



# Mayor and Common Council Borough of Flemington

September 23, 2019

Historic Flemington Courthouse

## Call to Order (6:30 PM)

### Executive Session (6:30 PM)

1. RESOLUTION 2019-182: 3048: EXECUTIVE SESSION – FOR THE PURPOSE OF OBTAINING LEGAL ADVICE REGARDING COURTHOUSE SQUARE LITIGATION, AND A PROPERTY MAINTENANCE ISSUE

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Harris, Council President
<b>SECONDER:</b>	John Gorman, Council Member
<b>AYES:</b>	Doshna, Giles-McCormick, Gorman, Harris, Runion
<b>ABSENT:</b>	Susan Peterson

Minutes of Executive Session kept separately.

### 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
Jeffrey Doshna	Council Member	Present	
Caitlin Giles-McCormick	Council Member	Present	
John Gorman	Council Member	Present	
Michael Harris	Council President	Present	
Susan Peterson	Council Member	Absent	
Christopher Runion	Council Vice President	Present	
Betsy Driver	Mayor	Present	

#### I. Mayor's Report

Mayor Driver noted the meeting had been moved to the courthouse at the request of the Courthouse Square redeveloper, who was expecting a larger crowd than Borough Hall can accommodate.

She gave updates on the Streetscape project, contract negotiations with the Teamsters and the PBA, the Reaville Avenue infrastructure project, and the recent 9/11 ceremony on the courthouse steps.

She noted that Clarence Edwards was named Crossing Guard of the Year by goHunterdon; the group also praised the Police Department's Safe Streets efforts.

The 2020 Census is coming; she's planning a work session on the topic.

She praised Police Cpl. McNally and Patrolman Emanuele for their efforts to help a driver who suffered cardiac arrest on Sept. 19, and whose pickup truck hit several vehicles. While they administered CPR until the rescue squad arrived, the Fire Chief and Fire Marshal managed traffic and crowd control around the accident site.

Mr. Cust has asked for the opportunity to address council; he'll be allowed to do that after Council members make their reports.

## II. Council Members' Reports

Council Member Doshna

The Local Emergency Planning Committee held its quarterly meeting on Sept. 12, focusing on handling events and lessons learned from recent events. There's a Code Blue emergency warming center in the Borough, and he's reaching out to social service providers to identify gaps in coverage so everything goes smoothly if the need arises this winter.

Library - The board of Mediatech voted to fire its director, amended its by-laws and closed the center while it's considering next steps. His priority is to get the space used by Mediatech, which is located in the Library, open so that kids can use the resources there.

Contract negotiations - The next meeting with the Teamsters will be Oct. 2.

Another meeting with the PBA is being planned, too.

Two resolutions and an ordinance on tonight's agenda address amplification for meetings in Borough Hall.

Council Member Giles-McCormick

FCP- She outlined recent events, and said the FCP board met Sept. 16 and has a lot of initiatives brewing. They continue to update business owners daily on progress on the streetscape project. Trees are due to be planted in October. A rendering of what it's expected to look like when the project is completed can be viewed on the FCP's Facebook page.

Samuel Fleming House - She discussed a variety of events planned, and said several spots on the group's board are open.

HPC - The commission met 9/18. It's hoping to present its recommendations for changes to the historic district map to the Planning Board in late October.

Redevelopment - She discussed the Beacon financial impact study, saying that the last piece of information they're gathering concerns water and sewer infrastructure.

Council Member Gorman

Recreation - The committee met on Sept. 10, and they're following up with Raritan Township. Information on that will be forthcoming.

Shade Tree - Met Sept. 18.

DPW - Contract negotiations are continuing.

Council President Harris

Environmental Comm. - They met 9/16 to review questions with the Catalyst project (circle sign) applicants. Commission meetings are noticed on the Borough web page as being held the 3rd Monday of each month.

Animal Control - There are still some outstanding summonses for failure to license pets this year. He noted that rabies is a concern in the Borough.

Property Maintenance - Following a discussion in executive session, he and Ms. Peterson will be meeting with the property maintenance official to explain concerns and outline steps going forward.

Council Member Peterson

Absent.

Council Vice President Runion

Shade Tree - The commission is preparing its comments on the Flemington Outdoor sign proposal for the Planning Board.

