

Mayor and Common Council Borough of Flemington

February 14, 2022

Online during COVID-19 Emergency

Call to Order (7:00 PM)

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of Feb. 14, 2022 was included in a list-of-meetings notice sent to the Hunterdon County Democrat and Courier-News on Jan. 5, 2022, posted on the bulletin board at Borough Hall on that date, and has remained continuously posted as required. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Borough Clerk.

Certain measures are currently in place providing relief to ratepayers experiencing economic hardship during the COVID-19 pandemic. For more information, please go to our website at www.historicflemington.com or contact Rebecca Newman at rnewman@historicflemington.com or call 908-782-8840. The New Jersey Department of Community Affairs is currently developing a Low-Income Household Water Assistance Program. This program is designed to assist water and sewer customers facing economic hardship due to the COVID-19 pandemic. Further information will be provided once the program goes live.

Work Session (7:00 PM)

Discussion of Move for Mind proposal for 5K on May 15, with Taylor Newman, Executive Director of Move for Mind.

Regular Meeting (7:30 PM)

This meeting is being held in conformance with the Open Public Meetings Act.

Flag Salute

Roll Call:

Betsy Driver	Mayor
Caitlin Giles-McCormick	Council Member
Jessica Hand	Council Vice President
Malik Johnston	Council Member
Jeremy Long	Council President
Elizabeth Rosetti	Council Member
Kimberly Tilly	Council Member

I. Mayor's Report

II. Council Members' Reports

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

IV. Approval of Minutes

Motion To: **Approve Minutes: January 24, 2022 Regular Council Meeting**

Consent Agenda

1. RESOLUTION 2022-56: AUTHORIZING THE REFUNDING OF A WATER OVER PAYMENT IN THE AMOUNT OF \$211.89 TO ANDREW D'AURIA
2. RESOLUTION 2022-57: AUTHORIZING THE REFUNDING OF A TAX OVER PAYMENT IN THE AMOUNT OF \$1,105.00 TO BRIAN MILLER
3. RESOLUTION 2022-58: AUTHORIZING MAINTENANCE TO BE COMPLETED AT 54 E MAIN STREET AND THE COSTS TO BE COLLECTED BY THE TAX COLLECTOR
4. RESOLUTION 2022-59: AUTHORIZING MAINTENANCE TO BE COMPLETED AT 200 MAIN STREET AND THE COSTS TO BE COLLECTED BY THE TAX COLLECTOR
5. RESOLUTION 2022-60: AUTHORIZING SUBMISSION OF A LETTER OF INTENT REGARDING THE BRIC DIRECT TECHNICAL ASSISTANCE PROGRAM
6. RESOLUTION 2022-61: AUTHORIZING AN ON-PREMISES 50-50 DRAW RAFFLE LICENSE FOR THE READING-FLEMING INTERMEDIATE SCHOOL PTO

Regular Agenda

1. PRESENTATION OF 2022 FLEMINGTON SPECIAL IMPROVEMENT DISTRICT BUDGET
 2. RESOLUTION 2022-40: 2022 FLEMINGTON SPECIAL IMPROVEMENT DISTRICT BUDGET, 2ND READING
 3. ORDINANCE 2022-1: FIRST READING: AN ORDINANCE RE-ESTABLISHING THE TERMS OF THE ENVIRONMENTAL COMMISSION
 4. ORDINANCE 2022-2: AN ORDINANCE ACCEPTING A SEWER EASEMENT OVER A PORTION OF BLOCK 49, LOT 2
 5. RESOLUTION 2022-62: APPOINTING THE LOCAL EMERGENCY PLANNING COUNCIL, 2022
 6. RESOLUTION 2022-63: AUTHORIZING STREET CLOSURES FOR A MOVE FOR MIND 5K ON SUNDAY, MAY 15, 2022
 7. RESOLUTION 2022-64: AUTHORIZING CHANGE ORDER 5, EXISTING WATER TANK & IMPROVEMENTS PROJECT, FOR A TOTAL OF \$1,015.45
 8. RESOLUTION 2022-65: AUTHORIZING TOWN-WIDE YARD SALES TO BE HELD ON APRIL 30TH AND MAY 1ST, 2022, AND OCT. 1ST AND 2ND, 2022
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9. RESOLUTION 2022-66: AUTHORIZING AN AGREEMENT WITH CME ASSOCIATES FOR PROJECT ENGINEERING SERVICES FOR THE HOPEWELL AND DEWEY AVENUES WATER/SEWER REPLACEMENT PROJECT
10. RESOLUTION 2022-67: AUTHORIZING AN AGREEMENT WITH CME ASSOCIATES FOR PROJECT ENGINEERING SERVICES FOR THE EXISTING WATER TANK IMPROVEMENT PROJECT
11. RESOLUTION 2022-68: AMENDING THE TEMPORARY BUDGET FOR 2022
12. RESOLUTION 2022-69: RESOLUTION OF PARTICIPATION: SAFE AND SECURE GRANT, STATE OF NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF CRIMINAL JUSTICE, SAFE AND SECURE COMMUNITIES PROGRAM
13. RESOLUTION 2022-70: AUTHORIZING A CONTRACT FOR THE INSTALLATION OF A KEYLESS ENTRY SYSTEM AT BOROUGH HALL
14. RESOLUTION 2022-71: AUTHORIZING A CONTRACT WITH KYLE MCMANUS ASSOCIATES FOR CREATION OF A NEW MASTER PLAN, IN AN AMOUNT NOT TO EXCEED \$60,000

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

VI. Attorney's Report

VII. Payment of the Bills

Motion To: **Pay the Bills in the Amount of \$2,210,495.20**

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

IX. Adjournment

Motion To: **Adjourn**

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Rebecca Newman
Initiator: Rebecca Newman
Sponsors:

SCHEDULED

RESOLUTION 2022-56

DOC ID: 3722

Authorizing the Refunding of a Water Over Payment in the Amount of \$211.89 to Andrew D'Auria

WHEREAS, the owner of 15 William Martin Way sold the property; and

WHEREAS, the title company sent a payment to pay the utility bill; and

WHEREAS, the property owner also made a payment online; and

WHEREAS, the seller has requested a refund.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that a refund in the amount of \$211.89 be issued to Andrew D'Auria for a utility overpayment made on 15 William Martin Way, Block 2 Lot 45 Qual C0015.

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Rebecca Newman
Initiator: Rebecca Newman
Sponsors:

SCHEDULED

RESOLUTION 2022-57

DOC ID: 3721

**Authorizing the Refunding of a Tax Over Payment in the
Amount of \$1,105.00 to Brian Miller**

WHEREAS, the owner of 8 N. Main Street sold the property; and

WHEREAS, the title company sent a payment to pay the full 4th quarter taxes at the time of closing; and

WHEREAS, the property owner made a partial payment toward the 4th quarter creating an overpayment; and

WHEREAS, the seller has requested a refund.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that a refund in the amount of \$1,105.00 be issued to Brian Miller for a tax overpayment made on 8 N. Main Street, Block 14 Lot 10.

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Rebecca Newman
Initiator: Rebecca Newman
Sponsors:

SCHEDULED

RESOLUTION 2022-58

DOC ID: 3723

Authorizing Maintenance to be Completed at 54 E. Main Street and the Costs to be Collected by the Tax Collector

Borough of Flemington
County of Hunterdon

WHEREAS, the property owners of 54 E. Main Street vacated their property; and

WHEREAS, the bank has taken title to the property; and

WHEREAS, the property was not being maintained and became overgrown and hazardous to the surrounding community; and

WHEREAS, sidewalks are not being shoveled during snow events; and

WHEREAS, Property Maintenance has made several attempts to contact the owners with no success, multiple letters have been returned as undeliverable; and

WHEREAS, Property Maintenance is requesting permission to hire a contractor to correct these hazards; and

WHEREAS, the cost to correct these hazards are as follows:

Mow Lawn - \$150.00
Snow Removal - \$180.00
General Maintenance (price dependent); and

WHEREAS, the tax collector is authorized to collect unpaid municipal charges pursuant to State statute.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council, County of Hunterdon, State of New Jersey, that the Property Maintenance Officer has permission to have a contractor cut the lawn at 54 E Main Street upon passage of this resolution.

