



Mayor and Common Council Borough of Flemington

December 10, 2018

Historic Flemington Courthouse

Work Session (7:00 PM)

Preliminary discussion about the proposed sale of the Borough's 90-100 Main St. building and parking lots. All present except Council President Warden, who arrived after the work session concluded.

Mayor Greiner noted the topic will be revisited later tonight, when the public hearing is held on Ordinance 2018-22.

Ms. Driver said she asked Police Chief Jerry Rotella and Borough Engineer Robert Martucci to come, to describe the process for relocating a police department in New Jersey, comparing retrofitting existing buildings to new construction.

Mr. Martucci said the Police Department has multiple space needs. Chief Rotella said separate areas are needed for evidence, processing, patrol room, locker rooms, rest rooms, prisoner rest rooms, and a sally port is now required. The state does yearly inspections, and though the current Police HQ doesn't have a sally port, it gets a pass for now because it was grandfathered in. Mr. Martucci said there also has to be space to park police cruisers.

Mr. Martucci said he, an architect and Chief Rotella went over specific needs without going overboard; Chief Rotella said plans should include room for expansion.

They've spoken with an architect who's done this kind of work; discussions led them to look at property at 151 Main St.- there's a 1.1-acre tract owned by George Eckelmann, and a wooded area could theoretically be subdivided. Mr. Martucci asked the architect to come up with a price for holding a couple of meetings and narrowing down the scope of work so they could show something to the public. The architect's estimate comes to no more than \$6,000; Mr. Martucci would need another \$4,210 to consult a wetlands expert and do the civil engineering.

Chief Rotella said he's not sure trailers for police would be an option. Police are governed by the Department of Corrections now, and have to meet requirements regarding such things as evidence preservation and records retention.

Ms. Driver asked Mr. Martucci the price for other Police Department relocations. He said it can run from \$3.5 million up, depending on the size and components of the complex.

The work session ended at 7:10 p.m., on a motion by Mr. Harris, seconded by Mr. Gorman. All voted in favor of closing the work session.

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	Present	
Michael Harris	Councilman	Present	
Susan Peterson	Councilwoman	Present	
Brooke Warden	Council President	Present	
Phil Greiner	Mayor	Present	

I. Mayor's Report

Before starting his report, Mayor Greiner called for a motion to add an item to the regular agenda, appointing resident Nancy Benson to a vacant post on the Shade Tree Commission. Ms. Driver asked if it was a new vacancy; Mayor Greiner said the position has been vacant for a while.

Mr. Gorman moved to add the resolution to the agenda, seconded by Mr. Hain. Ms. Driver voted no; all other council members voted in favor.

Mayor Greiner continued with his report.

12/6 - Attended Thursday Night Lights; The decorations look great on all the stores, and turnout for the first event looked good.

12/9 - Attended the Whitehouse Wind Symphony concert at the historic courthouse preceding the Hunterdon Holiday Parade, which he walked in.
 Planning Board - There have been 2 resignations since the last meeting. Jeff Perron has resigned his seat, and the Mayor is appointing Marc Hain to replace him as a Class IV member, with a term expiring in 2021. Mr. Hain has been a Class II member on the Planning Board; he has resigned that position and will serve as a Class IV member starting tonight. Mayor Greiner noted that the Planning Board has 9 regular members and 2 alternates, and the incoming administration will be appointing 6 of those 11 members.

12/6 - the Borough was notified by the DEP in Trenton that 8 environmental sites around the state are being targeted for special cleanup in an initiative dubbed Environmental Justice. Tirpok Cleaners in Flemington is one of the sites. He expects the state will file suit against each of the properties to have them cleaned up. From Flemington's perspective, we've been aware of the site, there was some infiltration nearby sewer lines to one of the borough's wells. A bigger problem is chemicals leaching over from the state Highway Department garage on Route 31.

He thanked Council President Warden and Vice President Hain for their time on council. Both served two three-year terms.