Planning Board - It meets Tuesday, Sept. 24.

Schools - A resolution on the agenda tonight addresses hiring a School Law Enforcement Officer in a shared-service arrangement with Flemington-Raritan School District.

### III. Presentation of Proposed Changes for Courthouse Square - Jack Cust

Mr. Cust said they were hopeful they'd be able to announce a settlement of litigation over the project, but that hasn't happened yet, though he continues to be optimistic.

He presented scaled-down plans for the project, including dropping the height of some of the buildings and saving the Potting Shed building.

He asked residents to reach out to the board members of the Friends of Historic Flemington, urging them to resolve remaining issues. He said he's taking an office on Main Street where people can walk in and view the history of the project. He invited people to come to his office and ask questions.

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

Tim Bebout, 194 Main St., commented on the FHF role in getting a better deal for the town on the project, but said it's time to step up.

Rich Cornelison, 134 Main St., discussed the Business Improvement District costs he's paid over the last decade, and appealed for the leadership in Flemington to work toward getting something done.

Steve Tuccio, 61 Elwood Ave., criticized giving Mr. Cust 15 minutes to talk, while residents only get 3.

Paul Marciano, 126 Main St., said he hates change, but it's necessary. There's a difference between saving a building and saving a town, and Mr. Cust has found a way to do both. He spoke against a minority of people deciding the direction of the town.

Joanne Braun, 77 Jefferson Court, Raritan Twp., a director of the FHF, spoke of the group's efforts and said it's due to their persistence that there's been progress.

Brian Blake, 95 Main St. owner, said he's getting a sense things are starting to happen. He said people don't get everything they ask for; there's a give and take. Lawsuits are not going to achieve the goals.

Jeff Cain, 52 Broad St., said he's been conflicted throughout the project, but now many of his concerns have been addressed. The plan's not perfect, but he can live with it and now's the time to do something.

Tony Previte, 45 N. Main St., said if the Friends group were friends, they'd make some investment to move forward.

Alan Brewer, 1 Coppermine Village, urged people to be civil with each other.

Edna Pedrick, 17 Capner St., spoke of her memories of Flemington and said memories are in your heart and your head, not buildings. She said people should stop quibbling and move forward.

Lois Stewart, 26 Spring St., said this town has a lot of charm and she wants to maintain that. She's grateful for the changes made in the project, but there's a little more that needs doing.

**V. Approval of Minutes**

Motion To: **Approve Minutes: Sept. 9, 2019 Regular Council Meeting**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeffrey Doshna, Council Member
<b>SECONDER:</b>	John Gorman, Council Member
<b>AYES:</b>	Doshna, Giles-McCormick, Gorman, Harris, Runion
<b>ABSENT:</b>	Susan Peterson

1. Motion To: **Approve Minutes: Sept. 9, 2019 Executive Session**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeffrey Doshna, Council Member
<b>SECONDER:</b>	Caitlin Giles-McCormick, Council Member
<b>AYES:</b>	Doshna, Giles-McCormick, Gorman, Harris, Runion
<b>ABSENT:</b>	Susan Peterson

2. Motion To: **Approve Minutes: Aug. 12, 2019 Executive Session**

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Harris, Council President
<b>SECONDER:</b>	Jeffrey Doshna, Council Member
<b>AYES:</b>	Doshna, Giles-McCormick, Gorman, Harris, Runion
<b>ABSENT:</b>	Susan Peterson

## Consent Agenda

Resolution 2019-183 was removed from the consent agenda.

Moved: Doshna Second: Harris Vote: All present voted in favor.

1. RESOLUTION 2019-184: CERTIFYING THAT ALL MEMBERS OF THE GOVERNING BODY OF FLEMINGTON BOROUGH, HUNTERDON COUNTY, HAVE REVIEWED, AT A MINIMUM, THE SECTIONS OF THE 2018 ANNUAL AUDIT ENTITLED "GENERAL COMMENTS AND RECOMMENDATIONS"
2. RESOLUTION 2019-185: REAPPOINTING SALLIE GRAZIANO AS REGISTRAR, WITH HER TERM TO RUN CONCURRENT WITH HER TERM AS BOROUGH CLERK
3. RESOLUTION 2019-186: AUTHORIZING A CONTRACT WITH GRANICUS AT CARAHSOFT FOR SOFTWARE FOR THE CLERK'S OFFICE
4. RESOLUTION 2019-187: AUTHORIZING THE RELEASE OF PERFORMANCE BOND #106697870 IN THE AMOUNT OF \$39,540.96, RETURN OF CASH BOND IN THE AMOUNT OF \$4,393.44 AND THE REMAINING DEVELOPER'S ESCROW ACCOUNTS IN THE AMOUNT OF \$962.18 FOR WAWA, INC. HELD IN TRUST BY THE BOROUGH OF FLEMINGTON