BE IT FURTHER RESOLVED, that the Property Maintenance Officer can have the lawn mowed and other maintenance completed in the future if the property becomes overgrown or unsafe again.

BE IT FURTHER RESOLVED the total amount of maintenance costs through 12/31/2022 be added as an unpaid municipal charge to Block 5 Lot 12 known as 54 E Main Street to be collected by the tax collector.

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Rebecca Newman
Initiator: Rebecca Newman
Sponsors:

SCHEDULED

RESOLUTION 2022-59

DOC ID: 3724

**Authorizing Maintenance to be Completed at 200 Main Street
and the Costs to be Collected by the Tax Collector**

Borough of Flemington
County of Hunterdon

WHEREAS, the property owners of 200 Main Street vacated their property; and

WHEREAS, the property is not being maintained; and

WHEREAS, sidewalks are not being shoveled during snow events; and

WHEREAS, Property Maintenance has made several attempts to contact the owners with no success, multiple letters have been returned as undeliverable; and

WHEREAS, Property Maintenance is requesting permission to hire a contractor to correct these hazards; and

WHEREAS, the cost to correct these hazards are as follows:

Mow Lawn - \$150.00

Snow Removal - \$180.00

General Maintenance (price dependent); and

WHEREAS, the tax collector is authorized to collect unpaid municipal charges pursuant to State statute.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council, County of Hunterdon, State of New Jersey, that the Property Maintenance Officer has permission to have a contractor cut the lawn at 200 Main Street upon passage of this resolution.

BE IT FURTHER RESOLVED, that the Property Maintenance Officer can have the lawn mowed and maintenance handled in the future if the property becomes overgrown or unsafe again.

BE IT FURTHER RESOLVED the total amount of maintenance costs through 12/31/2022 be added as an unpaid municipal charge to Block 42 Lot 9 known as 200 Main Street to be collected by the tax collector.

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-60

DOC ID: 3725

**Authorizing Submission of a Letter of Intent Regarding the
BRIC Direct Technical Assistance Program**

WHEREAS, the Borough of Flemington is exploring programs to aid its community-based support programs with backup power generators to serve as warming centers and shelters during periods of emergency; and

WHEREAS, the Borough is interested in the BRIC Direct Technical Assistance (DTA) program; and

WHEREAS, the Borough of Flemington is the County Seat located in the heart of Hunterdon County, covering 1.1 square mile and having a population of approximately 5,000 residents; and

WHEREAS, the Flemington Borough Office of Emergency Management has engaged Hunterdon County via the Hazard Mitigation Plan to attempt to secure these projects but additional assistance is needed to seek funding; and

WHEREAS, the Borough of Flemington has seen large-scale flooding in flood-prone areas at which it would like to explore additional flood plain management and sewer and drainage capacity; and

WHEREAS, current projects the Borough of Flemington is exploring include:

- Backup Power - Hunterdon Help Line / Hunterdon County Warming Center
- Backup Power - United Way of Hunterdon County
- Flood mitigation - Mine Street / Coppermine Village Road / Academy Street

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington authorizes submission of a letter of intent regarding the Borough's participation in the BRIC Direct Technical Assistance Program.

BE IT FURTHER RESOLVED that Borough officials and employees are authorized to execute documents as needed to support participation in the program.

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk



BRIAN McNALLY
Coordinator

FLEMINGTON BOROUGH
OFFICE OF EMERGENCY MANAGEMENT

100 Main Street, Flemington NJ 08822



BRIC Direct Technical Assistance
Federal Emergency Management Agency
Re: Letter of Internet
January 26, 2022

To whom it may concern,

This letter shall confirm the Borough of Flemington (Hunterdon County, New Jersey) intent of interest in the BRIC Direct Technical Assistance (DTA) program. The Borough of Flemington is the County Seat located in the heart of Hunterdon County. We are a 1.1 square mile municipality with approximately 5,000 residents.

The Borough of Flemington is currently looking to explore projects to support our community-based support programs with backup power generators to serve as warming centers and shelters during periods of emergency. The Flemington Borough Office of Emergency Management has engaged Hunterdon County via the Hazard mitigation plan to attempt to secure these projects but additional assistance is needed to seek funding. Additionally, the Borough of Flemington has seen large scale flooding in flood prone areas at which we would like to explore additional flood plain management and sewer and drainage capacity. The hope is with the support of this program our small community would benefit from this assistance working hand in hand with our Office of Emergency Management.

The current projects the Borough of Flemington are exploring:

Backup Power – Hunterdon Help Line / Hunterdon County Warming Center

Backup Power – United Way of Hunterdon County

Flood mitigation – Mine Street / Coppermine Village Road / Academy Street

The Flemington-Borough Office of Emergency Management with the assistance of the Flemington Borough engineer is committed to working with the BRIC Team.

The Primary Point of Contact is:

Brian McNally – Emergency Management Coordinator
bmcnally@flemingtonpd.org
973-583-8280



BRIAN McNALLY
Coordinator

**FLEMINGTON BOROUGH
OFFICE OF EMERGENCY MANAGEMENT**

100 Main Street, Flemington NJ 08822



The Secondary Point of Contact is

David Giuliani – Deputy OEM Coordinator

dgiuliani@historicflemington.com

908- 894-4992

Thank you for the opportunity to participate in this program. Any questions or concerns I can be reached at 973-583-8280.

Best Regards,

Brian McNally
Emergency Management Coordinator
Borough of Flemington

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3729

SCHEDULED

RESOLUTION 2022-61

**Authorizing an On-Premises 50-50 Draw Raffle License for
the Reading-Fleming Intermediate School PTO**

WHEREAS an application has been received by the Borough of Flemington to grant an On-Premises 50-50 Draw Raffle License to the Reading-Fleming Intermediate School PTO; and

WHEREAS no objection has been received by the Borough Clerk;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that an On-Premises 50-50 Draw Raffle License be granted:

TO: The Reading-Fleming Intermediate School PTO

BENEFIT: School assemblies and educational support

DATE: April 29, 2022

TIME: 7:00 p.m.

LOCATION: 50 Court St., Flemington

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/10/22 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

DOC ID: 3699

SCHEDULED

RESOLUTION 2022-40

**2022 Flemington Special Improvement District Budget, 2Nd
Reading**

WHEREAS, at its meeting of January 10, 2022, the governing body of the Borough of Flemington introduced and approved the Flemington Borough Special Improvement District budget for the period January 1, 2022 - December 31, 2022, which budget is annexed hereto; and

WHEREAS, after notice of advertisement in a newspaper of general circulation, the governing body of Flemington Borough conducted a public hearing on February 14, 2022, at 7:30 P.M.; and

WHEREAS, the governing body of Flemington Borough has determined that at least one (1) week prior to the hearing a complete copy of the proposed budget was (a) advertised; (b) posted in the Borough Clerk's office; and (c) made available to each person requesting the same before and during the public hearing; and

WHEREAS, all persons having interest in the budget were given the opportunity to present objections; and

WHEREAS, the governing body of Borough of Flemington, having considered the comments at the public hearing, is of the opinion that it is appropriate and desirable to ratify and adopt the budget without amendment as advertised; and

WHEREAS, pursuant to N.J.S.A. 40:56-80 and N.J.S.A. 40:56-84, the governing body of Borough of Flemington is required to adopt the budget by resolution after closing the hearing;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Flemington that:

(1) The Flemington Borough Special Improvement District 2022 budget is approved by the governing body of the Borough of Flemington and it is approved for the period of January 1, 2022 - December 31, 2022 in the amount of \$362,000.00, to be collected via the Special Improvement Tax.