II. Council Members' Reports

Councilperson Driver

She thanked Mayor Greiner and Council members Hain and Warden for their service.

She recently received a call from a resident on Maple Avenue about a dead deer in the road; the DPW was able to pick it up early Sunday morning, before the holiday parade started forming.

Well 10 will be turned on shortly before the New Year.

11/27 - Attended a shared services seminar hosted by Gov. Murphy. She'll be looking to find opportunities for sharing services going forward.

The annual tree lighting was beautiful as always, and she's enjoyed watching the nightly Menorah lighting during Hanukkah, which ended yesterday.

She received an update on marijuana legalization progress.

She's been meeting with the various department heads throughout the Borough. New bids for the Main Street streetscape project will be sought in early 2019.

The Library was closed Thursday through Saturday while the old roof was taken off. Contractors expect the project to be done by the end of the month.

Part of the original project involved fireproofing the paneling on the walls, and that's now been canceled, saving about \$16,000. Instead she has good news to share. Jane Kitchin, a longtime resident and library patron, left \$276,000 to the library, and her niece, Lois Stewart, is working to see that the library is updated.

There are plans to modernize the interior and replace the paneling. She thanked Ms. Stewart and called for a moment of silence in Ms. Kitchin's honor.

Councilman Gorman

He thanked Mayor Greiner for his service, saying they ran together for council years ago, before Mayor Greiner pursued the mayor's seat. He thanked Ms. Warden and Mr. Hain too, saying he knows the sacrificing they've done and what's involved in serving on council.

Leaves - The leaves are still falling, and the DPW is still picking leaves up.

DPW - There's a meeting Wednesday at 8:30 a.m. at Borough Hall.

He wished everyone happy holidays.

Council Vice President Hain

Parks & Rec - No meeting in December. The next meeting will be Jan. 8 in Borough Hall.

Planning Bd. - Meets Dec. 11 in Borough Hall. The agenda includes several use variances, and two HPC applications.

Police - October statistics: 3,518 miles driven; 12 motor vehicle summonses; 11 parking summonses; 3 summonses from the license plate reader; 201 warnings issued; 9 criminal arrests; 2,068 radio and phone (CAD) exchanges; 54 investigations; 48 motor vehicle accidents.

Code Official - The code official met with Mr. Cust about removing a portion of the facade off 80 Main St., after it had been damaged by wind. The work has been done to the code official's satisfaction. Regarding 180 Main St., unit 3, complaints about brush and rodents have been lodged. Mr. Hain spoke with the

construction official, who looked at the property lines. The new property maintenance official is scheduled to meet with the property owner Dec. 11 to discuss options for removing the brush. There's also an 8- to 12-inch pile of compost and dirt along a fence line. Mr. Hain's seen mixed reactions to this situation. It seems to be a neighbor dispute, and if the borough steps in and removes the compost piles, this could lead to a big undertaking. It's been accumulating for 8 to 10 years. He wanted to check how council feels about having the compost removed, or just removing the brush for rodent control. Mr. Harris said the resident has reached out to the borough in the past; this is the first time anything's been done in years. He said if we're going to take property maintenance seriously, there's going to be push-back, but we shouldn't let that stand in the way. Mr. Hain noted that action on the compost pile could lead to other complaints about refuse in backs of yards. Mr. Harris said the Borough provides a service, removing brush.

Mr. Hain thanked members of the council and said it's been a pleasure working with everyone, even if they didn't always agree.

Councilman Harris

Mr. Harris thanked Ms. Warden, Mr. Hain and Mayor Greiner for their service. DPW - Met 11/12. A permit for Well 10 was received.

Redevelopment Committee - Hasn't met.

Animal Control - We've received responses to our request for proposals for services in 2019. He's looking for solutions to utilize area shelters and lower costs. There was a water break on Main Street on Black Friday. A new Black Friday is now planned for Friday, Dec. 14.

12/8 - Participated in the Harmonizers Christmas Spectacular. He enjoys putting on the annual show.