## Regular Agenda

1. RESOLUTION 2019-183: AUTHORIZING THE HIRING OF ZACHARY PEREZ AS A DPW LABORER AT A RATE OF \$19.50 PER HOUR EFFECTIVE OCTOBER 7, 2019

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Harris, Council President
<b>SECONDER:</b>	John Gorman, Council Member
<b>AYES:</b>	Doshna, Giles-McCormick, Gorman, Harris, Runion
<b>ABSENT:</b>	Susan Peterson

2. RESOLUTION 2019-173: AUTHORIZING FORMAL INQUIRIES TO RARITAN TOWNSHIP OFFICIALS REGARDING POSSIBLE SHARED SERVICES

Mr. Harris originally seconded this motion. In discussion, he said the question isn't do we approach Raritan Township, but when, and data-informed decisions are the way to go. He later withdrew his second. Ms. Giles-McCormick then seconded the motion to adopt.

**RESULT:**           **ADOPTED [4 TO 1]**  
**MOVER:**           Christopher Runion, Council Vice President  
**SECONDER:**       Caitlin Giles-McCormick, Council Member  
**AYES:**             Jeffrey Doshna, Caitlin Giles-McCormick, John Gorman, Michael Harris  
**NAYS:**             Christopher Runion  
**ABSENT:**          Susan Peterson

3. RESOLUTION 2019-188: AUTHORIZING AN INTERLOCAL AGREEMENT WITH FLEMINGTON-RARITAN REGIONAL SCHOOL DISTRICT FOR SCHOOL CLASS III LAW ENFORCEMENT OFFICERS

**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           Caitlin Giles-McCormick, Council Member  
**SECONDER:**       Jeffrey Doshna, Council Member  
**AYES:**             Doshna, Giles-McCormick, Gorman, Harris, Runion  
**ABSENT:**          Susan Peterson

4. RESOLUTION 2019-189: AMENDING THE 2019 CAPITAL BUDGET TO INSERT THE ACQUISITION OF NEW TECHNOLOGY EQUIPMENT

**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           Jeffrey Doshna, Council Member  
**SECONDER:**       Caitlin Giles-McCormick, Council Member  
**AYES:**             Doshna, Giles-McCormick, Gorman, Harris, Runion  
**ABSENT:**          Susan Peterson

5. RESOLUTION 2019-190: AUTHORIZING THE BOROUGH OF FLEMINGTON TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           Jeffrey Doshna, Michael Harris  
**SECONDER:**       John Gorman, Council Member  
**AYES:**             Doshna, Giles-McCormick, Gorman, Harris, Runion  
**ABSENT:**          Susan Peterson

6. ORDINANCE 2019-23: PROVIDING FOR THE ACQUISITION OF NEW TECHNOLOGY EQUIPMENT FOR THE BOROUGH OF FLEMINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AND APPROPRIATING \$11,500.00 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 10/15/2019</b>
<b>MOVER:</b>	Jeffrey Doshna, Council Member	
<b>SECONDER:</b>	Caitlin Giles-McCormick, Council Member	
<b>AYES:</b>	Doshna, Giles-McCormick, Gorman, Harris, Runion	
<b>ABSENT:</b>	Susan Peterson	

7. RESOLUTION 2019-191: AWARDING A CONTRACT FOR THE HIGHLAND AND ELWOOD AVENUE ROAD IMPROVEMENT PROJECT TO YOUR WAY CONSTRUCTION IN THE AMOUNT OF \$480,917.90 FOR THE BASE BID

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	John Gorman, Council Member
<b>SECONDER:</b>	Christopher Runion, Council Vice President
<b>AYES:</b>	Doshna, Giles-McCormick, Gorman, Harris, Runion
<b>ABSENT:</b>	Susan Peterson

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

Tim Bebout, 194 Main St., said just less than 50% of the voters disagreed with efforts to change the courthouse square project, and as a community, we have to keep that in mind. He urged transparency, and asked that the settlement letter from the Friends of Historic Flemington be shared. Mayor Driver said Council is still considering the letter; Mr. Doshna said it's marked confidential, so the Borough shouldn't be releasing it.

