



# Mayor and Common Council Borough of Flemington

April 11, 2022

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Council Meeting Room and Online

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## Call to Order (7:00 PM)

1. Statement regarding OPMA

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of April 11, 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.

## Executive Session (7:00 PM)

1. RESOLUTION 2022-106: ENTERING EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING POSSIBLE NEGOTIATIONS ON LAND ACQUISITION (ACTION MAY BE TAKEN)

## Regular Meeting (7:30 PM)

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

Flag Salute

1. Consideration of Candidates to Replace Ms. Giles-McCormick

Roll Call:

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

II. Mayor's Report

III. Council Members' Reports

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

V. Approval of Minutes

Motion To: **Approve Minutes: March 28, 2022 Regular Council Meeting**

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## Regular Agenda

1. ORDINANCE 2022-3: AN ORDINANCE AMENDING THE PRIVATE GARAGE DEFINITION IN CHAPTER 12 LAND DEVELOPMENT DEFINITIONS SECTION 1202 WORD AND TERMS DEFINED, AND THE AFFORDABLE HOUSING SET-ASIDE IN CHAPTER 26 ZONING SECTION 2635, AFFORDABLE HOUSING INCLUSIONARY ZONING SET-ASIDE
2. ORDINANCE 2022-4: SECOND READING, SALARY ORDINANCE FOR 2022
3. ORDINANCE 2022-5: FIRST READING, CALENDAR YEAR 2022 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A. 40A:4-45.14)
4. ORDINANCE 2022-6: FIRST READING, AMENDING SECTION 7-4.2 OF THE CODE OF THE BOROUGH OF FLEMINGTON REGARDING PARKING DURING SNOW EMERGENCIES
5. RESOLUTION 2022-95: FIRST READING: ADOPTING THE 2022 MUNICIPAL BUDGET OF THE BOROUGH OF FLEMINGTON
6. RESOLUTION 2022-96: FLEMINGTON BOROUGH SELF-EXAMINATION FOR 2022 MUNICIPAL BUDGET
7. RESOLUTION 2022-97: CERTIFYING COMPLIANCE WITH THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S 'ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964'
8. RESOLUTION 2022-104: AUTHORIZING THE CONVERSION OF THE BOROUGH'S SNOWFLAKE HOLIDAY LIGHTS FROM INCANDESCENT TO LED BULBS
9. RESOLUTION 2022-105: AUTHORIZING THE SUBMISSION OF DOCUMENTS TO THE NJ DEPARTMENT OF TRANSPORTATION REGARDING THE MAIN STREET IMPROVEMENT PROJECT
10. RESOLUTION 2022-107: LETTER OF SUPPORT FOR HC YMCA
11. RESOLUTION 2022-108: AUTHORIZING SUBMISSION OF A TREATMENT WORKS APPROVAL PERMIT APPLICATION TO THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE HOPEWELL AVENUE SANITARY SEWER REPLACEMENT PROJECT

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

VII. Attorney's Report

VIII. Payment of the Bills

Motion To: **Pay the Bills in the Amount of \$1,051,632.67**

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

X. Adjournment

Motion To: **Adjourn**

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 03/14/22 07:30 PM  
Department: Clerk of the Borough  
Category: Council Ordinance  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**INTRODUCED**

**ORDINANCE 2022-3**

DOC ID: 3759

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**An Ordinance Amending the Private Garage Definition in Chapter 12 Land Development Definitions Section 1202 Word and Terms Defined, and the Affordable Housing Set-Aside in Chapter 26 Zoning Section 2635, Affordable Housing Inclusionary Zoning Set-Aside**

**Borough of Flemington, Hunterdon County**

**WHEREAS**, the Mayor and Council of the Borough of Flemington ("Borough Council") finds that there is a lack of clarity in its mandatory affordable housing set-aside ordinance; and

**WHEREAS**, the Mayor and Council of the Borough of Flemington ("Borough Council") finds that the regulation of "private garages" in the Borough's mixed-use and nonresidential districts is incompatible with the typical land uses and desired character in those zone districts;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Flemington, the County of Hunterdon, that Chapter 12 and Chapter 26 of the Code of the Borough of Flemington (the "Code"), entitled "Land Development Definitions" and "Zoning," is hereby amended and supplemented as shown in the attached document (*additions are shown as thus; deletions are shown as ~~thus~~*).