12/9 - Participated in the Hunterdon Holiday Parade. He thanked everyone who helped make the parade happen.

Councilwoman Peterson

Ms. Peterson wished Mayor Greiner, Ms. Warden and Mr. Hain well.

Samuel Fleming House - The group's tricky tray on Nov. 30 was very successful, and will help fund events at the museum and pay for some maintenance on the house.

Historic Preservation Commission - They've started revising the historic district map. She thanked Linda Swingle and Chris Pickell for their help.

Flemington Community Partnership - Thursday Night Lights has had a very successful season so far.

Beautification - We're down to 110 flower pots, from 220. Some have been moved to East Main Street.

Snowflakes - The Snowflake lights are all lit. It takes 3 professionals to get this taken care of, but they look beautiful. We're not getting rid of them.

Council President Warden

Flemington Community Partnership - Thursday Night Lights is up and running. Forty-five people marched with the FCP in the holiday parade. Since streets were closed on Black Friday due to a water main leak, we're having a Black Friday re-do. It's set for Dec. 14. One of the things that's been most satisfying on Council has been seeing the FCP grow. She's happy to see their success. She congratulated Chris Runion and Caitlin Giles-McCormick on their election to council, and thanked everyone on council.

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

Tony Previte, 45 N. Main St. - Hopes to see Mayor Greiner, Ms. Warden and Mr. Hain in the audience at future meetings, keeping things moving forward.
 Lois Stewart, 26 Spring St. - Appreciates the recognition of her aunt Jane Kitchin. She lived frugally and privately, and the Borough will benefit. She loved the library, and when she got where she couldn't go there anymore, the library came to her.
 Mike Skojec, CEA, thanked the borough for its warm welcome for the annual Turkey Trot. They had another safe and well-run event.
 Lou Reiner, Route 12, Raritan Twp. - Thanked the outgoing council members and mayor for their selfless dedication to the Borough.
 Carl Lachemacker, Park Ave. - Thanked Mayor Greiner and Council members Hain and Warden for moving the Courthouse Square project forward.
 Deborah Mantero, Flemington, said she had an idea about various types of trackers and models.
 Sandi Scott, Garden State Salad owner, thanked the mayor for his efforts and his responsiveness, and wished him good luck in the future.
 Jack Cust, redeveloper, thanked the Mayor and Council members Hain and Warden for their efforts over the years, and said he looks forward to working with the future council, trying to make Flemington as great as it can be. He said he continues to think we can end up with a project everyone can be proud of.
 Bob King, FCP board chairman, thanked Ms. Warden, Mr. Hain and Mayor Greiner for their leadership.

IV. Approval of Minutes

Motion To: **Approve Minutes: Nov. 19, 2018 Regular Council Meeting**

RESULT:	APPROVED [5 TO 0]
MOVER:	Betsy Driver, Councilperson
SECONDER:	Michael Harris, Councilman
AYES:	Driver, Gorman, Hain, Harris, Warden
ABSTAIN:	Susan Peterson

Motion To: **Approve Minutes: Nov. 19, 2018 Executive Session**

RESULT: **APPROVED [5 TO 0]**
MOVER: Marc Hain, Council Vice President
SECONDER: Michael Harris, Councilman
AYES: Driver, Gorman, Hain, Harris, Warden
ABSTAIN: Susan Peterson

Consent Agenda

Motion to Adopt: Hain Second: Gorman Vote: All in Favor

1. RESOLUTION 2018-174: APPROVING SUBMISSION OF AN APPLICATION FROM RILEY C. BOYCE TO THE NJ STATE FIREMEN'S ASSOCIATION AND HIS MEMBERSHIP TO THE FLEMINGTON FIRE DEPARTMENT
2. RESOLUTION 2018-180: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE 2017-005 HELD ON BLOCK 35 LOT 17, 8 REASONER LANE