(2) The municipal assessor shall prepare an assessment roll setting forth separately the amounts to be specially assessed against the benefited and assessed properties in the District, as listed in the Ordinance establishing the District, which assessment roll

shall include a description of the property and the name of the record owner of each such property;

(3) This special assessment shall be collected with either the regular tax payment (or payment in lieu of taxes), or otherwise, on properties located within the Borough of Flemington as set forth within the Ordinance and the assessment as follows: Schedule A (Downtown) shall be assessed at 66%; and, Schedule B (Highway) shall be assessed at 34%;

(4) Payments the District received by the Borough of Flemington shall be transferred to the Flemington Borough Business Improvement District Management Corporation to be expended in accordance with the approved budget; and

(5) The Borough Clerk is hereby authorized to forward a certified copy of this resolution to Flemington Borough Business Improvement District Management Corporation, the Hunterdon County Board of Taxation, and the Director of the Division of Local Government Services in the State of New Jersey Department of Community Affairs.

(6) BUDGET

2022 BUDGET (See Attachment for Detail)

Introduced: January 10, 2022

Adopted:

Betsy Driver, Mayor

Attest:

Sallie Graziano, RMC, Borough Clerk

ATTACHMENTS:

- FCP 2022 Budget detailed (PDF)

FCP Budget	2021 Budget		2022 Budget		Notes
EOY Bank Account Carryover	120,000		100,000		Note: We carryover funds every year, as we make a 4th quarter deposit in November /December to pay bills the following year.
REVENUE:					
BID Assessment	362,000		362,000		Per Ordinance, this is the same amount in budget every year.
Additional Sponsorships & Grants	37,000		30,000		Sponsorship has not returned to past level for events but we anticipate being able to reach this goal.
Earned Revenue: Tickets, Event Revenue, Refreshments, Vendor Fees, T-shirts.	9,000		27,000		Earned Revenue are sales: Tickets, Drinks, T-shirts. When we created budget in 21, we expected few events per COVID and thus less revenue. We expect to have more events and sales in 2022.
TOTAL	528,000		519,000		
EXPENSES					
Economic Development	126,050		124,150		
Event Grants to Biz		30,000		30,000	Grants to local businesses for events and promotional programs.

FCP Budget	2021 Budget	2022 Budget	Notes
<i>Temporary Performance/ Event Spaces</i>	15,000	14,000	Tent, Talent, Permits & Staff for outdoor performance/event space -- was filling station now lawn on Stangl.
<i>Biz-focused Annual & Seasonal Events, Biz Promotions, Econ Dev Planning Events</i>	72,800	72,500	Winter/Spring/Summer/Fall Events/ Promo - incl, Flea, CTB, Jazz, Holiday, New Fall Event. Econ Dev Planning and Events. We anticipate being able to produce more events in 22.
<i>Stakeholder Relations</i>	8,250	7,650	Board & Stakeholder Meeting & Print Materials, Prof. Service Expenses (zoom etc). We expect to return to in-person stakeholder meetings.
	126,050	124,150	Meetings, Maps, Prof Service Expenses. Many of these expenses are covered by grants reimbursements.
Streetscape Improvements	73,000	70,000	
<i>Visual Arts</i>	8,000	6,000	Holiday Décor and Artwork
<i>Storefront Improvement is now Sign Grant Reimbursement</i>	25,000	20,000	Grants to businesses for new and improved signage
<i>Banners & Signs</i>	20,000	17,000	Printed Banners and Sign Improvements. Parking signs printed in January.
<i>Beautification Projects/Season Décor</i>	20,000	27,000	Watering, Seasonal Plants, Holiday Décor
	73,000	70,000	

FCP Budget	2021 Budget	2022 Budget	Notes
Mar-Comm &	97,500	95,000	
General Advertising, Marketing & PR	49,500	48,000	All print ads and event ads, monthly, quarterl, seasonally. Mar-com & PR Fees for Prof services e.g. newsletters, pr, * We are taking some work back in-house.
Facebook & Online Ads	3,000	4,000	Boosted FB, Insta, Social and other online ads.
FCP Promotional Materials	7,000	5,000	Promo items bags, t-shirts, passports
Film	4,000	2,000	Photography & Video Creative
Brochures	3,000	6,000	Print and on-line brochures. We need to reorder everything in 22
Graphic Design	12,000	12,000	All Graphic Design Work
Market Research	2,000	2,000	Surveying and testing
Web /Hosting/Domain/CC	4,000	4,000	All Web Fees
Social Media / Content Creation	10,000	6,000	Social Media Support and Business Content Creation
Print Materials/Business Promotion	3,000	6,000	Seasonal Print and Biz Promo Materials
	97,500	95,000	
Administration	151,000	152,500	

FCP Budget	2021 Budget	2022 Budget	Notes
Executive Director	92,000	100,000	ED Salary plus ins pkg.
Operations, Programming, Communications Staff Coordination	40,000	31,000	FT Job Posted (Add'l 25k from NPP Grant to go towards Support Staff Salary.
FCP Payroll Taxes	18,000	20,000	
Payroll Company Fees	1,000	1,500	
	151,000	152,500	
Overall FCP Operations	48,460	51,360	
All Insurance	6,200	8,000	Umbrella Policy, Event Policy, D&O, Workers Comp
Rent, Storage, Utilities, Office Cleaning	23,300	24,800	Office Rent, Utilities, Storage (holiday & outdoor furn),
Business Fees, Qshera, Staffing Ads	1,060	560	
Supplies, Computer, Phones	7,500	7,500	
Internet & Google Drive & IT Services	4,400	4,400	
Postage	400	400	
Intern/Volunteer Appreciation	500	500	
Professional Dues & Development	700	700	
Meals, Travel Entertainment, Conferences	2,000	1,000	Less travel as many indoor conferences are on-line for first part of year

FCP Budget	2021 Budget	2022 Budget	Notes
Moving Expense for office and decor and events & Auto Expenses	2,400	3,500	We need a truck regularly to move decor/stages and set-up events.
	48,460	51,360	
Professional Services	16,000	14,000	
Bookkeeping, Payroll, Payables	6,000	5,000	
Audit/Accounting	6,000	5,000	
Legal	3,000	3,000	
HR/Clerical	1,000	1,000	
	16,000	14,000	
TOTAL Expenses	512,010	507,010	
TOTAL REVENUES	528,000	519,000	
TOTAL EXPENSES	512,010	507,010	
NET INCOME	15,990	11,990	

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Council Ordinance
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

SCHEDULED

ORDINANCE 2022-1

DOC ID: 3730

**First Reading: An Ordinance Re-Establishing the Terms of
the Environmental Commission**

**BOROUGH OF FLEMINGTON
HUNTERDON COUNTY, NEW JERSEY**

WHEREAS, the Borough Council established an Environmental Commission as set forth in Borough Code Chapter 31 *et seq.*; and

WHEREAS, Borough records are unclear regarding the beginning and end dates of the terms of Commission members; and

WHEREAS, the Borough Council desires to clarify the term lengths of each member as set forth below.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Flemington, the County of Hunterdon, as follows:

SECTION 1. Section 31-1.1 of the Borough Code entitled "Commission; Appointment; Terms; Vacancies" regarding the Borough Environmental Commission is hereby amended and supplemented as follows:

§ 31-1.1. Establishment and composition; Terms.

a. **Establishment.** Pursuant to N.J.S.A. 40:56A-1, there is hereby created an Environmental Commission in the Borough for the protection, development, and use of natural resources, including water resources within the territorial limits of the Borough.

b. **Membership; terms.**

(1) The Commission shall consist of not less than 5 members, appointed by the Mayor, one of whom shall also be a member of the Borough planning board and all of whom shall be residents of the Borough. The members shall serve without compensation except as hereafter provided.

(2) The Mayor shall designate one of the members to serve as chairman and presiding officer of the commission.

(3) Membership; Terms. The terms of all members of the Commission shall expire on December 31, 2021. Thereafter, appointments will be made on a staggered basis and of the members initially appointed, 2 members shall be appointed to serve for a term of one (1) year, 2 members shall be appointed to serve a term of two (2) years; 1 member shall be appointed to serve a term of three (3) years.

Thereafter, all appointments shall be made for a term of three (3) years.

(4) The Mayor or Council may remove any member of the Commission for cause, on written charges served upon the member and after a hearing thereon at which the member shall be entitled to be heard in person or by counsel.