Introduced: March 14, 2022

Adopted:

Attest:

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Betsy Driver, Mayor

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Sallie Graziano, Borough Clerk

# Mayor and Common Council

38 Park Avenue  
Flemington, NJ 08822

Meeting: 03/28/22 07:30 PM  
Department: Clerk of the Borough  
Category: Council Ordinance  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**TABLED**

## **ORDINANCE 2022-4**

DOC ID: 3769

### **Salary Ordinance for 2022**

*An ordinance to fix the rate of compensation of the Mayor, Council and non-union employees of the Borough of Flemington, County of Hunterdon, State of New Jersey.*

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

**Section 1:** The rate of compensation of the following employees shall be on a yearly basis, payable quarterly and effective January 1, 2022:

|                 |         |
|-----------------|---------|
| Mayor           | \$6,120 |
| Council Member  | \$4,935 |
| Public Defender | \$9,988 |

**Section 2:** The rate of compensation of the following non-union employees shall be on a yearly basis, payable bi-weekly and effective January 1, 2022:

|  |           |
|--|-----------|
| Borough Clerk (To include Registrar of Vital Statistics)     | \$58,428  |
| Deputy Clerk   | \$26,869  |
| Administrator / Engineer                                     | \$120,000 |
| Chief Financial Officer (To include Deputy Collector)        | \$48,785  |
| Tax Collector  | \$22,372  |
| Tax Assessor   | \$32,684  |
| Finance Assistant  | \$19,650  |
| Municipal Court Judge  | \$26,507  |
| **\$1,030.00 per 4th Monday Court Session                    |           |
| Court Administrator  | \$56,100  |
| Court Officer (per night)                                    | \$97      |
| Court Night Violations Clerk                                 | \$40,000  |
| Construction Official / Building Sub-Code Inspector / Zoning | \$59,853  |
| Property Maintenance Officer (per hour rate)                 | \$23.54   |

|   |             |
|---|-------------|
| Fire Sub-Code Inspector                                     | \$11,829    |
| Plumbing Sub-Code Inspector                                 | \$11,829    |
| Electric Sub-Code Inspector                                 | \$13,215    |
| Fire Marshal  | \$45,101    |
| Planning Board Secretary                                    | \$25,589    |
| Office of Emergency Management                              | \$2,341     |
| Department of Public Works Director / Recycling Coordinator | \$115,022   |
| Library Director  | \$71,138    |
| Librarian I   | \$41,479    |
| Librarian II  | \$39,422    |
| Property Maintenance Inspector (per hour rate)              | \$23.08     |
| Fire Prevention Inspector Step I (per hour rate)            | \$20.40     |
| Fire Prevention Inspector Step II (per hour rate)           | \$22.07     |
| Right to Know Officer                                       | \$2,500     |
| Police Secretary (per hour rate)                            | \$15.24     |
| Library Aide (per hour rate)                                | \$13- \$16  |
| Adult Crossing Guards (per hour rate)                       | \$16 - \$27 |
| Tax Assessor Assistant (per hour rate)                      | \$26.52     |
| Parking Enforcement Officer (per hour rate)                 | \$15 - \$27 |
| Special Police Officer: Class I (per hour rate)             | \$13 - \$27 |
| Casual Employees (per hour rate)                            | \$13 - \$58 |
| Administrative Assistant                                    | \$17        |

Section 3: The rate of compensation of the following police non-union employee shall be on a yearly basis, payable bi-weekly:

|                 |           |
|-----------------|-----------|
| Chief of Police | \$154,098 |
|-----------------|-----------|