Regular Agenda

1. RESOLUTION 2018-181: APPOINTING BOROUGH RESIDENT NANCY BENSON TO A VACANT POSITION ON THE SHADE TREE COMMISSION

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

2. RESOLUTION 2018-175: AWARDING A RENEWABLE 5-YEAR TELECOMMUNICATIONS LEASE TO SPRINT SPECTRUM L.P.

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

3. RESOLUTION 2018-176: REJECTING ALL BIDS FOR THE REAVILLE AVENUE SEWER IMPROVEMENT PROJECT

Mayor Greiner noted the Borough has to have enough money set aside to award a bid, and all the bids came in higher than the \$150,000 budget.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Michael Harris, Councilman
SECONDER: John Gorman, Councilman
AYES: Driver, Gorman, Hain, Harris, Peterson, Warden

4. RESOLUTION 2018-177: AUTHORIZING TAX ABATEMENT FOR 41 ROUTE 31, LLC, BLOCK 39, LOT 12

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

5. RESOLUTION 2018-156: SECOND READING: FLEMINGTON BOROUGH SPECIAL IMPROVEMENT DISTRICT 2019 BUDGET

FCP Executive Director Ann Meredith offered to answer any questions posed by Council. No one had any questions.

Mr. Harris moved to open the public hearing, seconded by Mr. Gorman. All voted yes to open the hearing. No one in the audience spoke. Mr. Hain moved to close the public hearing, seconded by Mr. Harris. All voted yes to close the hearing.

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

6. ORDINANCE 2018-22: SECOND READING: AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE SALE OF BOROUGH PROPERTY TO FLEMINGTON CENTER URBAN RENEWAL, LLC, IN CONNECTION WITH A REDEVELOPMENT PLAN, PURSUANT TO N.J.S.A. 40A:12A-8(G)

Council President Warden moved to open the public hearing, seconded by Councilman Harris. All voted yes to open the hearing.

Lois Stewart, 26 Spring St., questioned why no updated appraisal was sought. Mayor Greiner said values of properties haven't changed much since the last appraisal.

Joey Novick, 11 E. Main St., questioned how the Mayor knows that the value of the property hasn't changed if he hasn't had an appraisal done. Mayor Greiner said he didn't think an appraisal is necessary, and the whole property sale is the result of negotiation. He said the appraisal we have is for \$850,000; if we get another appraisal, it's going to come in much lower than the \$1.1 million offered for the property.

Tony Previte, 45 N. Main St., said he agreed with the Mayor's prudence. We're looking at 3 parking lots; what's changed?

Carl Lackemacher, Park Ave., said a willing buyer and a willing seller have to agree on a price.

Steve Tuccio, 61 Elwood Ave., asked what number the Borough started negotiating at for the sale of the property. Mayor Greiner said they followed this as property acquisitions were going forward, looking at fair price vs. assessed value, compared with other properties and their assessed values.

Joanne Elacqua, Raritan Township, said Borough officials don't have the expertise of a real estate appraiser, and asked why this project is being pushed through when in the last 3 elections, people supporting the Cust plan were voted out. Mayor Greiner said there's a natural flow. Once the Planning Board approved the site plan, which they did, this is the next logical step. It's been on the table a long time, and was discussed in a lengthy process before SHPO a year ago.

Councilman Harris said he originally asked his colleagues to table this so concerns could be addressed. He takes issue with the terms of the contract, and as a member of the Redevelopment Committee, he didn't see this before any other council members. He suggested tabling this ordinance, to address other concerns. He also said he doesn't believe the SHPO review of the proposed property sale looked at price, just terms. And he said the Planning Board marathon in October was not a natural flow.

Tony Previte, 45 N. Main St., asked why it's so hard to go from Flemington's past to a future. We have struggling business people; let's move forward. Mr. Harris said he was doing his due diligence in questioning terms of the contract. Joey Novick, 11 E. Main St., said due diligence is required when the Borough is buying and selling property.