(5) A vacancy on the Commission occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

(6) Notwithstanding any other provision of the law to the contrary, the powers of appointment and removal hereby accorded to the Mayor shall be vested in the elected official so designated or, where there is a vacancy in the office of mayor, on the duly designated acting mayor.

(7) There shall be two alternate members of the Commission designated at the time of appointment as "Alternate No. 1" and "Alternate No. 2" and shall serve during the absence or disqualification of any regular member or members. The terms of all alternate members shall expire on December 31, 2021. The initial term of "Alternate No. 2" shall be one year and the initial term of "Alternate No. 1" shall be two years.

Thereafter, the terms of the alternate members shall be for two years.

A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only. An alternate member shall not be permitted to act on any matter in which he has either directly or indirectly any personal or financial interest. An alternate may be removed by the governing body for cause. An alternate member may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote first.

SECTION 2. Section 31-1.2 of the Borough Code entitled "Powers of Commission" regarding the Borough Environmental Commission is hereby amended and supplemented as follows:

The Commission shall have the power to conduct research into the use and possible use of the open land areas of the Borough and may coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its purposes. It shall keep an index of all open areas, publicly or privately owned, including open marshland, swamps and other wetlands, in order to obtain information on the proper use of such areas, and may from time to time recommend to the planning board or, if none, to the Mayor and Council, plans and programs for inclusion in a municipal master plan and the development and use of such areas.

SECTION 3. Section 31-1.3 of the Borough Code entitled "Acquisition by Commission" regarding the Borough Environmental Commission is hereby amended and supplemented as follows:

The Commission may, subject to the approval of the governing body, acquire property, both real and personal, in the name of the Borough by gift, purchase, grant, bequest, devise or lease for any of its purposes and shall administer the same for such purposes subject to the terms of the conveyance or gift. Such an acquisition may be to acquire the fee or any lesser interest, development right, easement (including conservation easement), covenant or other contractual right (including a conveyance on conditions or with limitations or reversions), as may be necessary to acquire, maintain, improve, protect, limit the future use of, or otherwise conserve and properly utilize open spaces and other land and water areas in the Borough.

SECTION 4. Section 31-1.4 of the Borough Code entitled "Records and Annual Report" regarding the Borough Environmental Commission is hereby amended and supplemented as follows:

The Commission shall keep records of its meetings and activities and shall make an annual report on or before December 1 of each year to the Borough Council. Such report shall be comprehensive and detailed covering operations, receipts, disbursements, and expenditures for the full year.

SECTION 5. Sections 31-1.5 through 31-1.12 regarding the Environmental Commission and establishment of a Joint Environmental Commission are hereby deleted in their entirety.

SECTION 6. Section 31-1.5 of the Borough Code entitled "Operational procedures" is hereby added as follows:

a. Adoption of bylaws. The Commission is authorized to adopt bylaws governing its procedural operation.

b. Appropriations. The Borough Council shall annually fix, determine and appropriate a sum sufficient for the care, custody, policing and maintenance of such lands acquired for the uses and purposes herein stated and for the expenses of the Commission, which shall be raised by taxation in the same manner as other taxes.

SECTION 7. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 8. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 9. This Ordinance shall take effect upon final passage, publication, and filing, all in accordance with the law.

Introduced:

Adopted:

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Council Ordinance
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

SCHEDULED

ORDINANCE 2022-2

DOC ID: 3719

**An Ordinance Accepting a Sewer Easement Over a Portion of
Block 49, Lot 2**

**BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON**

WHEREAS, the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, wish to accept a Sanitary Sewer Easement for a portion of property designated as Block 49, Lot2 on the Tax Maps of the Borough of Flemington, Hunterdon County (the "Property"), a copy of which is attached hereto as an exhibit; and

WHEREAS, the Borough of Flemington Planning Board (the "Board") granted Final Site Plan approval for the development of the Property with a digital billboard as set forth in Resolution No. 2021-14 adopted by the Board on September 14, 2021 (the "Resolution"); and

WHEREAS, pursuant to the Resolution and the underlying site plans, the grant of a Sanitary Sewer Easement on the Property is a condition of the approval; and

WHEREAS, the Borough has inspected and approved the installation of certain sanitary sewer improvements on the Property as set forth in the attached Easement; and

WHEREAS, N.J.S.A. 40A:12-4 authorizes the municipality to accept such easement; and

WHEREAS, attached hereto is a form of easement that has been reviewed by the Borough Engineer and Borough Attorney; and

WHEREAS, it appears to the Mayor and Council that the public interest would be served by accepting the easement described herein.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey as follows:

1. The Borough of Flemington hereby accepts the above-referenced easement over a portion of the property designated as Block 49, Lot 2 on the Tax Maps of the Borough of Flemington as more particularly described in the deed of easement attached hereto.

2. The Borough Mayor, Clerk, and such Borough Professionals as are necessary, are hereby authorized and directed to take such actions to effectuate the provisions of this Ordinance including but not limited to executing the above-referenced easement in a form substantially similar to that attached hereto and made a part hereof.

3. The Borough Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under the seal of the municipality, to be a true copy thereof, together with proof of publication thereof, in the office of the Clerk of the County of Hunterdon in accordance with the provisions of N.J.S.A. 40:67-21.

4. At least one (1) week prior to the time fixed for further consideration of this Ordinance for final passage, a copy thereof together with the notice of the introduction thereof and the time and place when and where the Ordinance will be further considered for final passage shall be mailed to every person whose lands may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Borough Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

5. This Ordinance shall take effect immediately after final passage, approval and publication as provided by law.

6. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

7. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Introduced:

Adopted:

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

ATTACHMENTS:

- Proposed Sanitary Sewer Easement with Exhibit(5753867 (PDF)

Prepared by:

Record and Return To:

Anthony E. Koester, Esq.

SANITARY SEWER EASEMENT

THIS EASEMENT made this day of , 2022, by and between **FLEMINGTON CIRCLE MEDIA, LLC**, a limited liability company of New Jersey, having an address of 5 Bartles Corner Road, Flemington, New Jersey 08822, ("Grantor") and **FLEMINGTON BOROUGH**, a municipal corporation organized under the laws of New Jersey, having an address of 38 Park Avenue, Flemington NJ 08822 ("Grantee").

WHEREAS, Grantor is the owner in fee simple of real property known as Block 49, Lot 2, on the Tax Map of Flemington Borough, Hunterdon County, New Jersey (the "Property"), which Property is located at 308 State Highway Route 202, Flemington, New Jersey; and

WHEREAS, on August 24, 2021, the Borough of Flemington Planning Board (the "Board"), granted Final Site Plan approval for the development of the Property with a digital billboard as set forth in Resolution No. 2021-14 adopted by the Board on September 14, 2021 (the "Resolution"); and

WHEREAS, pursuant to the Resolution and underlying site plans, Grantor has agreed to grant to the Grantee a Sanitary Sewer Easement on and under the aforesaid Property more fully described in "Exhibit A" attached hereto and made a part hereof; and

WHEREAS, the Grantor, by this Sanitary Sewer Easement, desires to provide the Grantee access to construct, operate, maintain, service and repair all sanitary sewerage facilities located or to be located within the Easement Area (the "Easement Area").

NOW, THEREFORE, in consideration of the mutual covenants herein contained and the sum of \$1.00 to each party in hand paid by the other, the parties hereto agree as follows:

1. Grantor does hereby confirm, grant and convey in perpetuity to Grantee, its successors, agents, servants, employees, guests, invitees and assigns, an easement over, through, under and across real property owned by the Grantor and designated as Block 49, Lot 2, on the Flemington Borough Tax Map, as set forth on Exhibit A, for the purposes of constructing, operating, maintaining, servicing, reconstructing and repairing sanitary sewerage facilities located or to be located on and under the subject premises, together with the reasonable right of access to portions of the subject premises adjacent to the Easement Area for the aforesaid purposes.

2. All sanitary sewerage facilities installed within any portion of the Easement Area shall be for the sole and exclusive use of the Grantee and its successors and assigns and any and all cost and expense incurred in connection with the installation, use, maintenance, repair and/or replacement of such sanitary sewerage facilities shall be the responsibility of the Grantee and any other party making use thereof. The construction, installation, use, maintenance, repair and/or replacement

of all such sanitary sewerage facilities within the Easement Area shall be performed in accordance with the rules, regulations, ordinances, orders, laws, and requirements of any governmental agency or authority having jurisdiction thereof.