Introduced: March 28, 2022

Adopted:

Attest:

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Betsy Driver, Mayor

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Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 03/28/22 07:30 PM  
Department: Clerk of the Borough  
Category: Council Ordinance  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**ORDINANCE 2022-5**

DOC ID: 3773

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**Calendar Year 2022 Ordinance to Exceed the Municipal  
Budget Cost of Living Allowance and to Establish a Cap  
Bank When the COLA is Equal to or Less Than 2.5 Percent  
(N.J.S.A. 40A:4-45.14)**

**Flemington Borough, Hunterdon County**

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% or the Cost-of-Living Adjustment (COLA), whichever is less, over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A:4-45.14 provides that a municipality may, in any year in which the COLA is equal to or less than 2.5%, increase its final appropriations by a percentage greater than the COLA, but not to exceed the 3.5% rate as specified in the law, when authorized by ordinance; and,

**WHEREAS**, the COLA for 2022 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5% and,

**WHEREAS**, N.J.S.A. 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than 2.5%, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Flemington in the County of Hunterdon finds it advisable and necessary to increase its 2022 budget by more than 2.50% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$49,987.41 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Flemington, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2022 budget year, the final appropriations of the Borough of Flemington shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$174,955.94 and that the 2022 municipal budget for the Borough of Flemington be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: April 11, 2022

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

#### **CLERK'S CERTIFICATION**

I hereby certify that this is a true copy of the ordinance introduced at the Flemington Borough Council meeting held on April 11, 2022, and finally adopted at the Flemington Borough Council meeting held on May .

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



**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/11/22 07:30 PM  
Department: Clerk of the Borough  
Category: Council Ordinance  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**ORDINANCE 2022-6**

DOC ID: 3772

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**First Reading, Amending Section 7-4.2 of the Code of the  
Borough of Flemington Regarding Parking During Snow  
Emergencies**

**WHEREAS**, the Code of the Borough of Flemington prohibits parking on streets and certain parking lots during snowstorms; and

**WHEREAS**, the Borough Council wishes to clarify that the prohibitions are only in effect when the Borough of Flemington has declared a "snow emergency;" and

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

**Section 1.** Section 7-4.2 of the Code of the Borough of Flemington, entitled "Parking Prohibited During State of Emergency," shall be amended as follows:

a. ***Parking During a Snow Emergency.*** ~~Streets and highways.~~

1. Whenever snow has fallen ***and the Borough of Flemington declares a snow emergency*** ~~and the accumulation is such that it covers the street or highway, an emergency shall exist and~~ no vehicle shall be parked on any street or highway in the Borough of Flemington. The above parking prohibition shall remain in effect after the snow has ceased until the ***declaration of a snow emergency is lifted*** ~~streets have been plowed sufficiently and to the extent that parking will not interfere with the normal flow of traffic.~~

2. Municipal parking lots. Whenever snow has fallen and ***the Borough of Flemington declares a snow emergency*** ~~the accumulation is such that it covers any municipal parking lot, an emergency shall exist and~~ no vehicle shall be parked in any municipal parking lot in the Borough of Flemington. ***The above parking prohibition shall remain in effect after the snow has ceased until the declaration of a snow emergency is lifted***

3. Exceptions: Residential - Snow emergency parking.

(a) Any vehicle that is parked in a designated "Residential - Snow Emergency Parking" area located within a municipal parking lot.

(1) Areas #1, #2, #3, #4 and #5;

(2) Parking lot located to the rear of the Flemington Borough Hall and Fire House, 38 Park Avenue.

