. Motion To: **Open Public Hearing on Budget**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Brooke Warden, Council President
SECONDER:	Michael Harris, Councilman
AYES:	Driver, Gorman, Harris, Peterson, Warden
ABSENT:	Marc Hain

4. RESOLUTION 2018-57: SECOND READING OF THE 2018 BOROUGH OF FLEMINGTON MUNICIPAL BUDGET

Mayor Greiner gave budget highlights. Appropriations total 5,634,500, up 1.9% from last year's budget. The tax rate rises 0.8 cents; last year's rise was 1.8 cents, the year before that 3.4 cents. The increase is \$72 for a home at the average borough price of \$265,296. Net debt at the end of 2017 remains at \$6.1 million, less than half the allowable rate. The four largest items in the budget:

Police: \$1,301,000 in 2017; \$1,358,000 in 2018;

Insurance: \$620,000 in 2017; \$681,000 in 2018;

Pensions: \$545,000 in 2017; \$606,000 in 2018;

Debt: \$574,000 in 2017; \$410,000 in 2018.

This budget transfers \$75,000 to capital reserve. It includes a new DPW vehicle being purchased with no debt, no police vehicle purchases, a new street sweeper, water tank repairs previously approved, and possibly repairs to the library roof if the state provides grant funding.

Al Brewer, 1 Coppermine Village, asked about increases over last year. Mayor Greiner said the total budget is up \$107,000 over last year.

Robert Shore, 47 Broad St., addressed salaries, saying the police line shows \$90,000 in additional salaries. He said we need to be going the other direction for the police force; they're good, but we can't afford it. He questioned the \$26,000 increase in Fire Safety salary, saying when we started the position a half-dozen years ago it was supposed to be self-sustaining by fees. He also questioned the increase in group health insurance. CFO Bill Hance said we're a member of the State Health Benefits Program, and union contracts limit employee contributions to 10%.

Mayor Greiner said there was a lot of discussion among council members about the fire inspection fees. The level of work is there. Letters already went out this year for renewal fees. We need to work on this this year, and look at whether we need all the inspections we're doing. Later this year we'll probably see some increase in fees.

Lois Stewart, 26 Spring St., asked why the fire official's salary line is up 65%. Mayor Greiner said the fire marshal explained about the number of inspections his office had to make, and presented a convincing case that more man-hours were needed. She asked for specifics on a number of budget items, including

police expenses, municipal building renovations, sewer surplus. She said there's a total lack of consistency in salaries in the sewer budget. Mr. Hance said there are only 3 people in the sewer department. He said some employees' salaries get portions from different areas in the budget.

Jeff Cain, 54 Broad St., said over the past 10 years, debt service has run about 10% of the budget. This year it's down to 8%, and that's good. He's concerned about going to bond for the Shade Tree Commission; he said he'd like to see the borough minimize the use of going to bond.

Tony Previte, 45 N. Main St., mentioned salaries for professionals and said it's ridiculous that Flemington doesn't merge services with Raritan Township.

Robert Shore, 47 Broad St., said the impact of the municipal budget pales in comparison with the school budget, and we need to look at options to change our school agreement or get out of it.

Caitlin Giles-McCormick, 43 Spring St., asked about the percentage of Flemington students in the schools. Mayor Greiner said in the high school, Flemington accounts for about 3.5% of the high school; the percentage in the middle school is much larger. Most of our taxes go to the middle school.

Al Brewer, 1 Coppermine Village, asked if any line items decreased in the budget. Mayor Greiner said debt service was down \$160,000. Mr. Brewer asked if there are other places to gain efficiencies. Ms. Warden said we could increase our commercial rates; that would give relief to taxpayers. Mayor Greiner said there's not much to be gained by shaving \$500 here or there. Mr. Brewer suggested the county should pay its fair share in the borough, because it has so many buildings here. He urged people to look outside the box, for example by considering moving the police to the vacant county jail.

Chris Englehardt, 180 Main St., asked about the surplus. Mayor Greiner said we're trying to maintain a \$500,000 surplus for a \$5 million budget.

Ms. Stewart asked about the impact of the Wet Weather Facility on sewer bills. Mayor Greiner said we've been doing regular replacement of water and sewer lines, and the goal is to work out an arrangement with the state DEP that we can continue at the same rate.

Motion to close public hearing: Gorman; second: Driver. Vote: all present in favor of closing the public hearing.

Council discussion: Mr. Harris said he's hearing lots of concerns about the budget being too high, questions about which departments are seeing increases and which are seeing decreases. He's concerned we haven't made the tough decisions.

Ms. Peterson said she had a problem with the process. A final meeting when council was supposed to talk about the proposed budget was canceled, and held with just the Mayor and the CFO. The mayor clarified that the sixth meeting was simply postponed one week to allow for more work on the budget. Ms. Peterson said the budget needs to be a collective process. She wants to take it back to the drawing board. She's troubled by the salaries - some are way up,

some are level. It's a small borough and it feels like we're hemorrhaging money out of Borough Hall.

Ms. Warden said that if Ms. Peterson had said this back in February when council was having budget meetings, it might have helped.

Mayor Greiner said there were 6 budget meetings with the full council. The meeting she referred to, between the Mayor and CFO, was held between meetings 5 and 6, so they could have a workable product after the five meetings. At meeting 6, he presented what he was recommending to change, and no one discussed any concerns.

Ms. Peterson said they never discussed services. You can let people go from the top and promote from within and save money. Personnel was never discussed. Mayor Greiner said it was an open meeting; she could have brought it up if she wanted to. It's a little late now. Ms. Peterson asked why the trimming meeting was canceled. Mr. Harris said it wasn't canceled, it was postponed a week and held the next week.

Ms. Driver said when council allowed huge police increases through without even being on the agenda, and the teamsters union contract, she would have liked to see some wheels turning about how to make up for that. Then the next week they raised the salary of the construction official. Now the fire marshal. After last year's contracts, we should have been willing to say, here's where I'll cut. And for public safety contracts we could have gone to arbitration and been capped at a 2% increase. She said she heard no department heads saying, "This is what I can cut." We should start with a zero-based budget.

RESULT:	DEFEATED [2 TO 3]
MOVER:	John Gorman, Councilman
SECONDER:	Brooke Warden, Council President
AYES:	John Gorman, Brooke Warden
NAYS:	Betsy Driver, Michael Harris, Susan Peterson
ABSENT:	Marc Hain

5. Motion To: **Open Public Hearing on Ord. 2018-5**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Harris, Councilman
SECONDER:	Betsy Driver, Councilperson
AYES:	Driver, Gorman, Harris, Peterson, Warden
ABSENT:	Marc Hain

6. ORDINANCE 2018-5: 2ND READING - AMENDING REVISED GENERAL ORDINANCES, CHAPTER VI ANIMALS

Lois Stewart, 26 Spring St., asked if we're eliminating the animal census, how do we know who has animals, and if they have rabies? Who's assessing if animals have appropriate inoculations? The clerk noted that residents with pets are still

required to license their dogs and cats, and that licensing requires a current rabies vaccination.

Robert Shore, 47 Broad St., asked about having the borough seek proposals for rates for boarding animals. Mr. Harris said he's hearing a call to investigate that. Mr. Gorman suggested this ordinance could be voted on as is, and we could modify it later if needed. Mayor Greiner noted the impetus for this ordinance is to revise the fee charged to owners if their animals are boarded.

Ms. Warden moved to close the public hearing; seconded by Mr. Gorman. All present voted to close the hearing.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Harris, Councilman
SECONDER:	Brooke Warden, Council President
AYES:	Driver, Gorman, Harris, Peterson, Warden
ABSENT:	Marc Hain

7. ORDINANCE 2018-6: 1ST READING - 2018 SALARY ORDINANCE

RESULT:	TABLED [UNANIMOUS]
MOVER:	Brooke Warden, Council President
SECONDER:	Michael Harris, Councilman
AYES:	Driver, Gorman, Harris, Peterson, Warden
ABSENT:	Marc Hain

8. ORDINANCE 2018-7: FIRST READING: AMENDING THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF FLEMINGTON, CHAPTER IV, LICENSING," ELIMINATING "SECTION 4-7 AUTOMATIC AMUSEMENT DEVICES"

RESULT:	INTRODUCED [UNANIMOUS]	Next: 5/14/2018 7:00 PM
MOVER:	John Gorman, Councilman	
SECONDER:	Michael Harris, Councilman	
AYES:	Driver, Gorman, Harris, Peterson, Warden	
ABSENT:	Marc Hain	

9. ORDINANCE 2018-8: FIRST READING: SUPPLEMENTING AND AMENDING CHAPTER XXVI ENTITLED "ZONING" OF THE LAND DEVELOPMENT CODE, AS HERETOFORE SUPPLEMENTED AND AMENDED

This will likely be heard by the Planning Board on May 7, with a public hearing planned for the May 14 council meeting.

RESULT:	INTRODUCED [UNANIMOUS]	Next: 5/14/2018 7:00 PM
MOVER:	Betsy Driver, Councilperson	
SECONDER:	Michael Harris, Councilman	
AYES:	Driver, Gorman, Harris, Peterson, Warden	
ABSENT:	Marc Hain	

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

Lois Stewart, 26 Spring St., asked for more information on Ordinance 2018-8.

Mayor Greiner said owners of Lone Eagle Brewing own property to the north of their facility, and want to put in an arcade.

Robert Shore, 47 Broad St., said he thought the entertainment center designation was going to be in the TC zone, not the VAS. He wants the ordinance amended to include the TC zone. Mayor Greiner said officials haven't talked about doing it in the TC zone; there's been no proposal for it there. At the Planning Board we could get comments on that and possibly do it in the future.

Jeff Cain, 54 Broad St., said Lone Eagle Brewing is one of the things that's working. Let's make this as smooth as possible.

Al Brewer, 1 Coppermine Village, asked what's next now that the budget was defeated. Mayor Greiner said he and the CFO will have to discuss it.

Mr. Shore said now's a good time to start looking into changes for the school funding formula.

Elaine Gorman, 34 New York Ave., said the contentiousness of tonight's meeting distressed her. She called for mutual respect, with the borough's elected officials working for the people of the borough. We need to be Flemingtonians first.

Lou Reiner, Route 12, Raritan Twp. Councilman, suggested the borough bill the school district for providing a resource officer.

Joey Novick, 11 E. Main St., said it's not horrible the budget didn't pass. All this is, is going back 1 or 2 meetings. He said he didn't agree with chastising people on council for not bringing something up at a meeting in the past.

Robert Shore, 47 Broad St., said democracy isn't squeaky clean. He said it was clear people were frustrated. He mentioned concern that the municipal attorney didn't help Mr. Harris with the wording of his motion, knowing his intent.

VII. Attorney's Report

None.

VIII. Payment of the Bills

Motion To: **Pay The Bills**

Ms. Peterson asked that the \$1,400 check for Torres Landscaping be withheld; the amount should be \$1,000 instead.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Harris, Councilman
SECONDER:	John Gorman, Councilman
AYES:	Driver, Gorman, Harris, Peterson, Warden
ABSENT:	Marc Hain

Executive Session

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

None needed.

IX. Adjournment

Business being concluded, the Mayor declared the meeting adjourned.
Meeting ended at 10:59 p.m.

Attest: Sallie Graziano, RMC, Borough Clerk