Brian Swingle, 55 Broad St., said officials have looked at property values in the past in the Borough. This number's as good as we're going to get. If we don't do this, that building will sit and rot. He added that, regarding lame-duck council members acting on issues, the intent of the guidelines governing council is to allow outgoing members to finish up their business, so it's appropriate that they continue to act.

Marcia Karrow, 61 Elwood Ave., she said a couple months ago we heard that the number for the sale of the building in question here wasn't settled; now we're hearing that it was decided a year ago? Mayor Greiner said it was roughly decided earlier in the project. Ms. Karrow said there are a lot of questions and secrets - Where are the police going? What's it going to cost? You wouldn't sell a house without knowing where you were going. It's fiscally irresponsible.

Steve Tuccio, 61 Elwood Ave., said the terms are mysterious to all but a handful of people. He's interested in the risk the borough will take on if Mr. Cust doesn't do what he says he's going to do. Mayor Greiner said this discussion is about a contract to sell the building. The only performance required of Mr. Cust is for him to write us a check for \$1.1 million.

Mr. Harris said a \$10,000 deposit on a \$1.1 million contract isn't much.

Attorney Goodman said that deposit is not for damages. Mr. Harris asked which section of the sales contract speaks to protections for the Borough. Attorney Goodman said it's a contract; if there's a breach of contract, you have grounds for a lawsuit. Mr. Harris referred to Section 15 (page 5) of the sales contract, where it says "Seller and Buyer shall cooperate in the relocation of the Police Department prior to December 1, 2019." He asked what cooperation meant.

Attorney Goodman said it goes to good faith. If council wants legal advice on this, we should go into executive session.

Joanne Elacqua, Raritan Township, said there are so many unanswered questions, council should table this until next year.

Tony Previte, 45 N. Main St., said people are just filibustering. He has faith in our representatives and legal advisers.

Steve Tuccio, 61 Elwood Ave., asked what happens if the Borough's not able to perform, to get a new police station by next December. What's our exposure?

Mayor Greiner said it would depend on how the circumstances play out.

Attorney Goodman said good faith gets read into every contract. He also noted that a provision requires that the developer close by the end of next year.

Councilman Gorman moved to close the public hearing, seconded by Council President Warden. All voted yes to close the hearing.

Council discussion ensued.

Ms. Driver said in the three years we've been looking at this project, there's been plenty of time to start the ball rolling with finding a place for police to go. What if the next council refuses to bond money to move the police department? Where do they go? It's not in the sales contract. Municipalities have developers make accommodations to take care of things like this. It's irresponsible to move forward without a home for the Police Department. We have one site. A retrofit of Victorian Square Plaza would run into millions of dollars. Mr. Harris said back in March, during budget discussions, he was told we're not building a police station this year so it doesn't need to be in the budget. But the CFO has said we can put future expenses in the budget. If the cost is not \$1.1 million, where does the rest come from? This needs negotiation with the Freeholders at the table as well. Mayor Greiner said he's done some site visits looking at prospective homes for the police department, and talked to some owners. You don't close on properties for sale now when you don't have approval for a site plan, and you don't buy a new property before you sell the old one. He thinks a year is enough time to get the job done. The Police Department has moved 5 times in its history. In every case they've found an existing building and moved into it with relatively little fanfare. He said he's not asking anyone to do anything he wasn't prepared to do himself if he were re-elected Mayor.

Ms. Driver asked him how many police department designers and architects he met with. Mayor Greiner said he met with the Chief, who gave him the specifics about needs. Ms. Driver said it would have been easy to bring an architect along too.

Mr. Gorman said going back 25 years, the Catholic Church on Park Avenue was available for \$225,000. We had 2 new members on council, and we went back and forth and nothing happened. Twenty-some years later, we're able to sell a property for more than it's worth, and there's a building available for the Police Department for \$800,000, right across the street from where they are now. We can put in \$300,000 and bring it up to code. The money has already been recouped from what we spent buying the current Police Department building.

All he sees is a stalling process. You want to stall this another 10 years? He said his house is worth less now than it was 10 years ago.