3. The Grantee may send people and machinery on the Easement Area at any time and may at any time do what it deems necessary to repair and maintain all improvements located within the Easement Area and to construct all further improvements within the Easement Area that the Grantee deems reasonable and necessary.

4. Grantor, its successors, heirs, and assigns shall not construct any buildings, structures, or other objects within the Easement Area without the written permission of the Grantee.

5. Grantor, its successors, heirs, and assigns shall not locate any trees or shrubs or any other obstruction within the Easement Area without the written permission of the Grantee.

6. In the event that access to the Easement Area is required by the Grantee, the Grantee shall have the right to remove any structures, trees, shrubs or other obstructions located within the Easement Area in order to provide such access as may be reasonably required. The cost of such removal shall be the responsibility of the Grantor or their successors in title.

7. The rights and obligations contained in this Sanitary Sewer Easement shall go to and be binding on the successors of the Grantee and on later owners of the Grantor and the land affected and on anyone else acquiring any interest in the affected land.

8. Notwithstanding anything contained herein to the contrary, the Grantor, its successors, agents, servants, employees, guests, invitees and assigns, shall be permitted to enter and use such portions of the Easement Area for the purposes of constructing, reconstructing, operating, maintaining, servicing and repairing the improvements and landscaping facilities as approved by Flemington Borough Planning Board by Resolution number 2021-14 or similar agency and located or to be located on and under the subject easement, together with the reasonable right of access to the subject easement for the purposes of constructing, reconstructing, operating, maintaining, servicing and repairing similar improvements and landscaping facilities.

This Sanitary Sewer Easement is signed by the Grantor and Grantee as of the date at the top of the first page.

ATTEST/WITNESS:

FLEMINGTON CIRCLE MEDIA, LLC

By: _____
Jack Cust, Managing Member

FLEMINGTON BOROUGH

Sallie Graziano, Borough Clerk

By: _____
Betsy Driver, Mayor

STATE OF NEW JERSEY)
: ss:
COUNTY OF HUNTERDON)

I CERTIFY that on _____, 2022, _____
personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is a Member of Flemington Circle Media, LLC, the entity named in this document;
- (b) this person is the attesting witness to the signing of this document by Jack Cust, Managing Member of the limited liability company;
- (c) this document was signed and delivered by the Managing Member as a duly authorized voluntary act on behalf of the company;
- (d) this person signed this proof to attest to the truth of these facts; and
- (e) the full and actual consideration paid or to be paid for the transfer of title to reality evidenced by the within deed, as such consideration is defined in P.L. 1968, c. 49, sec. a(c), is One Dollar (\$1.00).

_____, Member
Flemington Circle Media, LLC

Signed and sworn to before me on
this ____ day of _____, 2022.

Notary Public of the State of New Jersey
My Commission Expires _____

STATE OF NEW JERSEY)
: ss:
COUNTY OF HUNTERDON)

I CERTIFY that on _____, 2022, Sallie Graziano personally came before me and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Borough Clerk of the Flemington Borough, the municipal corporation named in the attached document;
- (b) this person is the attesting witness to the signing of this document by the proper municipal officer who is Betsy Driver, the Mayor of the municipal corporation;
- (c) this document was signed and delivered by the municipal corporation as its voluntary act duly authorized by a proper resolution of the Borough Council of Flemington Borough;
- (d) this person knows the proper seal of the municipal corporation which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.

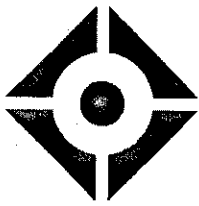
Sallie Graziano, Borough Clerk
Flemington Borough

Signed and sworn to before me on
this ____ day of _____, 2022.

Notary Public State of New Jersey
My Commission Expires _____

EXHIBIT A

(Legal Description and Plan of Sanitary Sewer Easement)



CONTROL POINT ASSOCIATES, INC.

traditional methods | modern approaches

30 Independence Blvd
Suite 100
Warren, NJ 07059
Tel: 908.668.0099
cpasurvey.com

January 20, 2022
01-170723-01

LEGAL DESCRIPTION
PROPOSED 25 FEET WIDE SANITARY SEWER EASEMENT
ACROSS A PORTION OF LOT 2, BLOCK 49
BOROUGH OF FLEMINGTON, HUNTERDON COUNTY
STATE OF NEW JERSEY

BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF LOT 2, BLOCK 49, WHERE IT IS INTERSECTED BY THE SOUTHEASTERLY LINE OF NEW JERSEY STATE HIGHWAY ROUTE 202 (FORMERLY KNOWN AS NEW JERSEY STATE HIGHWAY ROUTE 29) (120 FEET WIDE PUBLIC RIGHT OF WAY), SAID POINT BEING SOUTH 39 DEGREES 50 MINUTES 49 SECONDS EAST, A DISTANCE OF 124.54 FEET FROM WHERE SAID SOUTHWESTERLY LINE INTERSECTS, SAID POINT ALSO BEING THE SAME COURSE FROM THE BEGINNING CORNER AS DESCRIBED IN DEED BOOK 2002 PAGE 254 AND DEED BOOK 458 PAGE 152, AND RUNNING THENCE;

ACROSS LOT 2, BLOCK 49, THE FOLLOWING TWO (2) COURSES:

1. NORTH 50 DEGREES 09 MINUTES 11 SECONDS EAST, A DISTANCE OF 21.64 FEET TO A POINT OF CURVATURE, THENCE;
2. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 4424.21 FEET, A CENTRAL ANGLE OF 01 DEGREES 37 MINUTES 01 SECONDS, AN ARC LENGTH OF 124.85 FEET, A CHORD BEARING OF NORTH 50 DEGREES 57 MINUTES 42 SECONDS EAST, AND A CHORD DISTANCE OF 124.85 FEET TO A POINT OF TANGENCY IN THE NORTHEASTERLY LINE OF LOT 2, THENCE;
3. ALONG SAID NORTHEASTERLY LINE OF LOT 2, SOUTH 38 DEGREES 13 MINUTES 48 SECONDS EAST, A DISTANCE OF 25.00 FEET TO A POINT IN THE SOUTHEASTERLY LINE OF LOT 2, THENCE;

ALONG SAID SOUTHEASTERLY LINE OF LOT 2, THE FOLLOWING TWO (2) COURSES:

4. ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 4399.21 FEET, A CENTRAL ANGLE OF 01 DEGREES 37 MINUTES 01 SECONDS, AN ARC LENGTH OF 124.14 FEET, A CHORD BEARING OF SOUTH 50 DEGREES 57 MINUTES 42 SECONDS WEST, AND A CHORD DISTANCE OF 124.14 FEET TO A POINT OF TANGENCY, THENCE;
5. SOUTH 50 DEGREES 09 MINUTES 11 SECONDS WEST, A DISTANCE OF 21.64 FEET TO A POINT IN THE SOUTHWESTERLY LINE OF LOT 2, THENCE;
6. ALONG SAID SOUTHWESTERLY LINE OF LOT 2, NORTH 39 DEGREES 50 MINUTES 49 SECONDS WEST, A DISTANCE OF 25.00 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 3,653 SQUARE FEET OR 0.084 ACRES

THIS DESCRIPTION IS PREPARED WITH REFERENCE TO A MAP ENTITLED "EXHIBIT SKETCH - PROPOSED 25' WIDE SANITARY SEWER EASEMENT, LOT 2, BLOCK 49, BOROUGH OF FLEMINGTON, HUNTERDON COUNTY, STATE OF NEW JERSEY," PREPARED BY CONTROL POINT ASSOCIATES INC., DATED 01-19-2022.

CONTROL POINT ASSOCIATES, INC.