Steve Tuccio, 61 Elwood Ave., discussed parking issues in the Borough, and complained about the lack of agenda notice for Mr. Cust's presentation. Bonnie Duncan, United Way, said economic development drives a healthy community; its absence causes more disparity than we already have, putting more of a burden on taxpayers. She's available to help with conversations and urged keeping things moving.

Robert Shore, 47 Broad St., said he's glad to see signs of a compromise for the Courthouse Square project, and offered to help negotiate the renewal of Comcast's cable franchise in the Borough.

Attorney Whittlesey said a public hearing on Comcast's renewal application will be held at the Oct. 15 council meeting, and that's a chance for people to voice concerns. Note was made that Comcast has the infrastructure in the Borough.

Bob King, co-owner at 44 Stangl Road, urged Council members to reach out to the Friends group and implore them to work together.

Fred Ferrari, owner at 8 Main St., said he's interested in historic preservation, but we have to move forward, and the reduced plan is now close to what everyone wants.

Lois Stewart, 26 Spring St., asked that the street sweeper be run on Friday afternoons after the streetscape work shuts down, to keep the dust levels down on the weekend.

Al Brewer, 1 Coppermine Village, asked about redevelopment attorney fees.

Joanne Braun, 77 Jefferson Court, Raritan Twp., asked what council will do in response to the settlement letter the Friends group sent. Mayor Driver said there have been discussions; the group will be getting a response.

Alexandra Shore, 51 Park Ave., discussed lawsuits in general and said the community's in crisis; vendettas should be put aside.

Tony Previte, 45 N. Main St., discussed shared services and lessons to be learned from Princeton.

Sandi Scott, 5 Broad St., said she's glad to see the developer will have a presence on Main Street, and urged the Friends group to drop its lawsuits.

Jack Cust, redeveloper for Courthouse Square, said the night's comments had been constructive. He issued an open invitation for conversation with Friends group members and said they're close to being able to come to a settlement; they should get it done.

Phil Keyes, Isaac Graham Road, Readington, urged a resolution of the lawsuits, saying people have the same objective, but they're coming from different directions.

#### VII. Attorney's Report

None.

#### VIII. Council Discussion

Mr. Harris spoke of the need to bring on another property inspector to help with multi-unit property inspections.

He said the DPW is waiting on a Streetscape report on infrastructure concerns on main Street. Mr. Gorman said the problem is the pipes are 15 to 18 feet deep, and work on them can't be done as part of the Streetscape project.

Mr. Harris asked that a work session agenda include sitting down with Planning Board officials about the process for expanding redevelopment zones.

Mr. Runion discussed the shared services resolution and how to move forward.

Mr. Doshna said he reached out to the Planning Board chair and vice chair about the need for a traffic study in the Borough, and would welcome others' help. Mayor Driver said the master plan re-examination is due next year; maybe this could be part of that.

Mr. Harris discussed legal bills, and reviewed bills submitted by Attorney Maraziti's firm.

#### IX. Payment of the Bills in the Amount of \$603,536.06

Motion To: **Pay the Bills in the Amount of \$603,536.06**

The original bill list was \$608,615.78. After discussion by Mr. Harris of expenditures allowed in the hiring resolutions for the borough's attorneys, Mr. Gorman moved to exclude Check #027208, in the amount of \$5,079.72, from the bill list and approve paying the balance of the bills. Mr. Harris seconded the motion.



<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	John Gorman, Council Member
<b>SECONDER:</b>	Michael Harris, Council President
<b>AYES:</b>	Doshna, Giles-McCormick, Gorman, Harris, Runion
<b>ABSENT:</b>	Susan Peterson

X. Executive Session for any other applicable matter identified during the regular meeting

None needed.

XI. Adjournment

Meeting was adjourned by the Mayor at 10:26 p.m.

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