Mr. Harris said what's happened in the past is no excuse to shoot first and aim later now. He's made his concerns known. No one is coming here with other alternatives. He wants to make it easy for the rest of council to say yes.

Ms. Driver said Middletown, NJ built an \$8.5 million City hall through a public/private partnership with a developer who wanted to build a project in town. Mayor Greiner said this developer is kicking in \$2 million for a well. It's not correct to say he's not kicking in on behalf of the town. This sale has been in the offing since August of last year, when we had the SHPO hearing in Trenton. Now we get to 3 to 4 days before the vote, and here comes this new thing out of nowhere, that it's going to cost millions, and there's no time to look into that.

Mr. Harris said no one has refuted what he said in October. Mayor Greiner asked where he said it, Facebook and in a political mailer? Because that's right, he didn't read it.

Mr. Harris moved to insert an executive session after action on Resolution 2018-179, for legal advice on this issue; Council President Warden seconded. All voted yes to move on with the agenda and go into executive session after Resolution 2018-179.

7. RESOLUTION 2018-178: AUTHORIZING SIGNATURE OF AN ACCESS AGREEMENT TO ALLOW THE COURTHOUSE SQUARE REDEVELOPER TO PERFORM ARCHAEOLOGICAL WORK PURSUANT TO SHPO'S APPROVAL OF AND CONDITIONS FOR THE SALE OF THE 90-100 MAIN AREA PROPERTIES

Ms. Driver asked what happens if the ordinance to sell the building doesn't pass. Mayor Greiner said this agreement would remain in effect. Ms. Driver said there have been problems in the past with people connected to the project going into the building while it's occupied by DIY young adults in activities, and she wants to make sure that doesn't happen again.

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

8. RESOLUTION 2018-179: AUTHORIZING THE MAYOR AND CLERK TO SIGN AN AGREEMENT WITH SSP ARCHITECTS FOR ARCHITECTURAL SERVICES REGARDING PROGRAMMING AND CONCEPTUAL DESIGN FOR A NEW BUILDING FOR THE FLEMINGTON BOROUGH POLICE DEPARTMENT, FOR A FEE OF UP TO \$6,000.00

Mr. Gorman said we're a couple of weeks away from next year and a new budget, and that's where this expense should go.

Mayor Greiner sought clarification that Engineer Robert Martucci said he also needs \$4,000 for work related to this. That was confirmed. Mr. Harris said even if we approve this now, the work won't happen until next year. The CFO noted that the money for this would be encumbered.

Mr. Hain said this seems to lock us into building a new structure at 151 Main St. If this resolution instead included looking at Victorian Square Plaza and Red Vanilla/Mikasa, it would be better. Ms. Driver said the architect has said that adaptive re-use wouldn't save any money. If we sell the Police building, the clock starts ticking.

Ms. Warden asked how much it cost when the Police moved into Borough Hall; the cost was nothing, because Police handled the move themselves. It was around the year 2000. Ms. Driver suggested that DOC and DOJ guidelines have changed since then.

The vote resulted in a tie. Mayor Greiner said he thinks it's better if the new council does this, but where he can he will defer to them. He voted in favor, breaking the tie.

RESULT:	ADOPTED [4 TO 3]
MOVER:	Betsy Driver, Councilperson
SECONDER:	Michael Harris, Councilman
AYES:	Betsy Driver, Michael Harris, Susan Peterson, Phil Greiner
NAYS:	John Gorman, Marc Hain, Brooke Warden

V. Executive Session

Called to obtain legal advice regarding the proposed sale of Borough property. Executive session minutes kept separately.

Return to Regular Agenda

Councilman Gorman moved to return to open session, seconded by Councilwoman Peterson. All voted in favor.

1. Ordinance 2018-22: Second Reading: Authorizing the Execution of an Agreement for the Sale of Borough Property to Flemington Center Urban Renewal, LLC, in Connection with a Redevelopment Plan, Pursuant to N.J.S.A. 40A:12A-8(G)- Continuation of Council Discussion

Council discussion continued with Councilman Hain moving to adopt the ordinance, seconded by Councilman Gorman.