01-19-2022
JAMES D. SENS
STATE OF NEW JERSEY
PROFESSIONAL LAND SURVEYOR #24GS04322600
NEW JERSEY CERTIFICATE OF AUTHORIZATION #24GA27938600
DATE

JDS/CWF

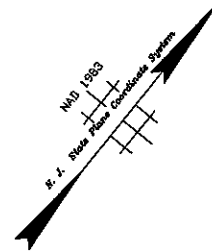
PREPARED BY: CWF
REVIEWED BY: JDS

NOTES:

1. PROPERTY KNOWN AS LOT 2, BLOCK 49, AS SHOWN ON THE OFFICIAL TAX MAP OF THE BOROUGH OF FLEMINGTON, HUNTERDON COUNTY, NEW JERSEY.
2. THE PURPOSE OF THIS PLAN IS TO DEPICT THE PROPOSED 25' WIDE SANITARY SEWER EASEMENT ACROSS A PORTION OF LOT 2, BLOCK 49

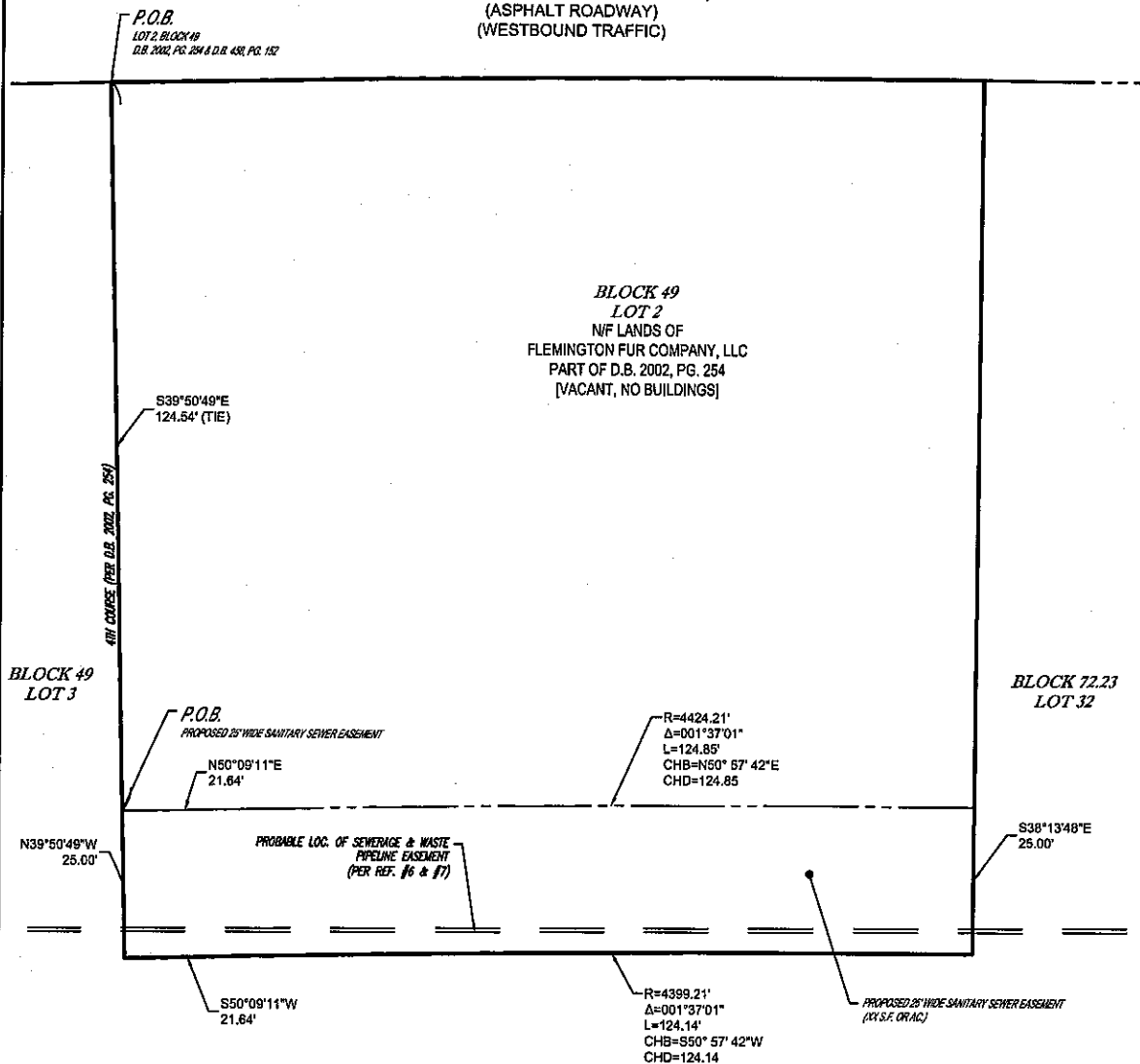
REFERENCES:

1. THE OFFICIAL TAX ASSESSOR'S MAP OF THE BOROUGH OF FLEMINGTON, HUNTERDON COUNTY, NEW JERSEY, SHEET #8.
2. MAP ENTITLED "ALTA/NSPS LAND TITLE SURVEY, 308 HIGHWAY 202, LOT 2, BLOCK 49, BOROUGH OF FLEMINGTON, HUNTERDON COUNTY, STATE OF NEW JERSEY", PREPARED BY CONTROL POINT ASSOCIATES, INC., DATED 02-08-2018, LAST REVISED 04-10-2018.
4. MAP ENTITLED "SOUTHEAST QUADRANT PLAN FOR FLEMINGTON SANITARY SEWER SYSTEM, SITUATED IN BOROUGH OF FLEMINGTON, HUNTERDON COUNTY, NEW JERSEY", PREPARED BY VAN CLEEF ENGINEERING ASSOCIATES, PROGRESS PRINT DATED 03-08-2018.
5. MAP ENTITLED "NEW JERSEY DEPARTMENT OF TRANSPORTATION, CONSTRUCTION PLAN, ROUTE 31 & FLEMINGTON CIRCLE, CONTRACT NO. 011880585", SHEETS 5-7 OF 11.



NEW JERSEY STATE HIGHWAY ROUTE 202

(F.K.A. NEW JERSEY STATE HIGHWAY ROUTE 29)
(120' WIDE, PUBLIC RIGHT OF WAY)
(ASPHALT ROADWAY)
(WESTBOUND TRAFFIC)



GRAPHIC SCALE 0 20 30 40 (IN FEET) 1 inch = 20 ft.	NOT A VALID ORIGINAL DOCUMENT UNLESS EMBOSSED WITH RAISED IMPRESSION SEAL	FIELD DATE -	EXHIBIT SKETCH - PROPOSED 25' WIDE SANITARY SEWER EASEMENT LOT 2, BLOCK 49				
		FIELD BOOK NO. -	BOROUGH OF FLEMINGTON HUNTERDON COUNTY STATE OF NEW JERSEY				
		FIELD BOOK PG. -	CONTROL POINT ASSOCIATES, INC. 50 INDEPENDENCE BOULEVARD, SUITE 100 WARREN, NJ 07059 PH: 908.0097 - FAX: 908.9999 PAX: WWW.CPASURVEY.COM				
		FIELD CREW -	CHALFONT, PA 215.712800 MT. LAUREL, NJ 609.957.2299 MASSAQUITTAN, NY 604.755811 LONG ISLAND, NY 631.982615 SOUTHERN BRIDGE, NJ 908.388.3881 ALBANY, NY 518.333.9000 ROCHESTER, NY 585.226.7664				
DATE 01-19-2022		DRAWN: C.W.F.	APPROVED: J.D.S.	DATE 01-19-2022	SCALE 1"=20'	FILE NO. 01-170723-01	DWG. NO. 1 OF 1
JAMES D. SENS NEW JERSEY PROFESSIONAL LAND SURVEYOR #243804322800 NEW JERSEY CERTIFICATE OF AUTHORIZATION #243804322800							

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-62

DOC ID: 3728

Appointing the Local Emergency Planning Council, 2022

WHEREAS, Brian McNally, who serves as the Emergency Management Coordinator, has been designated by the Mayor to act as the Emergency Management Coordinator for the Borough of Flemington; and

WHEREAS, David Giuliani has been designated by the Mayor to act as the Deputy Emergency Management Coordinator for the Borough of Flemington; and