4. ***Declaration of a Snow Emergency.***

**(a) When in the opinion of the Chief of Police, in consultation with the Mayor, Office of Emergency Management Coordinator, and Department of Public Works Supervisor, the actual or expected precipitation of snow will create hazardous or dangerous street and highway conditions for vehicular or pedestrian traffic, he/she may in the manner set forth herein, declare that a snow emergency exists in the Borough or in a section or sections thereof.**

**(b) The Chief of Police shall immediately inform the public of the snow emergency by issuing a statement in a manner determined in consultation with the Mayor, Office of Emergency Management Coordinator, and Department of Public Works Supervisor.**

**(c) The Chief of Police may declare any snow emergency route or any part of a snow emergency route to be free from the restrictions herein imposed, or the snow emergency terminated, when in his/her opinion the weather or street conditions warrant such a determination. The Chief of Police shall give notice of this determination in the manner provided for in paragraph b of this section.**

**b. Parking During a Declared Local or State Emergency Due to Snow or Hazardous Weather Conditions.**

**1. Whenever a state of emergency has been declared in compliance with the N.J.S.A. App. A:9-1 et seq. as a result of snow or other hazardous weather conditions, no vehicle shall be parked on any street, highway, or municipal parking lot in the Borough of Flemington.**

**2. Exceptions: Residential - Snow or other weather emergency parking.**

**(a) Any vehicle that is parked in a designated "Residential - Snow Emergency Parking" area located within a municipal parking lot.**

**(1) Areas #1, #2, #3, #4 and #5;**

**(2) Parking lot located to the rear of the Flemington Borough Hall and Fire House, 38 Park Avenue.**

**c. Parking During Other Declared Emergencies, Traffic Conditions, or Public Events Where Signage is Posted.**

**1. Upon the declaration of an emergency or other traffic condition by the Chief of Police, in consultation with the Mayor, Office of Emergency Management Coordinator, and Department of Public Works Supervisor, there shall be no parking**

upon streets or sections of streets where temporary "EMERGENCY-NO PARKING" signs are displayed.

**2.** The *Chief of Police (or his/her designee), in consultation with the Mayor, Office of Emergency Management Coordinator, and Department of Public Works Supervisor* ~~chief of police, or in his absence, the ranking police officer,~~ is authorized to declare an emergency and to direct the posting of said "EMERGENCY, NO-PARKING" signs when weather conditions, accidents, fires, or public celebrations dictate or require the avoidance of hazards or other conditions which interfere with the free flow of traffic.

Notification that the "EMERGENCY, NO-PARKING" signs are being or will be posted shall be given to the operator or owner of any vehicle which has been parked prior to the posting of the sign.

**ed.** Any unoccupied vehicle parked or standing in violation of this subsection shall be deemed a nuisance and a menace to the safe and proper regulation of traffic and any police officer may provide for the removal of such vehicle. The owner shall pay the reasonable costs of removal and storage which may result from such removal, before regaining possession of the vehicle.

**de.** The provisions of paragraphs a, b and c shall not apply to any fire-fighting equipment, ambulance or other emergency equipment actively engaged in dealing with an emergency in the Borough.

**ef. *Violations and Penalties.***

**1.** Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation or provision of this subsection or supplement thereto, shall be liable to a penalty of not more than \$500.00 or imprisonment for a term not exceeding 90 days or both.

**2.** *In addition to any other fine or penalty that may be imposed, any unoccupied vehicle parked or standing in violation of subsections (b) or (c) hereof (i.e. during the declaration of a local or state emergency or other traffic condition) this article shall be deemed a nuisance and a menace to the safe and proper regulation of traffic, and any police or peace officer may provide for the removal of such vehicle. The owner shall pay the reasonable costs of the removal and storage which may result from such removal before regaining possession of the vehicle. This provision shall not apply if only a "Snow Emergency" pursuant to subsection (a) has been declared.*

**Section 2.** The Chief of Police, in consultation with the Mayor, Office of Emergency Management Coordinator, and Department of Public Works Supervisor, is hereby authorized to direct the posting of signage consistent with this ordinance.

**Section 3.** All ordinances of the Borough of Flemington, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

**Section 4.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

**Section 5.** This Ordinance shall take effect upon final passage and publication as required by law.

Introduced:

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 03/28/22 07:30 PM  
Department: Clerk of the Borough  
Category: Financial Approval  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**TABLED**

**RESOLUTION 2022-95**

DOC ID: 3763

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**First Reading: Adopting the 2022 Municipal Budget of the  
Borough of Flemington**

**BE IT RESOLVED** that the 2022 Municipal Budget, shown in the attached document, be adopted by the Council of the Borough of Flemington, County of Hunterdon, State of New Jersey.

Tabled: March 28, 2022

Introduced: April 11, 2022

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 03/28/22 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**TABLED**

**RESOLUTION 2022-97**

DOC ID: 3774

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**Certifying Compliance with the U.S. Equal Employment  
Opportunity Commission's 'Enforcement Guidance on the  
Consideration of Arrest and Conviction Records in  
Employment Decisions Under Title VII of the Civil Rights Act  
of 1964'**

**WHEREAS**, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

**WHEREAS**, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

**NOW, THEREFORE BE IT RESOLVED**, that the Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Tabled: March 28, 2022

Adopted: April 11, 2022

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

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

**CLERK'S CERTIFICATION**

I hereby certify that this is a true copy of the resolution passed at the Flemington Borough Council meeting held on April 11, 2022.

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

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/11/22 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**RESOLUTION 2022-105**

DOC ID: 3786

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**Authorizing the Submission of Documents to the NJ  
Department of Transportation Regarding the Main Street  
Improvement Project**

WHEREAS, Flemington Borough has received \$220,000 in FY 2020 Municipal Aid funds from the NJ Department of Transportation for the Main Street and Church Street Roadway Improvement Project; and

WHEREAS, a construction contract for this project was to be awarded by November 21, 2021; and

WHEREAS, circumstances arose that prevented a construction contract from being awarded by that date;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington authorizes the submission of documents to the NJ Department of Transportation requesting a one-year extension of the award deadline from the original date to November 21, 2022; and

BE IT FURTHER RESOLVED that the Council of the Borough of Flemington authorizes the submission documents to the NJ Department of Transportation requesting modification to the scope of the project.

BE IT FURTHER RESOLVED that the Mayor, Borough Clerk and other officials as required are authorized to sign such documents as necessary to advance these requests.

Adopted: April 11, 2022

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 03/28/22 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**TABLED**

**RESOLUTION 2022-96**

DOC ID: 3775

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**Flemington Borough Self-Examination for 2022 Municipal Budget**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5 the Borough of Flemington has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2022 budget year;

**THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Flemington that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officer's certification, the governing body has found that the budget has met the following requirements:

- 1 That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payments of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
- 2 That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
- 3 That the budget is in such form, arrangement and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
- 4 That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate, and correctly stated
  - b. Items of appropriation are properly set forth



c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5 The budget and associated amendments have been introduced, publicly advertised and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6 That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Tabled: March 28, 2022

Adopted: April 11, 2022

Attest:

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Betsy Driver, Mayor

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Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/11/22 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**RESOLUTION 2022-104**

DOC ID: 3785

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**Authorizing the Conversion of the Borough's Snowflake  
Holiday Lights from Incandescent to LED Bulbs**

WHEREAS, the Borough's 58 snowflake holiday lights are in need of maintenance;  
and

WHEREAS, the vendor who services the snowflakes, Rileigh's Outdoor Decor, has  
offered to convert the decorations from incandescent lights to LED lights at a  
special rate; and

WHEREAS, the vendor would perform this service for all the snowflakes for a total  
cost of \$1,863.90 (including the LED lights listed for \$1.25 each and the labor);  
and

WHEREAS, each of the snowflakes has more than 100 lights, so the savings is  
significant;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington  
authorizes an agreement with Rileigh's Outdoor Decor to convert the Borough's  
holiday snowflake lights from incandescent lights to LED lights at a total cost of  
\$1,863.90.

BE IT FURTHER RESOLVED that the Mayor and other Borough officials as needed  
are authorized to sign an agreement with Rileigh's Outdoor Decor regarding  
these terms.

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 04/11/22 07:30 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**SCHEDULED**

**RESOLUTION 2022-106**

DOC ID: 3787

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**Entering Executive Session for the Purpose of Discussing  
Possible Negotiations on Land Acquisition**

WHEREAS, the Common Council of the Borough of Flemington desires to discuss and obtain attorney advice regarding possible negotiations on land acquisition; and

WHEREAS, an executive session for this discussion is justified under N.J.S.A. 10:4-12 (5), which cites:

any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed; and

WHEREAS, an executive session for this discussion is also justified under N.J.S.A. 10:4-12 (7), which cites:

any pending or anticipated litigation or contract negotiation other than in section (4) herein which the public body is, or may become a party; and

WHEREAS, a date cannot yet be given for when the minutes from the executive session may be made public;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the Borough of Flemington go into executive session for the above-started purposes.

Adopted:

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

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**Authorizing Submission of a Treatment Works Approval  
Permit Application to the NJ Department of Environmental  
Protection for the Hopewell Avenue Sanitary Sewer  
Replacement Project**

BOROUGH OF FLEMINGTON

WHEREAS, the Borough owns and operates a sanitary sewer on Hopewell Avenue between North Main Street and East Main Street, and

WHEREAS, the Borough plans to replace a portion of that sewer due to its age and poor condition, and

WHEREAS, the replacement of the sewer requires a Treatment Works Approval (TWA) Permit from the New Jersey Department of Environmental Protection.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington formally approves the submission of the permit application for the above stated project.

BE IT FURTHER RESOLVED that the Director of Public Works and other Borough officials as necessary are hereby authorized to execute, on behalf of the Borough, any forms required as part of the permit submittal.

Adopted: April 11, 2022

Attest:

\_\_\_\_\_  
Betsy Driver, Mayor

\_\_\_\_\_  
Sallie Graziano, Borough Clerk

## 2022 Municipal Budget

of the BOROUGH of FLEMINGTON County of  
HUNTERDON for the fiscal year  
2022.

### Revenue and Appropriations Summaries

| Summary of Revenues                            | Anticipated  |  |              |  |
|--|--------------|--|--------------|--|
|  | 2022         |  | 2021         |  |
| 1. Surplus                                     | 370,000.00   |  | 410,000.00   |  |
| 2. Total Miscellaneous Revenues                | 1,144,616.15 |  | 957,643.27   |  |
| 3. Receipts from Delinquent Taxes              | 279,000.00   |  | 280,000.00   |  |
| 4. a) Local Tax for Municipal Purposes         | 4,998,079.24 |  | 4,734,408.89 |  |
| b) Addition to Local School District Tax       |              |  |              |  |
| c) Minimum Library Tax                         | 150,614.35   |  | 145,392.11   |  |
| Tot Amt to be Rsd by Taxes for Sup of Muni Bnd | 5,148,693.59 |  | 4,879,801.00 |  |
| Total General Revenues                         | 6,942,309.74 |  | 6,527,444.27 |  |

| Summary of Appropriations                     |                  | 2022 Budget  |  | Final 2021 Budget |  |
|---|------------------|--------------|--|-------------------|--|
| 1. Operating Expenses:                        | Salaries & Wages | 2,500,296.00 |  | 2,493,961.00      |  |
|   | Other Expenses   | 2,624,082.15 |  | 2,294,390.27      |  |
| 2. Deferred Charges & Other Appropriations    |                  | 886,431.59   |  | 822,743.00        |  |
| 3. Capital Improvements                       |                  | 77,000.00    |  | 55,000.00         |  |
| 4. Debt Service (Include for School Purposes) |                  | 444,500.00   |  | 451,350.00        |  |
| 5. Reserve for Uncollected Taxes              |                  | 410,000.00   |  | 410,000.00        |  |
| Total General Appropriations                  |                  | 6,942,309.74 |  | 6,527,444.27      |  |
| Total Number of Employees                     |                  | 73           |  | 73                |  |

| 2022<br>Dedicated                          |  | Water        | Utility Budget |                      |  |
|--|--|--------------|----------------|----------------------|--|
| Summary of Revenues                        |  | Anticipated  |                |                      |  |
|  |  | 2022         |                | 2021                 |  |
| 1. Surplus                                 |  | 96,200.00    |                |                      |  |
| 2. Miscellaneous Revenues                  |  | 1,434,800.00 |                | 1,611,308.38         |  |
| 3. Deficit (General Budget)                |  |              |                |                      |  |
| Total<br>Revenues                          |  | 1,531,000.00 |                | 1,611,308.38         |  |
|  |  |              |                |                      |  |
| Summary of Appropriations                  |  | 2022 Budget  |                | Final 2021<br>Budget |  |
| 1. Operating Expenses: Salaries & Wages    |  | 302,000.00   |                | 290,000.00           |  |
| Other Expenses                             |  | 516,500.00   |                | 475,775.00           |  |
| 2. Capital Improvements                    |  | 5,000.00     |                | 60,000.00            |  |
| 3. Debt Service                            |  | 677,500.00   |                | 674,225.00           |  |
| 4. Deferred Charges & Other Appropriations |  | 30,000.00    |                | 111,308.38           |  |
| 5. Surplus (General Budget)                |  |              |                |                      |  |
| Total Appropriations                       |  | 1,531,000.00 |                | 1,611,308.38         |  |
| Total Number of Employees                  |  | 12           |                | 12                   |  |

| 2022                        |  |       |                |  |              |  |
|-----------------------------|--|-------|----------------|--|--------------|--|
| Dedicated                   |  | Sewer | Utility Budget |  |              |  |
| Summary of Revenues         |  |       | Anticipated    |  |              |  |
|                             |  |       | 2022           |  | 2021         |  |
| 1. Surplus                  |  |       | 851,525.00     |  | 884,000.00   |  |
| 2. Miscellaneous Revenues   |  |       | 1,904,600.00   |  | 1,818,000.00 |  |
| 3. Deficit (General Budget) |  |       |                |  |              |  |
| Total Revenues              |  |       | 2,756,125.00   |  | 2,702,000.00 |  |

|  |                  |                    |                          |  |
|--|------------------|--------------------|--------------------------|--|
|  |                  |                    |                          |  |
| <b>Summary of Appropriations</b>           |                  | <b>2022 Budget</b> | <b>Final 2021 Budget</b> |  |
| 1. Operating Expenses:                     | Salaries & Wages | 600,000.00         | 645,000.00               |  |
|  | Other Expenses   | 1,768,250.00       | 1,655,000.00             |  |
| 2. Capital Improvements                    |                  | 35,000.00          | 35,000.00                |  |
| 3. Debt Service                            |                  | 188,700.00         | 163,000.00               |  |
| 4. Deferred Charges & Other Appropriations |                  | 164,175.00         | 204,000.00               |  |
| 5. Surplus (General Budget)                |                  |                    |                          |  |
| Total Appropriations                       |                  | 2,756,125.00       | 2,702,000.00             |  |
| Total Number of Employees                  |                  | 5                  | 5                        |  |

| Balance of Outstanding Debt |  |              |  |               |  |              |
|-----------------------------|--|--------------|--|---------------|--|--------------|
|                             |  | General      |  | Water         |  | Sewer        |
| Interest                    |  | 149,500.00   |  | 117,000.00    |  | 6,200.00     |
| Principal                   |  | 5,894,000.00 |  | 11,303,545.10 |  | 2,940,652.36 |
| Outstanding Balance         |  | 6,043,500.00 |  | 11,420,545.10 |  | 2,946,852.36 |