



# Mayor and Common Council Borough of Flemington

October 22, 2018

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Historic Flemington Courthouse

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## Work Session (7:10 PM)

Overview of proposed construction plans by Jersey Central Power & Light, and a proposed rate increase.

John Anderson, from JCP&L, described the proposed Reliability Plus four-year plan that stems from legislation passed in January to make accelerated infrastructure investments in the power grid. Hearings will be held on Nov. 13 in Freehold (1:30 p.m.) and Morristown (5:30 p.m.) The company is seeking BPU approval of the plan by the end of this year.

The four-year plan calls for spending an additional \$400 million over the company's normal expenditures in that time, for reliability-driven items. On vegetation management alone the company's been spending \$25 million a year; this would double that. The program was borne out of the March Nor'easters; Mr. Anderson said clearly, the biggest issue for JCP&L was trees. The plan would accelerate removal of branches that overhang a 3-phase main line. A rate increase is needed to cover the accelerated work, and provide accelerated recovery from this investment, he said. The rate increase would start at 25 cents a month for the first 6 months; it would top out at \$1.87 monthly for the average customer.

All the work planned is high-impact, he said, addressing vegetation, technology, and substations. Now if there's a fault on a line that blows a fuse, a crew has to find it and replace the fuse. It takes about 2 hours. New technology would allow them to replace fuses with breakers that would allow fuses to close and reopen. Installing smart re-closers would allow them to see live from Morristown if a fuse is open or closed, and operate it remotely. They could very quickly identify where the problem might be and expedite restoration.

Regarding trees, he said JCP&L will work closely with towns. The overhang that's already been removed in Flemington has already paid off, he said. He said with the ash borer now in Hunterdon, crews will no longer be climbing trees that show damage by ash borers. Either they'll take the trees down as a precaution before the damage is evident, or they'll wait until the trees fall on their own. They've had two fatalities because somehow the ash borers make the wood brittle and it collapses.

Mayor Greiner asked about how the program will affect rates in the longer term. Mr. Anderson said there's a rate-making piece to this. They're going to line up all their expenditures at the end of four years to go into a base-rate-making case. Mr. Gorman said over the years here, JCP&L has done a terrific job bringing power to the town. If there are shortages, they generally aren't for very long. Mr.

Anderson said Flemington is electrically a hub. Several major transmission lines come in here. You want redundant circuits, he said.

Ms. Driver asked if JCP&L would put conduit in to eventually put some lines underground. Mr. Anderson said no. When new developments go in, the higher cost of putting lines in the ground is borne by the developer. But when you're replacing existing above-ground lines it's incredibly expensive, and someone has to pay for it.

Robert Shore, 47 Broad St., asked if they will consider any incentives for people to generate energy. Mr. Anderson said that question is best answered by the BPU.

Tony Previte, 45 N. Main St., asked if, when JCP&L crews see limbs coming down on lines leading to a house, they can let the homeowners know there's a problem. Mr. Anderson said that pre-planners address that. They go out ahead of the crews. Crews will prune when there's a mechanical strain on the line. Mayor Greiner noted there's a resolution on the consent agenda regarding JCP&L's proposal.

### Regular Meeting (7:42 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	Present	
Michael Harris	Councilman	Present	
Susan Peterson	Councilwoman	Present	
Brooke Warden	Council President	Present	
Phil Greiner	Mayor	Present	

#### I. Introduction of Flemington Borough Special Improvement District 2019 Budget

Ann Meredith, executive director of the Flemington Community Partnership, gave an overview of the group's activities and outlined its proposed budget for 2019.

Beautification: Let's Sit Flemington installed 40 artist-decorated Adirondack chairs in town in 2018. In 2019 there are plans to add another 16. The FCP has also provided storefront improvement grants and holiday decorations.

Business Marketing and Promotion: Through social media and paid media, the FCP has been providing content, including quarterly guides published by the Bucks County Herald. Business promotions included Love Flemington, and two Restaurant Weeks.

Budget Overview- Total revenue: \$546,000; Total expenses: \$529,000. Net income: \$16,000.

They anticipate getting \$362,000 from the Borough; having an estimated \$130,000 roll-over from this year; getting \$41,500, from sponsorships of 8 FCP-produced programs; and getting \$12,500 from retail sales and vendor fees. Expenses include \$23,500 in grants for community events; \$12,700 for business networking and resources; \$10,000 for a major new spring event; \$10,000 for the summer Corn and Tomato fest; \$11,851 for the Filling Station; \$15,000 for the fall jazz fest; \$6,000 for December holiday events; and \$7,500 for a spring real estate summit. They're continuing to carry over \$10,000 for a Main Street Movie Theatre, but they're still working on securing a building in the borough to host it. Marketing and advertising will account for \$134,500 in spending. Administration will account for \$188,415. That includes a 5% increase for Ms. Meredith, increasing the operations manager's hours from 30 to 40 a week, and expanding a clerical position. Administration costs would be 34% of the budget. The budget was unanimously approved by the FCP's board, with Council President Brooke Warden abstaining from that vote.

1. RESOLUTION 2018-156: FLEMINGTON BOROUGH SPECIAL IMPROVEMENT DISTRICT 2019 BUDGET

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 12/10/2018 7:00 PM</b>
<b>MOVER:</b>	Brooke Warden, Council President	
<b>SECONDER:</b>	Marc Hain, Council Vice President	
<b>AYES:</b>	Driver, Gorman, Hain, Harris, Peterson, Warden	

II. Review of Countryside Plaza's proposed improvements that are within the Borough's right-of-way on Stangl Road - Donald Scholl, Esq.

Mayor Greiner said Countryside Plaza got Planning Board approval to develop 2 lots north of Lone Eagle Brewing, to include a food court, retrocade and storage. A Planning Board condition was that they come to the Council and review a few things that have to be done in the right-of-way.

Ron Mortara, Rene Mortara and their attorney, Don Scholl, showed a drawing of their plans. An underground pipe will run from Lone Eagle to the new site, for cold storage. The first floor of the new building will host a food court, and the second floor will host a retrocade. Reasoner Lane, which separates the two sites, is now a one-way gravel road. It will change to two-ways, so traffic can enter and exit the new site from Reasoner. There will also be parking behind the new site, with a one-way exit on the north side of the site. Three parking spaces would be lost, to allow for ingress and egress. There's more than sufficient parking, they said. Ms. Peterson asked for clarification of the entrance on Reasoner Lane; Mr. Scholl said it will be two-ways to the south of the new building, and one-way to the north of the building. Ms. Driver asked about open containers being carried between buildings, and said she had concerns about

pedestrians and traffic. Ron Mortara said the Corn and Tomato fest was a great event, and having people able to walk with their beers was great. He hopes it's something Council will consider.

Following Council's review of the project, Council members had no objections to the plan.

### III. Mayor's Report

Oct. 11 - attended an open house at Dvoor Farm

Oct. 15 - attended an FCP Stakeholders' meeting at Chimney Rock Inn.

Oct. 17 - Attended an open house here about the Courthouse Square project, which lasted about 2 hours.

Oct. 18 - Attended the Safe in Hunterdon candlelight domestic violence vigil, then went to an open house at the Samuel Fleming House for council members and borough employees, then went to the County Planning Board's public hearing on a revised open space plan.

Nov. 11 is the 100th anniversary of Armistice Day, which ended World War I. So, at 11 a.m. on 11/11, bells around the county will be rung. In Flemington, the bell in the courthouse will ring.

The Mayor noted that the next council meeting will be Nov. 19.

### IV. Council Members' Reports

Councilperson Driver

Attended the Samuel Fleming House open house on Oct. 18, after earlier attending the Safe in Hunterdon candlelight vigil. Safe in Hunterdon is such a great resource; we're lucky to have it in our county.

She attended the FCP stakeholders' meeting at Chimney Rock Inn, and said it's always interesting to see their plans.

She attended a Girls on the Run reception at the Stangl Factory.

Resolution 2018-162 addresses a cost overrun anticipated for the library roofing project. Due to recent bad weather, the library project probably will not start until after Election Day.

The Rescue Squad sent members to the Gulf Coast to help there. On Saturday, at 4 p.m., they'll be participating in a Holiday Spooktacular at the Shoppes at Flemington.

Councilman Gorman

Mr. Gorman attended a recent DPW meeting, and issues involving water and sewers were discussed.

Lawn cleanup - Crews are continuing to try to pick up cuttings left in paper bags by residents. Soon, leaf collection will start, once the leaves are really falling.

He also attended a fundraiser for cancer research at 55 Main.

Council Vice President Hain

Planning Board - Met on 10/11 and 10/16, on completeness for the Courthouse Square project. The next meeting is 10/23, at the historic courthouse.

Parks and Recreation - The next meeting is Nov. 6.

Environmental Commission - The next meeting is Nov. 19.

Police - Statistics for August include: 4,284 miles driven; 464 motor vehicle summonses issued; 16 license plate reader tickets issued; 547 warnings given; 9 criminal arrests; 39 disorderly conduct offenses; 2,155 telephone and computer contacts; 63 investigations.

Property Maintenance - Our new hire, Bill Sidote, starts Oct. 29. Mr. Hain spoke to the construction official about the status of repairs on the Agway property, and as of this day he's gotten no reply from them. This is in connection with cats getting into unsecured buildings. Follow-up is needed.

Fire Marshal - Ord. 2018-19 updates the fire code ordinance to match the state's requirements. A state inspection was done recently, and the update corrects all issues and makes us compliant.

#### Councilman Harris

Through his liaison roles, he's trying to identify costs connected to the proposed development project, short-term. For schools, he doesn't anticipate any changes. The DPW met on Oct. 10, and there's not enough information available at this time to make a determination.

10/11 - Following strong storms he went to 81 Mine St., where there's an ongoing drainage issue.

Environmental Commission - Meeting was canceled.

He attended an event at the historic courthouse regarding the Courthouse Square project.

Animal Control - On Oct. 13, Tabby's Place held a free microchipping event. They're also interested in supporting the Borough to help us decrease our problem with feral cats. There were 10 animal control calls in September - 3 bites, 1 enforcement issue, 2 seizures, 2 strays. Four animals were impounded, so we can expect bills to follow. Since the NJ SPCA is no longer providing that service, the Borough is picking up the slack until the county decides what it will do.

#### Councilwoman Peterson

Fleming House - the Friends of Fleming Castle held a wine and cheese reception for council members and employees. They're going to be installing a new fence between their property and the VFW, and the DPW will be helping with that. On Oct. 23 Safe in Hunterdon will be having a progressive dinner at Samuel Fleming House. They hosted a pumpkin event that had 150 pumpkins. She noted that some residents are allowing dogs to run on the back property there, and they're trying to determine the best way to deal with that.

Beautification - Snowflake lights will be going up on Nov. 27- She's glad because she wanted them up for the Thursday Night Holiday Lights events planned in December.

HPC - She's gotten some calls wondering why the HPC isn't more involved with the Courthouse Square project, and said that the Redeveloper's Agreement significantly altered the commission's influence. The commission is updating its historic district map. It's having a tentative work session on Dec. 5, and is seeking input from public parties and its own commissioners. She noted that many updates are needed.

Council President Warden

She thanked Ann Meredith of the FCP for her hard work as shown in her budget presentation.

She said the FCP stakeholders' meeting was well-attended.

The Halloween Parade will be held next week, at 5 p.m. on Main Street, on Oct. 31. She would welcome volunteers' help at the parade.

Nov. 4-9 is the fall Restaurant Week in the borough.

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

Tony Previte, 45 N. Main St., suggested that for the Main Street streetscape improvements, if most lines were put underground, it would be a big plus.

Robert Shore, 47 Broad St., asked about the \$500,000 for additional work for the streetscape project, and if grant money is available. Mayor Greiner said the Borough is required to pass an ordinance to raise the funds. They think the extra funds will be available through the state, but the state won't allocate additional funds until after the Borough passes a funding ordinance.

Ms. Driver asked that Resolution 158 be pulled out of the Consent Agenda. Mr. Harris made a motion to do that, seconded by Mr. Hain. All members voted yes.

**VI. Approval of Minutes**

Motion To: **Approve Minutes: Sept. 19, 2018 Special Council Meeting**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Marc Hain, Council Vice President
<b>SECONDER:</b>	John Gorman, Councilman
<b>AYES:</b>	Driver, Gorman, Hain, Harris, Peterson, Warden

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

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Marc Hain, Council Vice President
<b>SECONDER:</b>	John Gorman, Councilman
<b>AYES:</b>	Driver, Gorman, Hain, Harris, Peterson, Warden

### Consent Agenda

1. RESOLUTION 2018-157: AUTHORIZING THE APPOINTMENT OF SALLIE GRAZIANO, BOROUGH CLERK, AS THE FUND COMMISSIONER FOR STATEWIDE INSURANCE
2. RESOLUTION 2018-159: AUTHORIZING THE PARTIAL CLOSURE OF MAIN STREET FOR THE HALLOWEEN PARADE
3. RESOLUTION 2018-160: AUTHORIZING A NEW EMERGENCY OPERATIONS PLAN
4. RESOLUTION 2018-163: DECLARING COUNCIL SUPPORT FOR JCP&L'S PROPOSED CONSTRUCTION PLANS AND RATE INCREASE
5. RESOLUTION 2018-164: AUTHORIZING AN ON-PREMISES MERCHANDISE DRAW RAFFLE LICENSE FOR NOVEMBER 30, 2018 BENEFITING FRIENDS OF FLEMING CASTLE

### Regular Agenda

1. RESOLUTION 2018-158: APPOINTING JOHN MOORE AS RISK MANAGEMENT CONSULTANT FOR THE BOROUGH OF FLEMINGTON FOR 2019

Ms. Driver asked if the Borough pays Mr. Moore. CFO Bill Hance said the cost is included in our cost for insurance.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Harris, Councilman
<b>SECONDER:</b>	Betsy Driver, Councilperson
<b>AYES:</b>	Driver, Gorman, Hain, Harris, Peterson, Warden

2. RESOLUTION 2018-161: AUTHORIZING RE-ISSUANCE OF A REQUEST FOR BIDS AND SPECIFICATIONS FOR A PROPOSED TELECOMMUNICATIONS LEASE WITH THE BOROUGH OF FLEMINGTON

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Marc Hain, Council Vice President
<b>SECONDER:</b>	John Gorman, Councilman
<b>AYES:</b>	Driver, Gorman, Hain, Harris, Peterson, Warden

3. RESOLUTION 2018-162: AUTHORIZING THE EXPENDITURE OF \$7,276.00 FOR ADDITIONAL WORK AT THE LIBRARY

Ms. Driver noted that \$7,276 extra is needed for the project, and the CFO found that money in the budget.



The Borough Clerk explained that this ordinance sets the renewal fee for taxi licenses at \$500. The Borough adopted a new procedure this year for issuing taxi licenses, and limits the number to 10. Proposals from taxi companies were taken, and licenses were issued to the top 10 qualifying proposals. The \$500 renewal fee is based on the minimum bid set for those initial proposals. A public hearing on this ordinance will be held on Nov. 19.

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 11/19/2018 7:30 PM</b>
<b>MOVER:</b>	Marc Hain, Council Vice President	
<b>SECONDER:</b>	Michael Harris, Councilman	
<b>AYES:</b>	Driver, Gorman, Hain, Harris, Peterson, Warden	

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

Tony Previte, 45 N. Main St., said the bond ordinance adding \$500,000 for the streetscape project sounds like a done deal, and there's no reason to delay a vote on this.

Robert Shore, 47 Broad St., said he's been attending the Planning Board hearings on the Courthouse Square project, and said he had serious concerns: there appear to be limited provisions for deliveries, with access on Main Street; moving trucks will be there weekly, with turnover at the 220 apartments, and parking will be unavailable to residents; garbage removal - there are multiple restaurants and offices, all producing a tremendous amount of garbage, and if they're just putting it out on the street, there will be vermin all over the place; and traffic - he anticipates 1,000 cars a day, with most going out Broad Street, through a residential area of town.

Mayor Greiner noted that the project doesn't come back to the Council from the Planning Board. The Planning Board either approves it or it doesn't. He added that his recollection about garbage was that it would be stored inside. Elaine Gorman, 34 New York Ave., chair of the HPC, thanked Ms. Peterson for her comments regarding the HPC and review of the Courthouse Square project. She said the commission's role is to protect the integrity of the historic district, and the area where this project is sited is in the heart of the district. It's been designated as an area in need of redevelopment, and all the rules change. That's not to say the HPC has not been involved, but it is important for residents and businesses to know that the HPC is constrained by the fact that this is an area in need of redevelopment.

Robert Shore, 47 Broad St., said a fifth concern he has about the Courthouse Square project is that if we do this right, it will be an amazing asset for Flemington, but if we're wrong it could hurt us for centuries. He also spoke about taxis, asking how services like Uber play into the licensing procedure. The Clerk said that Uber is regulated by the State, not locally. Mr. Shore also asked about replacement of lanterns that are out in a parking lot near his property. Mr. Gorman said once they see which lights he's talking about, they can work

through the DPW to address this. Mr. Hain said for JCP&L-owned lights, the Police Chief submits a ticket. We'll have to determine if the lights are owned by JCP&L or the Borough.

VIII. Attorney's Report

Attorney Steve Firkser said he had nothing to report.

IX. Payment of the Bills

Motion To: **Pay The Bills**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Marc Hain, Council Vice President
<b>SECONDER:</b>	Michael Harris, Councilman
<b>AYES:</b>	Driver, Gorman, Hain, Harris, Peterson, Warden

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

None needed.

XI. Adjournment

All business having been concluded, Mayor Greiner declared the meeting adjourned at 9:05 p.m.

Attest: \_\_\_\_\_  
Sallie Graziano, RMC, Borough Clerk