WHEREAS, the State of New Jersey Office of Emergency Management requires that each municipality create a Local Emergency Planning Council; and

WHEREAS, it is the intention of the Borough of Flemington to comply with requirements set forth by the State of New Jersey Office of Emergency Management;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Common Council of the Borough of Flemington that the following individuals shall be appointed to serve on the Borough of Flemington Local Emergency Planning Council:

Flemington Borough Emergency Management Council:

OEM Coordinator/Chair	Brian McNally
OEM 1st Deputy	Dave Giuliani
OEM 2nd Deputy	Christopher Boyce
Council Represetative	Kimberly Tilly
Mayor	Betsy Driver
Police Chief/Rep	Jerry Rotella
Fire Chief/Rep	Alan Umgelter
Rescue Chief/Rep	Thomas Hoffman
DPW	Mike Campion
Code	Jeff Klein
Fire Marshal	Ken McCormick
Raritan Township OEM	Chris Phelan

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3718

SCHEDULED

RESOLUTION 2022-63

**Authorizing Street Closures for a Move for Mind 5K on
Sunday, May 15, 2022**

WHEREAS, the Move for Mind Foundation is planning a 5K event on the afternoon of Sunday, May 15, 2022; and

WHEREAS, the need to close the following streets in stages between the hours of XXXX and XXXX is essential to the event:

Mine Street from Stangl Road to Shields Avenue

Shields Avenue from Mine Street to Capner Street

Capner Street from Shields Avenue to Allen Street

Allen Street from Capner Street to Youngs Drive

Youngs Drive from Allen Street to Corcoran Street

Corcoran Street from Youngs Drive to Park Avenue

Park Avenue from Corcoran Street to Mine Street

Mine Street from Park Avenue to Central Station

Central Station from Mine Street to Stangl Road

Stangl Road from Central Station to Mine Street; and

WHEREAS, the Flemington Borough Police Department has reviewed and approved this request;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that the above streets are closed between the hours of XXXXX and XXXXX on May 15, 2022, for a Move for Mind 5K event.

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-64

DOC ID: 3727

Authorizing Change Order 5, Existing Water Tank & Improvements Project, for a Total of \$1,015.45

WHEREAS, the Borough of Flemington advertised, and subsequently received bids, for Existing Water Tank & Improvements for the Borough of Flemington Water Department on December 8, 2020; and

WHEREAS, the Borough of Flemington awarded a Contract in the amount of \$4,124,479.00 base bid to Dulaine Contracting, P.O. Box 526, Gladstone, NJ 07934; and

WHEREAS, four previously approved change orders increased the total by \$51,633.61, to \$4,176,112.61; and

WHEREAS, Change Order No. 5, for the installation of a valve stem riser on a buried gate valve on the existing water main, due to revisions of the ground surface elevations surrounding the new elevated water tank resulting in a finished grade elevation roughly 6 feet higher than existing conditions, totals \$1,015.45; and

WHEREAS, the CFO has noted that there are sufficient funds to complete this work;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that Change Order No. 5 for \$1,015.45 is awarded and the Mayor is hereby authorized to sign the Change Order.

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

ATTACHMENTS:

- CO #5 signed by Dulaine and CME (PDF)

Change Order No. 5

Date of Issuance:

Owner: Borough of Flemington

Contractor: Dulaine Contracting Inc.

Engineer for Construction: CME Associates

Project: Existing Water Tank Improvement Project

Effective Date:

Owner's Contract No.:

Contractor's Project No.:

Engineer's Project No.: PFM00402.01

Contract Name:

The Contract is modified as follows upon execution of this Change Order:

Description: Revisions to ground surface elevations surrounding the new elevated water tank resulted in a new finished grade elevation roughly 6-feet higher than existing conditions. Accordingly, a valve stem riser was required to be installed on a buried gate valve on the existing water main in this area in order to be able to operate the valve.

Attachments: Proposal from Contractor dated December 24, 2021

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ 4,124,479.00	Original Contract Times: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>4</u> : \$ 51,633.61	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>4</u> : Substantial Completion: <u>+1 day</u> Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ 4,176,112.61	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] of this Change Order: \$ 1,015.45	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>0 days</u> Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: \$ 4,177,128.06	Contract Times with all approved Change Orders: Substantial Completion: <u>+1 day</u> Ready for Final Payment: _____ days or dates

RECOMMENDED:
 By: *Jerome A. Hamed*
 Title: Engineer (if required)
 Date: 2/4/22

Approved by Funding Agency (if applicable)

By: _____ Date: _____
 Title: _____

ACCEPTED:

By: _____
 Title: Owner (Authorized Signature)
 Date: _____

Title: Mayor

ACCEPTED:

By: *[Signature]*
 Title: Contractor (Authorized Signature)
 Date: 2-7-22

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

DOC ID: 3726

SCHEDULED

RESOLUTION 2022-65

**Authorizing Town-Wide Yard Sales to be Held on April 30Th
and May 1St, 2022, and Oct. 1St and 2Nd, 2022**

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, the Borough holds annual town-wide yard sales in the spring and fall; and

WHEREAS, the dates that are preferable to hold the 2022 spring sales are Saturday and Sunday, April 30 and May 1st, with rain dates the following weekend, May 7th-8th; and

WHEREAS, the dates that are preferable to hold the 2022 fall sales are Saturday and Sunday, Oct. 1st and 2nd, with rain dates the following weekend, Oct. 8th and 9th;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that the annual town-wide yard sales for 2022 be held on April 30th and May 1st, with rain dates on May 7th and 8th, and Oct. 1st and 2nd, with rain dates on Oct. 8th and 9th.

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-66

DOC ID: 3731

Authorizing an Agreement with CME Associates for Project Engineering Services for the Hopewell and Dewey Avenues Water/Sewer Replacement Project

WHEREAS, The Borough of Flemington has undertaken the Flemington Water/Sewer Replacement Project (Hopewell & Dewey Avenues); and

WHEREAS, the Borough requires engineering services for this project:

Basic/ inspection work including holding a pre-con meeting with the chosen contractor, owner, and USDA

Providing for resident inspection services during the entirety of construction with required construction administration; and

Project close-out; and

WHEREAS, CME Associates, 3141 Bordentown Ave., Parlin, NJ is serving as the Borough's Municipal Engineer; and

WHEREAS, the Borough wishes to enter into an agreement with CME Associates, in substantially the same form as attached hereto, for Project Engineering Services for the Hopewell and Dewey Avenues Water/Sewer Replacement Project;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington hereby authorizes a project engineering contract with CME Associates for the Hopewell and Dewey Avenues Water/Sewer Replacement Project, in substantially the same form as attached; and

BE IT FURTHER RESOLVED that the Mayor and Borough officials be authorized to execute any documents as needed for this project.

Adopted:

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-67

DOC ID: 3732

**Authorizing an Agreement with CME Associates for Project
Engineering Services for the Existing Water Tank
Improvement Project**

WHEREAS, The Borough of Flemington has undertaken the Flemington Existing Water Tank Improvement Project; and

WHEREAS, the Borough requires construction engineering, management and inspection services for this project; and

WHEREAS, the Borough also requires preparation of final close-out documents for this project; and

WHEREAS, CME Associates, 3141 Bordentown Ave., Parlin, NJ is serving as the Borough's Municipal Engineer; and

WHEREAS, the Borough wishes to enter into an agreement with CME Associates, in substantially the same form as attached hereto, for Project Engineering Services for the Existing Water Tank Improvement Project;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington hereby authorizes a project engineering contract with CME Associates for the Existing Water Tank Improvement Project, in substantially the same form as attached; and

BE IT FURTHER RESOLVED that the Mayor and Borough officials be authorized to execute any documents as needed for this project.

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

ATTACHMENTS:

- cme water tank contract draft (PDF)

Mayor and Common Council38 Park Avenue
Flemington, NJ 08822Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

SCHEDULED**RESOLUTION 2022-68**

DOC ID: 3733

Amending the Temporary Budget for 2022

WHEREAS, the temporary budget adopted by the Mayor and Council was predicated on a timely adoption of the budget, and

WHEREAS, N.J.S.A. 40A:40-20 provides for an emergency temporary budget prior to adoption of the final budget.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that the following temporary appropriations be made inasmuch as the amounts listed will be included in the final adoption of the budget.