Mr. Hain said there are a couple of options out there for moving the Police. A building on Main Street is vacant; some want the Police on Main Street. Mikasa is for sale for \$800,000, and we could retrofit it for \$300,000. We've looked at Victorian Square Plaza; it would meet the needs, but it's a rental. The Rite-Aid is very expensive. The old Sheriff's building needs hundreds of thousands of dollars

of work, and parking is bad there. The Freeholders will work with us on the county lot by Red Vanilla/ Mikasa. People are saying we're taking retail off Main Street, but we're gaining so much retail with the project.

Ms. Driver said the \$300,000 figure for retrofitting is just an opinion; there's no way it's that low.

Mr. Harris said he's asked his colleagues to table this. Terms could be addressed in negotiations with the Freeholders, so we know what our costs are to move the Police. We could have the developer assist us, with motivated Freeholders who want this to happen.

Ms. Peterson said there's not enough information.

Attorney Goodman pointed out that not approving the ordinance would have the same effect as tabling it.

The vote resulted in a tie; Mayor Greiner said council held a spirited discussion. There have been a number of points where we've been crossing bridges, not knowing exactly what's on the other side. Some have viewed this unfavorably; others have viewed it as this council managing to accomplish more than previous councils. He said he can say with good conscience that this doesn't represent anything he wasn't planning to do himself. He acknowledged there is validity on both sides of the question, then broke the tie with a yes vote.

RESULT:	ADOPTED [4 TO 3]
MOVER:	Marc Hain, Council Vice President
SECONDER:	John Gorman, Councilman
AYES:	John Gorman, Marc Hain, Brooke Warden, Phil Greiner
NAYS:	Betsy Driver, Michael Harris, Susan Peterson

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

Tony Previte, 45 N. Main St., said he can't think of any reason why there's such paralysis about moving forward.

Lois Stewart, 26 Spring St., asked how many of the 10 conditions set with Planning Board approval have been addressed by the redeveloper. Mayor Greiner said he doesn't know, but the project was just approved a couple of weeks ago.

Ms. Stewart also said she's heard that the Freeholders won't allow the Borough to continue using the historic courthouse for meetings in the coming year, and is hoping someone can speak to them about it.

Ms. Driver said the county would like us to pay for use of the facility, and if so, they'd probably like us to charge them for cleaning their culverts.

Ms. Stewart asked if property is not appreciating in value, why does the assessment keep going up? Mayor Greiner said our assessor tries to keep up with market values.

Robert Shore, 47 Broad St., said he acknowledged the service of Mayor Greiner and Council members Hain and Warden, and said while they are good people, he disagreed with how they have managed the redevelopment process.

Joey Novick, 11 E. Main St., said holding public office is difficult, and people should be able to agree to disagree. He thanked the Mayor and Council members for their service.

Lou Reiner, Route 12, Raritan Township, thanked the outgoing Mayor and Council members for their service.

VII. Attorney's Report

Attorney Goodman updated the status of the Friends of Historic Flemington LLC lawsuits. Since the last meeting, Judge O'Neill issued a notice of settlement conference. He wanted it to be Dec. 13, but approved a request to have it in the new year, once the new council is seated. The conference will be on Jan. 17 at the Justice Center in Flemington; there are two FHF cases pending before him.

Attorney Goodman said this likely will be his last meeting. He has represented the Borough for close to 20 years. He thanked the Council and Mayor, and all the councils and mayors he has served, as well as the people and employees of Flemington, saying it's been a pleasure and an honor to represent the Borough.

VIII. Payment of the Bills

Motion To: **Pay the Bills**

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

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

None needed.

IX. Adjournment

Business having been concluded, Mayor Greiner declared the meeting closed.

Attest: _____

Sallie Graziano, RMC, Borough Clerk