	Salaries & Wages	Other Expenses
Borough Council	\$35,800.00	\$11,300.00
Administrative & Executive	\$25,000.00	\$40,000.00
Borough Clerk	\$83,700	\$15,500.00
Financial Administration	\$29,000.00	\$8,200.00
Audit Services		\$31,000.00
Assessment of Taxes	\$36,500.00	\$20,500.00
Collection of Taxes	\$22,000.00	\$18,000.00
Legal Services & Costs		\$115,000.00
Engineering Services & Costs		\$1,000.00
Public Buildings	\$2,500.00	\$16,000.00
Fleming House		\$8,000.00
Planning Board	\$25,100.00	\$100,000.00
Historic Committee		\$10,000.00
Recycling	\$4,400.00	\$44,000.00
Insurance:		
Other Insurance		\$65,000.00
Workers Compensation		\$26,000.00
Employee Group		\$575,000.00

Health Insurance Waiver		\$10,000.00
Fire		\$50,800.00
Uniform Fire Safety Act	\$64,100.00	\$13,940.00
Police	\$1,546,000.00	\$121,000.00
First Aid Organization		\$10,000.00
Construction Code		
Building Inspector	\$58,700.00	\$6,000.00
Plumbing Inspector	\$11,600.00	
Electrical Inspector	\$13,000.00	
Fire Subcode Official	\$11,600.00	
Property Maintenance Inspector	\$20,500.00	\$570.00
Emergency Management Services	\$14,500.00	\$16,137.00
Board of Health		\$13,000.00
Dog Regulation		\$17,000.00
Streets & Roads	\$175,436.00	\$112,700.00
Environmental Commission		\$750.00
Condo Reimbursement Law		\$3,500.00
Gas & Oil		\$34,000.00
Street Lighting		\$55,000.00
Electricity		\$16,000.00
Fuel Oil		\$14,000.00
Telephone		\$35,000.00
Water		\$11,000.00
Safe and Secure Communities-State		\$14,425.00
PERS		\$155,551.00
PFRS		\$486,621.00

DCRP		\$2,500.00
Garbage & Trash Removal		\$394,000.00
Prosecutor		\$27,000.00
Recreation		\$11,000.00
Shade Tree		\$3,800.00
Maintenance of Free Public Library		\$370,000.00
Body Armor Grant		\$1,117.32
Public Defender	\$100.00	
School Resource Officer Shared Service		\$52,000.00
LOSAP		\$24,000.00
Capital Building Improvements		\$15,000.00
NPP Grant		\$112,500.00
Contribution to Social Security System		\$183,000.00
Municipal Court	\$144,000.00	\$36,000.00
Capital: Purchase of Ambulance		\$18,000.00
Capital Improvement Fund		\$10,000.00
Purchase of Fire Equipment		\$12,000.00
Preliminary Road Engineering		\$10,000.00
Reserve for Uncollected Taxes		\$410,000.00
Safe and Secure Communities-Local		\$109,000.00
Bond Principal		\$295,000.00
Payment of Bond Ordinances		\$55,000.00
Bond Interest		\$128,000.00
BAN Principal		\$0.00
BAN Interest		\$21,500.00

Grand Total\$6,924,447.32

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Flemington that the following temporary appropriations be made inasmuch as the amounts listed will be included in the final adoption of the Utility

Budgets.

Water Utility

	Salaries & Wages	Other Expenses
Water Operating	\$290,000.00	\$475,775.00
Social Security		\$24,000.00
BAN Interest		\$63,150.00
BAN Principal		\$37,975.00
PERS		\$5,000.00
Deficit in Operations		\$17,000.00
Payment of NJEIT Loan		\$235,500.00
Payment of USDA Loan		\$168,500.00
Capital Improvement Fund		\$60,000.00
Bond Principal		\$116,000.00
Bond Interest		\$53,100.00
Grand Total		<u>\$1,546,000.00</u>

Sewer Utility

	Salaries & Wages	Other Expenses
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Sewer Operating	\$645,000.00	\$555,000.00
Social Security		\$44,000.00
Contracted Expenses - R.T.M.U.A.		\$1,100,000.00
Payment of USDA Loan		\$137,900.00
Payment of Note Principal		\$0.00
Payment of Note Interest		\$2,500.00
Collector Rehabilitation		\$25,000.00
PERS		\$10,000.00
Capital Improvement Fund		\$10,000.00
Payoff Capital Ordinances		\$150,000.00
<u>Grand Total</u>		<u>\$2,702,000.00</u>

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-69

DOC ID: 3734

Resolution of Participation: Safe and Secure Grant, State of New Jersey Department of Law and Public Safety, Division of Criminal Justice, Safe and Secure Communities Program

A resolution approving participation with the State of New Jersey federal grant program administered by the Division of Criminal Justice, Department of Law and Public Safety.

WHEREAS, the Borough of Flemington wishes to apply for funding of \$14,425.00 with a match of \$122,681.89 for an approximate project total cost of \$137,106.89 for a project under the State of New Jersey Safe & Secure Communities Grant Program, and

WHEREAS, the Mayor and Council have reviewed the accompanying application and have approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and Flemington Borough for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Mayor and Council that

1. As a matter of public policy Flemington Borough wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.
5. The subaward number is 22-1009.
6. The subaward period is 9/15/21 to 9/14/22.
7. Flemington Borough accepts the subaward of the Safe & Secure grant.

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

CERTIFICATION OF RECORDING OFFICER

This is to certify that the foregoing resolution is a true and correct copy of a resolution which was duly and regularly introduced and finally adopted at the meeting of the Flemington Borough Mayor and Council held on the 14th of February, 2022 and duly recorded in my office; that all requirements of law pertaining to the conduct of said meeting and the passage of this resolution were observed; and that I am duly authorized to execute this certificate.

Dated: February , 2022

SEAL

Signature of Certifying Officer

Borough Clerk
Title

Sallie Graziano, RMC
Name of Certifying Officer

ATTACHMENTS:

- #2 SS Consolidated Application and Award Documents (PDF)

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-70

DOC ID: 3735

Authorizing a Contract for the Installation of a Keyless Entry System at Borough Hall

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, the Borough requested two quotes for installing a keyless entry system at Borough Hall; and

WHEREAS, the two quotes were as follows:

Hunterdon Lock and Safe
Whitehouse Security

\$7,250.15
Quote Not Received

WHEREAS, the quote that is most advantageous to the Borough is from Hunterdon Lock and Safe, in the amount of \$7,250.15;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that a contract be awarded to Hunterdon Lock and Safe in the amount of \$7,250.15, for installation of a keyless entry system at Borough hall.

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 02/14/22 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

SCHEDULED

RESOLUTION 2022-71

DOC ID: 3736

**Authorizing a Contract with Kyle McManus Associates for
Creation of a New Master Plan, in an Amount Not to Exceed
\$60,000**

WHEREAS New Jersey municipal land use standards call for updating the master plan periodically or when there is a significant change in circumstances or planning direction; and

WHEREAS the last master plan was completed in 2010; and

WHEREAS, a master plan reexamination was completed in 2015; and

WHEREAS, the Borough is in receipt of Opportunity Zone grant-sponsored reports by Stantec and Zimmerman/Volk regarding development and housing in the Borough; and

WHEREAS, several areas of the borough have been declared as being Areas in Need of Redevelopment since 2015; and

WHEREAS the planning board has investigated, discussed, and negotiated pricing with Kyle McManus Associates to create a new master plan for the Borough, and the cost of the new master plan is roughly \$50,000; and

WHEREAS, the Borough has submitted a request to the Hunterdon County Economic Development grant program for \$20,000 toward this expense; and

WHEREAS Council wishes to see the Planning Board proceed with the new master plan as a significant step in its planning process;

NOW, THEREFORE, BE IT RESOLVED that a contract is authorized with Kyle McManus Associates for creation of a new master plan, in an amount not to exceed \$60,000.

Adopted: February 14, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk