



# Mayor and Common Council Borough of Flemington

January 4, 2021

Online during COVID-19 Emergency

## Council Reorganization

### Call to Order

Mayor Driver called the meeting to order at 5:00 p.m.

### Regular Meeting (5:00 PM)

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

Flag Salute

#### I. Oaths of Office

##### 1. Oath of Office for Kimberly A. Tilly

Ms. Tilly was sworn in at Borough Hall earlier in the day by Clerk Graziano.

##### 2. Oath of Office for Malik Johnston

NJ Lt. Gov. Sheila Oliver swore in Council Member Johnston. Mr. Johnston thanked voters, said he was excited to serve and represent all residents, and thanked all his supporters.

Roll Call:

| Attendee Name           | Title                  | Status  | Arrived |
|-------------------------|------------------------|---------|---------|
| Caitlin Giles-McCormick | Council President      | Present |         |
| Jessica Hand            | Council Member         | Present |         |
| Malik Johnston          | Council Member         | Present |         |
| Jeremy Long             | Council Member         | Present |         |
| Christopher Runion      | Council Member         | Present |         |
| Kimberly Tilly          | Council Vice President | Present |         |
| Betsy Driver            | Mayor                  | Present |         |

#### II. Mayor's Report

Mayor Driver thanked her family for their support, particularly in the challenging year just passed. She gave an overview of the Borough's response to the COVID-19 virus, and said it served as a model for other communities. She thanked WBM for its contribution of PPE at a time when there were shortages. She called for a moment of silence to honor the three Borough residents who died of the virus. She said vaccinations hold out hope for the year ahead, but we must remain diligent and socially distant.

She discussed the ongoing development efforts in town including the Courthouse Square project, plans for the two Agway sites, Liberty Village, and infrastructure projects planned this year.

With the COVID-19 restrictions there will be no reorganization dinner this year to honor Borough employees, but she's hoping something can be arranged later in the year.

### **III. Council Members' Comments**

#### **Council Member Long**

Mr. Long congratulated his newly elected and re-elected colleagues, and talked about the challenges of governing during a pandemic - doing everything through online meetings, coming up with creative ways to complete the Census count, and share information.

He discussed his experience serving on the Planning Board, and working on the Citizens' Working Group with Ms. Hand and Chief Rotella.

His goals for 2021 include continuing to be available to residents, in the belief that exploring different perspectives will help build consensus. He intends to pursue adoption of bylaws, and said for the budget, a visual presentation is critical.

### **Recognition of Assemblyman Andrew Zwicker**

Mayor Driver recognized Assemblyman Andrew Zwicker, who was participating in the online meeting. Mr. Zwicker congratulated the new and re-elected Council members. He commented on the challenges of the past year and said he's looking forward to continuing to work with Borough officials in the year ahead.

#### **Council Members' Comments (Continued)**

#### **Council Member Hand**

Ms. Hand said her work on the Citizens' Working Group was eye-opening and gives her hope for the future. Her goals for this year include getting the Community Garden up and running, and finalizing bylaws for Council.

#### **Council Member Runion**

Mr. Runion congratulated his newly elected and re-elected colleagues, and discussed the Environmental Commission's work over the past year, which included 3 site plan reviews. They are continuing to work on action items to attain Bronze-level status in the Sustainable Jersey program.

#### **Council Member Giles-McCormick**

Ms. Giles-McCormick congratulated the newly elected and re-elected Council Members, and said this year feels like it has a lot of potential, and the Borough is turning a corner. She said it's good to dream big, but balance that with what's

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feasible. Discussions must not shut people out, and greatness comes from diversity. Regarding the Opportunity Zone discussions, she said an advisory group is helping them put all the suggestions together, and they've received a month's extension to complete the talks, due to the pandemic.

Council Member Tilly

Ms. Tilly thanked voters for returning her to office, thanked Council members for their good wishes, and welcomed Mr. Johnston to Council. She said she's looking forward to a productive year.

Council Member Johnston

Mr. Johnston thanked everyone again for their support.

Motion To: **Amend the Agenda to Include Comments from the OEM Coordinator**

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

The agenda was amended to add a comment session for the OEM Coordinator immediately following Council comments.

#### IV. OEM Coordinator's Comments

Coordinator McNally said we're 42 weeks in to the COVID-19 public health emergency. When last before Council on 12/14, he was preparing for a major winter storm; he said the DPW did a great job cleaning up after the storm, and thanked residents and businesses for keeping the streets clear so plows could get through.

Regarding COVID, the Borough has had 262 positive cases since March, and 26 of those cases came within the last 7 days. Right now, the main effort is sharing information about vaccine distribution. We're currently in Phase 1A - mainly healthcare workers and EMTs. Phase 1B and 1C will follow - additional first responders, firefighters, police, and other essential workers. Phase 2 will be for the general public. He and the Mayor are planning a Facebook Live discussion on Thursday at 7 p.m., on the Borough's Facebook page. He warned people to watch out for vaccine scams.

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

No comments were made.

#### VI. Council Election

##### 1. President

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Mr. Long nominated Ms. Giles-McCormick as Council President. Ms. Tilly seconded the motion. There were no other nominations. All members voted in favor of electing Ms. Giles-McCormick as Council President.

2. Vice President

Ms. Giles-McCormick nominated Mr. Long as Council Vice President. Ms. Hand seconded the motion. There were no other nominations. All Council members voted in favor of electing Mr. Long as Council Vice President.

3. Class III Planning Board (1 year)

Ms. Giles-McCormick nominated Mr. Long as Class III Planning Board Member. Ms. Hand seconded the motion. There were no other nominations. All Council Members voted in favor of having Mr. Long serves as the Class III Planning Board member.

VII. Mayor's Council Assignments

Mayor Driver announced the Council liaison assignments for 2021; the list is attached to these minutes.

VIII. Mayor's Nominations for Appointments to Boards, Commissions

The Mayor nominates the following:

Planning Board

Jeffrey Doshna, Class IV members, term expires 12/31/2024

Todd Cook, Class IV members, term expires 12/31/2024

James Hill, Alternate 1, term expires 12/31/2022

Historic Preservation Commission

Jennifer Williford, term expires 12/31/2024

Shade Tree Commission

John Gorman, 1-year term, expires 12/31/2021

Sandy Borucki, 3-year term, expires 12/31/2023

Nancy Schermerhorn, 4-year term, expires 12/31/2024

Mike DeLuca, 5-year term, expires 12/31/2025

Edna Pedrick - Alternate - 5-year term, expires 12/31/2025

Motion To: **Approving the Mayor's Nominations**

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Kimberly Tilly, Council Vice President               |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

IX. Approval of Resolution 2020-1: Consent Agenda to be Used

1. RESOLUTION 2021-1: APPROVING USE OF A CONSENT AGENDA

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Jeremy Long, Council Member                          |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

### Consent Agenda

Moved by: Hand      Seconded by: Giles-McCormick      Vote: All voted in favor.

1. RESOLUTION 2021-2: OPEN PUBLIC MEETINGS ACT NOTICE 2021
2. RESOLUTION 2021-3: RULES OF ORDER FOR 2021
3. RESOLUTION 2021-4: SCHEDULING THE 2022 REORGANIZATION MEETING
4. RESOLUTION 2021-5: ADOPTING MEETING DATES FOR 2021
5. RESOLUTION 2021-6: DEPOSITORIES FOR 2021
6. RESOLUTION 2021-7: SETTING A RETURNED CHECK FEE OF \$20
7. RESOLUTION 2021-8: AUTHORIZATION TO INVEST SURPLUS FUNDS, 2021
8. RESOLUTION 2021-9: DESIGNATION OF AUTHORITY TO SIGN CHECKS, 2021
9. RESOLUTION 2021-10: AUTHORIZING THE PRE-PAYMENT OF CERTAIN BILLS FOR 2021
10. RESOLUTION 2021-11: SETTING THE DELINQUENT INTEREST RATE FOR PROPERTY TAXES, 2021
11. RESOLUTION 2021-12: TEMPORARY BUDGET FOR 2021
12. RESOLUTION 2021-13: DESIGNATION OF OFFICIAL NEWSPAPERS FOR 2021
13. RESOLUTION 2021-14: PUBLIC AGENCY COMPLIANCE OFFICER DESIGNATION 2021
14. RESOLUTION 2021-15: APPOINTING ERIC PERKINS AS MUNICIPAL COURT JUDGE
15. RESOLUTION 2021-16: APPOINTING MALESKI, EISENHUT AND ZIELINSKI, LLC AS PROSECUTOR, 2021
16. RESOLUTION 2021-17: APPOINTING STANLEY TROY, ESQ., TO THE POSITION OF MUNICIPAL PUBLIC DEFENDER THROUGH DECEMBER 31, 2021 AT AN ANNUAL SALARY OF \$9,600.00
17. RESOLUTION 2021-18: APPOINTING DAVE GIULIANI AS EMERGENCY MANAGEMENT FIRST DEPUTY, 2021
18. RESOLUTION 2021-19: APPOINTING CHRISTOPHER BOYCE AS EMERGENCY MANAGEMENT SECOND DEPUTY, 2021

19. RESOLUTION 2021-20: AUTHORIZING THE HIRING OF MARMIC ASSOCIATES AS A CONSULTANT FOR THE MAINTENANCE AND SECURITY OF THE BOROUGH'S IT INFRASTRUCTURE IN 2021
20. RESOLUTION 2021-21: AUTHORIZING THE HIRING OF DAVID GIULIANI TO THE POSITION OF PROPERTY MAINTENANCE OFFICER
21. RESOLUTION 2021-22: ADOPTING A PUBLIC COMMENTING POLICY FOR REMOTE/ ELECTRONIC BOROUGH COUNCIL MEETINGS

### **Appointment of Professionals**

1. RESOLUTION 2021-23: APPOINTING GEBHARDT & KIEFER, PC, BOROUGH ATTORNEY FOR 2021

Mayor Driver noted that Mr. Cushing, from the same firm as Ms. St. Angelo, will stand in for her starting later this month or early February, until Ms. St. Angelo returns from maternity leave.

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Kimberly Tilly, Council Vice President               |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

2. RESOLUTION 2021-24: APPOINTING ROBERT MARTUCCI, PE, AS BOROUGH ENGINEER, 2021

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Kimberly Tilly, Council Vice President               |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

3. RESOLUTION 2021-25: APPOINTMENT OF ELIZABETH MCMANUS AS BOROUGH PLANNER FOR 2021

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Jeremy Long, Council Member                          |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

4. RESOLUTION 2021-26: APPOINTING MARAZITI FALCON LLP AS SPECIAL COUNSEL FOR REDEVELOPMENT, 2021

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Caitlin Giles-McCormick, Council President  
**SECONDER:** Kimberly Tilly, Council Vice President  
**AYES:** Giles-McCormick, Hand, Johnston, Long, Runion, Tilly

5. RESOLUTION 2021-27: APPOINTING ARCHER & GREINER, PC AS BOROUGH BOND ATTORNEY FOR 2021

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Caitlin Giles-McCormick, Council President  
**SECONDER:** Jeremy Long, Council Member  
**AYES:** Giles-McCormick, Hand, Johnston, Long, Runion, Tilly

6. RESOLUTION 2021-28: APPOINTMENT OF SCHOLL & WHITTLESEY, LLC AS BOROUGH LABOR ATTORNEY FOR 2021

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Caitlin Giles-McCormick, Council President  
**SECONDER:** Jeremy Long, Council Member  
**AYES:** Giles-McCormick, Hand, Johnston, Long, Runion, Tilly

7. RESOLUTION 2021-29: APPOINTING SUPLEE, CLOONEY & COMPANY AS BOROUGH AUDITOR FOR 2021

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Kimberly Tilly, Council Vice President  
**SECONDER:** Caitlin Giles-McCormick, Council President  
**AYES:** Giles-McCormick, Hand, Johnston, Long, Runion, Tilly

8. RESOLUTION 2021-30: APPOINTING JEROME A. HARRIS, PE, PP, OF CME ASSOCIATES AS BOROUGH SEWER ENGINEER FOR 2021

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Kimberly Tilly, Council Vice President  
**SECONDER:** Caitlin Giles-McCormick, Council President  
**AYES:** Giles-McCormick, Hand, Johnston, Long, Runion, Tilly

9. RESOLUTION 2021-31: APPOINTMENT OF M2 ASSOCIATES FOR BOROUGH HYDROGEOLOGICAL SERVICES, 2021

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Jeremy Long, Council Member                          |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

10. RESOLUTION 2021-32: NAMING SSP ARCHITECTURAL GROUP THE ARCHITECT OF RECORD FOR THE BOROUGH OF FLEMINGTON, 2021

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Jeremy Long, Council Member                          |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

## Regular Agenda

X. Approval of Minutes

Motion To: **Approve Minutes: December 14, 2020 Regular Council Meeting**

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED [5 TO 0]</b>                   |
| <b>MOVER:</b>    | Kimberly Tilly, Council Vice President     |
| <b>SECONDER:</b> | Jessica Hand, Council Member               |
| <b>AYES:</b>     | Giles-McCormick, Hand, Long, Runion, Tilly |
| <b>ABSTAIN:</b>  | Malik Johnston                             |

Motion To: **Approve Minutes: December 14, 2020 Executive Session**

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED [5 TO 0]</b>                   |
| <b>MOVER:</b>    | Kimberly Tilly, Council Vice President     |
| <b>SECONDER:</b> | Jessica Hand, Council Member               |
| <b>AYES:</b>     | Giles-McCormick, Hand, Long, Runion, Tilly |
| <b>ABSTAIN:</b>  | Malik Johnston                             |

XI. Attorney's Report

Ms. St. Angelo said the potential buyers of 144 Main Street have executed the addendum to the sales contract, and she's hoping to be able to provide an update on the remediation situation by the end of this month.

XII. Adjournment

Motion To: **Adjourn**

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Malik Johnston, Council Member                       |
| <b>SECONDER:</b> | Jessica Hand, Council Member                         |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

The meeting adjourned at 6:04 p.m.

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

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-1**

DOC ID: 3368

## **Approving Use of a Consent Agenda**

**BOROUGH OF FLEMINGTON  
COUNTY OF HUNTERDON**

**BE IT RESOLVED** by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that approval is given for the use of a "Consent Agenda," which may also be noted as "Resolutions" on the Agenda, where matters of a routine nature may be placed.

Adopted: Jan. 4, 2021

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

Attest:

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

**CERTIFICATION**

I, Sallie Graziano, Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Jeremy Long, Council Member                          |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-2**

DOC ID: 3367

**Open Public Meetings Act Notice 2021**

**BOROUGH OF FLEMINGTON**

**COUNTY OF HUNTERDON**

**WHEREAS**, the Senate and General Assembly of the State of New Jersey have enacted an Act concerning meetings of certain public bodies known as "**The Open Public Meetings Act**" approved October 21, 1975, as Chapter 231, P.L. 1975 effective 90 days after enactment, to wit, on or before January 19, 1976; and

**WHEREAS**, it is deemed appropriate that the Common Council of the Borough of Flemington shall resolve in all respects to implement the provisions thereof, and in particular to adopt resolutions relating to the posting and distribution of a yearly schedule and any revised schedule of any regular meetings of the Common Council, as well as giving of advance notice of at least 48 hours of any regular, special or re-scheduled meeting thereof, designating at least two newspapers to receive such notices, and fixing fees to cover the costs of mailing to any person requesting copies of any regular meeting schedule or revision and any "48 Hours" advance written notice of any regular or re-scheduled meeting of the Common Council.

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

1. The regular meeting of the Mayor and Common Council of the Borough of Flemington shall be held on the **second** and **fourth** Mondays of each month during the calendar year, **2021**, unless otherwise noted. The meetings shall be held at Borough Hall, 38 Park Avenue, Flemington, New Jersey, unless otherwise noted. Meetings will start at 7:30 P.M. prevailing time.

2. A regular work session/ new business session/ executive session of the Mayor and Common Council of the Borough of Flemington shall be held on the **second** and **fourth** Mondays as needed, before the regular scheduled meeting, during the calendar year **2021**. The posted agenda for each meeting will indicate if such session will occur and the nature of such session. The meetings shall be held at the location of the regular meeting, at 6:30 P.M. prevailing time.

3. If a state of emergency and public health emergency declared by Gov. Phil Murphy continues to exist, and in an effort to prevent the further spread of COVID-19, Flemington Borough Council meetings will be conducted through an electronic system only until further notice. Council is using the Zoom platform for these meetings.

To access these meetings:

<https://zoom.us/j/99572741338?pwd=S0htSWFsemE4Z3Vld29ONStCeFRwUT09>

Passcode: 945654

Or iPhone one-tap:

US: +16465588656,,99572741338#,,,,,0#,,945654# or  
+13017158592,,99572741338#,,,,,0#,,945654#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 9128 or +1  
253 215 8782 or +1 346 248 7799

Webinar ID: 995 7274 1338

Passcode: 945654

Members of the public will be able to give public comment during relevant portions of the meeting, by using Zoom's "raise hand" function. If you wish to make a comment during the public meeting, your Zoom display name must accurately identify the meeting participant and cannot contain profanity, language meant to insult or defame governing body members or another Borough employee or representative, or be an attempt to impersonate another person or conceal the participant's identity. The meeting moderator may decline to recognize a participant for public comment if the person's Zoom display name violates these guidelines.

To email a public comment, please limit the email to 450 words and send it by 3:00 p.m. the day of the meeting to: [PublicComment@historicflemington.com](mailto:PublicComment@historicflemington.com).

Documents in connection with Council meetings will be posted on the Borough website, [www.historicflemington.com](http://www.historicflemington.com), with the agenda.

4. Notice of such annual schedule or regular meetings of the Mayor and Common Council, or any revised schedule thereof, as well as advance written notices of any regular, special or re-scheduled meetings of the Common Council shall be prominently posted at Borough Hall, 38 Park Avenue, Flemington, New Jersey, and shall be mailed, telephoned, telegraphed, faxed, or hand-delivered to the Hunterdon County Democrat or Courier News, both of which are newspapers generally circulating within the Borough of Flemington, and shall be filed with the Borough Clerk.

5. The Hunterdon County Democrat is hereby designated as the official newspaper of the Borough of Flemington, with the Courier News as an alternate. TapInto.net is designated as an official online news source of the Borough of Flemington.

6. Upon prepayment of the sum of \$10.00 by any person requesting that the Clerk mail him/her copies of any annual regular meetings scheduled or revision thereof or requesting that the Clerk mail him/her advanced written notice of any regular, special or re-scheduled meeting of the Mayor and Common Council, the Clerk shall mail to such person so requesting a copy of any such schedule or written notice.

7. Notice requested by news media, other than those specifically enumerated in paragraph 3 above, shall be mailed to any such other news media, upon written request, without charge or fee.

8. Formal action of the Mayor and Common Council is contemplated at the regular meetings, but not at the work sessions.

**Adopted: January 4, 2021**

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

Attest:

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

DOC ID: 3366

**ADOPTED**

**RESOLUTION 2021-3**

**Rules of Order for 2021**

**BOROUGH OF FLEMINGTON  
COUNTY OF HUNTERDON**

**BE IT RESOLVED** that the Rules of Order as hereinafter set forth shall be followed during Regular Council Meetings of the Borough of Flemington, which shall be at 7:30 P.M. on the second and fourth Monday of each and every month, unless otherwise noted, at Borough Hall, 38 Park Avenue, Flemington, New Jersey 08822, except as otherwise specified. Special meetings may be called at any time by the Mayor, or by four (4) Council members, on due and timely notice.

**SECOND:** The Order of Business shall be:

1. Work Session/ New Business/ Executive Session if needed (6:30 PM Start: The posted agenda will indicate if such session will occur and the nature of such session)
2. Regular Meeting (7:30 PM Start)
3. Pledge and Roll Call
4. Mayor's Report
5. Council Members' Reports
6. Public Comment - Session I
7. Approval of Minutes
8. Council Business (Resolutions & Ordinances)
9. Public Comment - Session II
10. Attorney's Report
11. Payment of Bills
12. Executive Session
13. Adjournment

Adopted: January 4, 2021

Attest:

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

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

**CERTIFICATION**

I, Sallie Graziano, Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

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Sallie Graziano, Borough Clerk

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-4**

DOC ID: 3371

**Scheduling the 2022 Reorganization Meeting**

**BOROUGH OF FLEMINGTON  
COUNTY OF HUNTERDON**

**BE IT RESOLVED** that the Reorganization Meeting of the Borough of Flemington for the year 2021 shall be held at Borough Hall, 38 Park Avenue, Flemington, New Jersey 08822, on Tuesday, January 4, 2022 at 5:00 PM, or on another date to be scheduled by the Mayor and Common Council.

Adopted: January 4, 2021

Attest:

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

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

**CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-5**

DOC ID: 3369

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**Adopting Meeting Dates for 2021**

**2021 SCHEDULE OF REGULAR MEETINGS**

**BE IT RESOLVED** by the Mayor and Common Council of the Borough of Flemington that the following is hereby established as the schedule of the regular meetings of the Governing Body to be held during calendar year 2021 at 7:30 PM prevailing time, on the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month (or as otherwise noted), at Borough Hall, 38 Park Avenue Flemington, NJ (or as otherwise noted on the municipal website), to include the reorganization/regular meeting of 2022:

Jan. 4, 2021, **5 p.m.**, Reorganization Meeting

Jan. 11, 2021, 2<sup>nd</sup> Monday

Jan. 25, 2021, 4<sup>th</sup> Monday

Feb. 8, 2021, 2<sup>nd</sup> Monday

Feb. 22, 2021, 4<sup>th</sup> Monday

March 8, 2021, 2<sup>nd</sup> Monday

March 22, 2021, 4<sup>th</sup> Monday

April 12, 2021, 2<sup>nd</sup> Monday

April 26, 2021, 4<sup>th</sup> Monday

May 10, 2021, 2<sup>nd</sup> Monday

May 24, 2021, 4<sup>th</sup> Monday

June 14, 2021, 2<sup>nd</sup> Monday

June 28, 2021, 4<sup>th</sup> Monday

July 12, 2021, 2<sup>nd</sup> Monday

July 26, 2021, 4<sup>th</sup> Monday

August 9, 2021, 2<sup>nd</sup> Monday

August 23, 2021, 4<sup>th</sup> Monday

September 13, 2021, 2<sup>nd</sup> Monday

September 27, 2021, 4<sup>th</sup> Monday

October 12, 2021, 2<sup>nd</sup> **Tuesday**

October 25, 2021, 4<sup>th</sup> Monday

November 8, 2021, 2<sup>nd</sup> Monday

November 22, 2021, 4<sup>th</sup> Monday

December 13, 2021, 2<sup>nd</sup> Monday

January 4, 2022, **Tuesday, 5 p.m.**, Reorganization Meeting

Adopted: January 4, 2021

Attest:

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

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

**CERTIFICATION**

I, Sallie Graziano, Borough Clerk, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

DOC ID: 3370

**ADOPTED**

**RESOLUTION 2021-6**

**Depositories for 2021**

**BOROUGH OF FLEMINGTON  
COUNTY OF HUNTERDON**

**BE IT RESOLVED** by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that the following be designated as depositories for the year 2021:

Northfield Bank  
Provident Bank  
Unity Bank

ADOPTED: Jan. 4, 2021

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

Attest:

\_\_\_\_\_  
Sallie Graziano, Municipal Clerk

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-7**

DOC ID: 3372

**Setting a Returned Check Fee of \$20**

**BOROUGH OF FLEMINGTON  
COUNTY OF HUNTERDON**

**BE IT RESOLVED** by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey to authorize the following action:

To set a fee of **\$20.00** pursuant to N.J.S.A. 40:5-18, payable to the Borough of Flemington, for checks returned for insufficient funds for Taxes and/or other fees due the municipality. (i.e. Clerk's Account, Court, Water/Sewer, Planning Board, Police Department, Construction Official, etc.)

In the event that checks are returned for insufficient funds more than twice annually, payments due to the borough shall be paid only by cash or certified check.

**ADOPTED: January 4, 2021**

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

Attest:

\_\_\_\_\_  
Sallie Graziano, Municipal Clerk

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-8**

DOC ID: 3373

**Authorization to Invest Surplus Funds, 2021**

**BE IT RESOLVED** by the Mayor and Common Council of the Borough of Flemington that the Chief Financial Officer is hereby authorized to invest surplus funds of the Borough that he/she may deem advisable at rates that are in his/her opinion to be in the best advantage of the Borough in such depositories and securities that are legal instruments for municipalities, and that such investments shall be reported to the Mayor and Common Council at the following public meeting.

Adopted: January 4, 2021

Attest:

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

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-9**

DOC ID: 3374

**Designation of Authority to Sign Checks, 2021**

**BOROUGH OF FLEMINGTON  
COUNTY OF HUNTERDON**

**BE IT RESOLVED** that checks issued by the Borough of Flemington shall be signed by three officers as noted below, except payroll checks, which only require the signature of the Chief Financial Officer.

|   |                                |   |
|---|--------------------------------|---|
| One signature from<br>The Mayor and<br>Borough Council: | Mayor<br><br>Council President | Betsy Driver<br><br>Caitlin Giles-McCormick |
|---|--------------------------------|---|

|   |                         |                  |
|---|-------------------------|------------------|
| One signature from<br>The Finance Department: | Chief Financial Officer | William J. Hance |
|---|-------------------------|------------------|

|  |               |                 |
|--|---------------|-----------------|
| One signature from<br>The Borough Clerk's<br>Office: | Borough Clerk | Sallie Graziano |
|--|---------------|-----------------|

-OR-

|  |               |                |
|--|---------------|----------------|
| One Signature from<br>the Utility Clerk's<br>Office: | Utility Clerk | Rebecca Newman |
|--|---------------|----------------|

**ADOPTED: JANUARY 4, 2021**

Attest:

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

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Financial Approval  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-10**

DOC ID: 3385

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**Authorizing the Pre-Payment of Certain Bills for 2021**

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

**WHEREAS**, the Borough of Flemington has budgeted funds for payment of obligations including, utilities, payroll, debt service, governmental fees and other statutory payments, insurance, and for the advertising, printing and mailing costs of the Borough; and,

**WHEREAS**, the payment of these items occasionally arrives out of time for placement on the next available list of bills and claims, thereby inadvertently placing these bills and mailings in arrears because of the schedule of meetings; and

**WHEREAS**, the Borough's Chief Financial Officer and Borough Attorney have advised that the governing body may provide for the pre-payment of these items, so that they may be paid in a timely manner without penalty.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that the Chief Financial Officer be and is hereby authorized and directed to make pre-payment of the following items prior to the same appearing on the next meeting's list of bills and claims:

1. Utilities (electric, gas, water, sewer and telephone, cellular telephone, gasoline, diesel fuel, internet providers, etc.).
2. Borough payroll and payroll agencies.
3. Debt service as evidenced by pre-authorized bonds and/or notes.
4. Health, dental and other insurance premiums and/or claims.
5. Governmental fees and other statutory payments (school, county, sewage authority, state and county fees).
6. Bills pertaining to the advertising, printing and mailing costs of the Borough.
7. Third party fees collected through pre-authorized credit/debit card processing.
8. Bills where vendor discounts are granted for timely payment. (Example 2% discount for payments made within 10 days.) Maximum dollar amount allowed is \$20,000.
9. Inter-fund Obligations
10. Purchase of Investments

Adopted: January 4, 2021

Attest:

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

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

**CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, hereby certify the foregoing to be a true copy of a resolution adopted by the Flemington Borough Council at its meeting held January 4, 2021.

WITNESS, my hand and the seal of the Borough of Flemington this \_\_\_\_ day of January, 2021.

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

DOC ID: 3376

**ADOPTED**

**RESOLUTION 2021-11**

**Setting the Delinquent Interest Rate for Property Taxes, 2021**

**WHEREAS, N.J.S.A. 54:4-67** indicates that affirmative action is required on the part of the governing body in fixing the rate of interest on delinquent taxes and grace period; and

**WHEREAS,** taxes are due and payable on the following dates: February 1, May 1, August 1, and November 1;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Common Council of the Borough of Flemington that a 10-day grace period be afforded after which date unpaid taxes will be charged interest from the due date;

**BE IT FURTHER RESOLVED** by the Mayor and Common Council of the Borough of Flemington that the interest rate on delinquent taxes shall be eight (8%) percent per annum on the first \$1,500.00 and eighteen (18%) percent per annum on any amount in excess of \$1,500.00 for the year 2021, and no interest shall be charged if payment of any installment is made by the tenth (10<sup>th</sup>) calendar day of the month in which due; and

**BE IT FURTHER RESOLVED** in accordance with N.J.S.A. 54:4-67 that the governing body shall also fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year and that such penalty shall not exceed six (6%) percent of the amount of the delinquency; and

**BE IT FURTHER RESOLVED** in any case where the taxes are not paid during the respective extended periods, the full interest rate from the due date shall apply.

Adopted: Jan. 4, 2021

Attest:

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

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

CERTIFICATION

I, Sallie Graziano, Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

---

Sallie Graziano, Borough Clerk

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**38 Park Avenue  
Flemington, NJ 08822Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Financial Approval  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

**ADOPTED****RESOLUTION 2021-12**

DOC ID: 3375

**Temporary Budget for 2021**

BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that the following appropriations shall constitute the temporary budget for the year 2021 with the provisions of NJS 40A:4-19 of the Local Budget Law which provides that the total of \$1,674,446.88 shall not exceed the temporary appropriations to provide for the period between January 1, 2021 and the adoption of the budget.

|                                | <u>Salaries &amp; Wages</u> | <u>Other Expenses</u> |
|--------------------------------|-----------------------------|-----------------------|
| Borough Council                | \$12,000.00                 | \$500.00              |
| Administrative & Executive     |                             | \$10,000.00           |
| Borough Clerk                  | \$35,000.00                 | \$6,000.00            |
| Financial Administration       | \$10,000.00                 | \$5,000.00            |
| Assessment of Taxes            | \$9,000.00                  | \$1,000.00            |
| Collection of Taxes            | \$9,000.00                  | \$4,500.00            |
| Legal Services & Costs         |                             | \$15,000.00           |
| Engineering Services & Costs   |                             | \$10,000.00           |
| Public Buildings               | \$5,000.00                  | \$5,000.00            |
| Rental Property Expense        |                             | \$20,000.00           |
| Planning Board                 | \$2,200.00                  | \$5,000.00            |
| Recycling                      | \$1,100.00                  | \$14,000.00           |
| Insurance:                     |                             |                       |
| Other Insurance                |                             | \$55,000.00           |
| Workers Compensation           |                             | \$20,000.00           |
| Employee Group                 |                             | \$80,000.00           |
| Fire                           |                             | \$10,000.00           |
| Uniform Fire Safety Act        | \$15,000.00                 | \$3,000.00            |
| Police                         | \$372,034.35                | \$24,000.00           |
| Construction Code              |                             |                       |
| Building Inspector             | \$15,000.00                 | \$1,000.00            |
| Plumbing Inspector             | \$3,000.00                  |                       |
| Electrical Inspector           | \$3,000.00                  |                       |
| Fire Subcode Official          | \$3,000.00                  |                       |
| Property Maintenance Inspector | \$2,500.00                  | \$500.00              |
| Emergency Management Services  | \$1,000.00                  | \$1,000.00            |
| Board of Health                |                             | \$4,000.00            |
| Dog Regulation                 | \$1,500.00                  | \$100.00              |

|  |              |                       |
|--|--------------|-----------------------|
| Streets & Roads                        | \$70,000.00  | \$20,000.00           |
| Gas & Oil                              |              | \$18,000.00           |
| Street Lighting                        |              | \$18,000.00           |
| Electricity                            |              | \$18,000.00           |
| Fuel Oil                               |              | \$10,000.00           |
| Telephone                              |              | \$5,912.53            |
| Water                                  |              | \$2,000.00            |
| Historical Commission                  |              | \$3,000.00            |
| Garbage & Trash Removal                |              | \$52,000.00           |
| Prosecutor                             | \$7,500.00   |                       |
| Recreation Commission                  |              | \$4,000.00            |
| Shade Tree                             |              | \$1,000.00            |
| Economic Development Commission        |              | \$5,000.00            |
| Maintenance of Free Public Library     |              | \$44,000.00           |
| Public Defender                        | \$100.00     |                       |
| Contribution to Social Security System |              | \$38,000.00           |
| Municipal Court                        | \$39,000.00  | \$7,000.00            |
| Safe and Secure Communities-Local      | \$8,000.00   |                       |
| Sub Total                              | \$623,934.35 | \$541,278.08          |
| Total                                  |              | \$1,164,446.88        |
| Bond Principal                         | \$290,000.00 |                       |
| Bond Interest                          | \$90,000.00  |                       |
| BAN Principal                          | \$60,000.00  |                       |
| BAN Interest                           | \$70,000.00  |                       |
| Sub Total                              |              | <u>\$510,000.00</u>   |
| Grand Total                            |              | <u>\$1,674,446.88</u> |

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Flemington that the following appropriations shall constitute the temporary budget of the dedicated Water Department for the year 2021 with the provisions of NJS 40A:4-19 of the Local Budget Law which provides that the total of \$481,125.00 shall not exceed the temporary appropriations to provide for the period between January 1, 2021 and the adoption of the budget.

|                 | <u>Salaries &amp; Wages</u> | <u>Other Expenses</u> |
|-----------------|-----------------------------|-----------------------|
| Water Operating | \$76,000.00                 | \$190,625.00          |

|                 |                    |                     |
|-----------------|--------------------|---------------------|
| Social Security |                    | \$6,000.00          |
| BAN Interest    |                    | \$70,000.00         |
| Payment of Loan |                    | \$100,000.00        |
| Bond Principal  |                    | \$25,000.00         |
| Bond Interest   |                    | \$13,500.00         |
| Sub Total       | <u>\$76,000.00</u> | <u>\$405,125.00</u> |
| Grand Total     |                    | <u>\$481,125.00</u> |

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Flemington that the following appropriations shall constitute the temporary budget of the Dedicated Sewer Department for the year 2021 with the provisions of NJS 40A:4-19 of the Local Budget Law which provides that the total of \$814,618.44 shall not exceed the temporary appropriations to provide for the period between January 1, 2021 and the adoption of the budget.

|                                  | <u>Salaries &amp; Wages</u> | <u>Other Expenses</u> |
|----------------------------------|-----------------------------|-----------------------|
| Sewer Operating                  | \$72,000.00                 | \$95,000.00           |
| Social Security                  |                             | \$16,000.00           |
| Contracted Expenses - R.T.M.U.A. |                             | \$452,700.00          |
| Collector Rehabilitation         |                             | \$10,000.00           |
| Payment of Bond Principal        |                             | \$52,000.00           |
| Payment of Loans                 |                             | \$100,000.00          |
| Payment of Bond Interest         |                             | \$20,000.00           |
| Sub Total                        | <u>\$72,000.00</u>          | <u>\$745,700.00</u>   |
| Grand Total                      |                             | <u>\$817,700.00</u>   |

Adopted: Jan. 4, 2021

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

Attest:

\_\_\_\_\_  
Sallie Graziano, Borough Clerk  
January 4, 2021

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

**ADOPTED**

**RESOLUTION 2021-13**

DOC ID: 3378

**Designation of Official Newspapers for 2021**

**WHEREAS, N.J.S.A. 10:4-8(d)** of the Open Public Meetings Act requires that notice of meetings be transmitted to two (2) newspapers, and

**WHEREAS,** the Mayor and Common Council of the Borough of Flemington have determined that the Hunterdon County Democrat and The Courier-News have the greatest likelihood of informing the public within the jurisdictional boundaries of the Borough of Flemington of such meetings; and

**WHEREAS,** the Mayor and Common Council of the Borough of Flemington have determined that the Hunterdon County Democrat will be the primary newspaper and the Courier News the secondary newspaper for transmission; and

**WHEREAS,** the Mayor and Common Council of the Borough of Flemington have determined that Tap Into Flemington-Raritan is an electronic news source serving the Flemington area;

**BE IT RESOLVED** by the Mayor and Common Council of the Borough of Flemington that the Hunterdon County Democrat and The Courier-News are hereby designated as official newspapers of this body during 2021 as required by N.J.S.A. 10:4-18 and N.J.S.A. 10:4-8(d)(2) of the Open Public Meetings Act; and

**BE IT FURTHER RESOLVED** that Tap Into Flemington-Raritan be designated as an official online news source for 2021.

Adopted: January 4, 2021

Attest:

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

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-14**

DOC ID: 3377

**Public Agency Compliance Officer Designation 2021**

WHEREAS, New Jersey Statutes provide that no public work contracts can be awarded nor any money paid until the prospective contractor has agreed to contract performance that complies with an approved affirmative action program; and

WHEREAS, N.J.A.C 17:27-3.5 states that each public agency shall annually designate an officer or employee to serve as its public agency compliance officer (PACO);

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey appoints Borough Clerk Sallie Graziano as the Borough's public agency compliance officer for the year 2021;

BE IT FURTHER RESOLVED that the Borough Clerk be directed to file notice of this designation immediately to the New Jersey Department of the Treasury, State Affirmative Action Office.

Adopted: January 4, 2021

Attest:

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

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-15**

DOC ID: 3365

**Appointing Eric Perkins as Municipal Court Judge**

**WHEREAS**, the Borough of Flemington is in need of the services of a Municipal Court Judge and

**WHEREAS**, the term of Eric Perkins, presiding Judge of the Borough of Flemington Municipal Court, expired on December 31, 2020; and

**WHEREAS**, it is the desire of the Mayor and Council of the Borough of Flemington, County of Hunterdon, to reappoint Judge Perkins to a three-year term commencing January 1, 2021 through December 31, 2023.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby reappoint Eric Perkins as the Municipal Court Judge for a three year term commencing January 1, 2021 through December 31, 2023.

Adopted: Jan. 4, 2021

ATTEST:

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

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-16**

DOC ID: 3364

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**Appointing Maleski, Eisenhut and Zielinski, LLC as  
Prosecutor, 2021**

**BOROUGH OF FLEMINGTON, COUNTY OF HUNTERDON**

**WHEREAS**, 2B:25-4a, provides that every municipal court must have a Municipal Prosecutor, approved and appointed by the governing body; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of a prosecutor is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Flemington has a need to acquire the services of a prosecutor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, Maleski, Eisenhut and Zielinski, LLC, has indicated it will provide the services of a prosecutor at the rate of \$135 per hour; and

**WHEREAS**, Huyn J. Lee, Esq., of the firm Maleski, Eisenhut and Zielinski, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that she has not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one (1) year, and that the contract will prohibit Maleski, Eisenhut and Zielinski, LLC, from making any reportable contributions through the term of the contract;

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

- 1) Hyun J. Lee, Esq., of the firm Maleski, Eisenhut and Zielinski, LLC, 169 Main St., Flemington, NJ, be appointed as Municipal Prosecutor for the Borough of Flemington Municipal Court as of January 1, 2021 for a period of one year.
- 2) Adam Eisenhut, Esq., of the firm Maleski, Eisenhut and Zielinski, LLC, 169 Main St., Flemington, NJ, be appointed as Assistant Municipal Prosecutor/Alternate for the Borough of Flemington Municipal Court as of January 1, 2021 for a period of one year.

Adopted: January 4, 2021

Attest:

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

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-17**

DOC ID: 3380

**Appointing Stanley Troy, Esq., to the Position of Municipal  
Public Defender through December 31, 2021 at an Annual  
Salary of \$9,600.00**

**WHEREAS**, Stanley Troy, Esq., has been serving as the Borough of Flemington's Municipal Public Defender since 2014; and

**WHEREAS**, the Mayor and Common Council of the Borough of Flemington desire to continue having Mr. Troy serve as public defender for the Borough;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that Stanley Troy, Esq. be appointed municipal public defender for the Borough of Flemington through December 31, 2021 at the current annual salary of \$9,600.00

Adopted: January 4, 2021

Attest:

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

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-18**

DOC ID: 3379

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**Appointing Dave Giuliani as Emergency Management First Deputy, 2021**

**BOROUGH OF FLEMINGTON**

**COUNTY OF HUNTERDON**

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**WHEREAS** the Borough of Flemington Office of Emergency Management is in need of an Emergency Management Coordinator First Deputy for the year 2021; and

**WHEREAS** David Giuliani is qualified for this position and has served in this position in 2020;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that David Giuliani be appointed to the position of Emergency Management Coordinator First Deputy for a one-year term beginning January 1, 2021 and ending December 31, 2021.

Adopted: January 4, 2021

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

Attest:

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-19**

DOC ID: 3393

**Appointing Christopher Boyce as Emergency Management  
Second Deputy, 2021**

**BOROUGH OF FLEMINGTON**

**COUNTY OF HUNTERDON**

**WHEREAS** the Borough of Flemington Office of Emergency Management is in need of an Emergency Management Coordinator Second Deputy for the year 2021; and

**WHEREAS** Christopher Boyce is qualified for this position;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that Christopher Boyce be appointed to the position of Emergency Management Coordinator Second Deputy for a 1-year term beginning January 1, 2021 and ending December 31, 2021.

Adopted: January 4, 2021

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

Attest:

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-20**

DOC ID: 3388

**Authorizing the Hiring of Marmic Associates as a Consultant  
for the Maintenance and Security of the Borough's IT  
Infrastructure in 2021**

**WHEREAS**, the Borough of Flemington has the need to hire a consultant for the maintenance and security of the Borough IT infrastructure in 2021; and

**WHEREAS**, three proposals were received and reviewed for these services; and

**WHEREAS**, it has been determined that the proposal provided by Marmic Associates was the most advantageous to the Borough.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington enter into a contract with Marmic Associates effective January 1, 2021 - December 31, 2021 for IT consultant services at a rate of \$25,500.00 for the year to include all regular scheduled upgrades, troubleshooting, and maintenance and an hourly rate of \$110.00 for any project work beyond this.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer certifies that funds are available in the Municipal, Sewer and Water Department Budgets.

Adopted: January 4, 2021

Attest:

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

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-21**

DOC ID: 3395

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**Authorizing the Hiring of David Giuliani to the Position of  
Property Maintenance Officer**

WHEREAS, Flemington Borough has the need to fill the position of Property Maintenance Officer; and

WHEREAS, the position of Property Maintenance Officer is a part-time position of 10 hours a week, with a flexible schedule; and

WHEREAS, David Giuliani has expressed an interest in the position; and

WHEREAS, the Mayor and Council agree that Mr. Giuliani has the experience necessary to perform the duties of Property Maintenance Officer;

NOW THEREFORE BE IT RESOLVED that David Giuliani be hired as the borough's property maintenance officer at the position's current pay rate of \$12,000.00 per year, beginning immediately.

Adopted: January 4, 2021

Attest:

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

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Board Policy  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-22**

DOC ID: 3396

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**Adopting a Public Commenting Policy for Remote/ Electronic  
Borough Council Meetings**

**WHEREAS, N.J.A.C. 5:39-1.4(h)** requires public bodies to “adopt by resolution standard procedures and requirements for public comment made during a remote public meeting as well as for public comments submitted in writing ahead of the remote public meeting;” and,

**WHEREAS,** attached hereto is a compliant commenting policy for the Council of the Borough of Flemington; and

**WHEREAS,** such policy reflects the commenting policies already informally implemented by the Borough Council for remote meetings held during and as a result of the COVID-19 pandemic.

**NOW, THEREFORE, BE IT RESOLVED** that the Council of the Borough of Flemington hereby adopts the attached commenting policy, which shall be applicable to all public comments made at or submitted prior to meetings of the Council of the Borough of Flemington which are held remotely by electronic means.

**NOW, THEREFORE, BE IT FURTHER RESOLVED,** that such commenting policy may be amended in the future by resolution of the Borough Council.

**NOW, THEREFORE, BE IT FURTHER RESOLVED,** that the Borough Clerk shall post such commenting policy on the municipal website and otherwise make such policy available for public inspection.

Adopted: January 4, 2021

Attest:

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

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

**ATTACHMENTS:**

- Electronic / Remote Meeting Commenting Policy 2021

**ATTACHMENTS:**

- Remote Meeting Public Comment Policy 2021 (DOCX)

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED BY CONSENT VOTE [UNANIMOUS]</b>           |
| <b>MOVER:</b>    | Jessica Hand, Council Member                         |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-23**

DOC ID: 3359

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**Appointing Gebhardt & Kiefer, PC, Borough Attorney for 2021**

**WHEREAS**, N.J.S.A. 40A:9-139 requires that every municipality shall have an attorney; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of an attorney is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Flemington has a need to acquire legal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

**WHEREAS**, the term of this contract is one (1) year; and

**WHEREAS**, Gebhardt & Kiefer, PC, has indicated they will provide legal services at the rate of \$165 per hour; and

**WHEREAS**, Gebhardt & Kiefer, PC, has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one (1) year, and that the contract will prohibit Gebhardt & Kiefer, PC, from making any reportable contributions through the term of the contract;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains Gebhardt & Kiefer, PC, as Attorney for the Borough of Flemington for the year 2021, to perform the professional services ordinarily provided by an attorney of the State of New Jersey and receive such compensation as may be reasonable for such services; and

**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Gebhardt & Kiefer, PC, for an amount not to exceed \$100,000; and

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2021 budget and various escrow accounts.

**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

Adopted: Jan. 4, 2021

Attest:

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

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

**CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Kimberly Tilly, Council Vice President               |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

DOC ID: 3360

**ADOPTED**

**RESOLUTION 2021-24**

**Appointing Robert Martucci, PE, as Borough Engineer, 2021**

**WHEREAS, N.J.S.A. 40A:9-140** requires that every municipality shall have a Municipal Engineer; and

**WHEREAS,** the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of an engineer is a professional service as defined in said statute; and

**WHEREAS,** the Borough of Flemington has a need to acquire engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS,** the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

**WHEREAS,** the term of this contract is one (1) year; and

**WHEREAS,** Robert Martucci, P.E., of Martucci Engineering, LLC, has submitted a proposal indicating he will provide engineering services at a rate of \$115.00 per hour;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains Robert Martucci, of Martucci Engineering, LLC, as Municipal Engineer for the Borough of Flemington for the year 2021, to perform the professional services ordinarily provided by a professional engineer of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$500,000; and

**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Martucci Engineering, LLC; and

**IT IS FURTHER RESOLVED** that notice of this Resolution shall be published in the Hunterdon County Democrat as required by law; and

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2021 budget, various capital ordinances, and various escrow accounts.

Adopted: January 4, 2021

Attest:

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

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

**CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Kimberly Tilly, Council Vice President               |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-25**

DOC ID: 3382

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**Appointment of Elizabeth McManus as Borough Planner for  
2021**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of a planner is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Flemington has a need to acquire planning services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

**WHEREAS**, the term of this contract is one (1) year; and

**WHEREAS**, Elizabeth McManus, PP, AICP, LEED AP, of the firm Kyle McManus Associates, has submitted a rate schedule which is attached to this resolution; and

**WHEREAS**, Elizabeth McManus, PP, AICP, LEED, AP, of the firm Kyle McManus Associates has completed and submitted a Business Entity Disclosure Certification which certifies that she has not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one (1) year, and that the contract will prohibit Kyle McManus from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Common Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains Elizabeth McManus, PP, AICP, LEED, AP, of Kyle McManus Associates as Planner for the Borough of Flemington for the year 2021, to perform the professional services ordinarily provided by a professional planner of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$50,000.00; and

**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Elizabeth McManus of Kyle McManus Associates; and

**IT IS FURTHER RESOLVED** that notice of this Resolution shall be published in the Hunterdon County Democrat as required by law; and

**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2021 budget and various escrow accounts.

Adopted: January 4, 2021

Attest:

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

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

**CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

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

**ATTACHMENTS:**

- mcmanus rates 2021 (PDF)

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Jeremy Long, Council Member                          |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-26**

DOC ID: 3391

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**Appointing Maraziti Falcon LLP as Special Counsel for  
Redevelopment, 2021**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of special legal counsel is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Flemington has a need to acquire special legal counsel services for redevelopment as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

**WHEREAS**, the term of this contract is one (1) year; and

**WHEREAS**, Joseph Maraziti of Maraziti Falcon LLP, 150 John F. Kennedy Parkway, Short Hills, NJ 07078 has submitted a proposal indicating he will provide legal services at the rate of \$195 per hour when billed to the Borough, (\$275 per hour for attorneys when such fees are paid solely by private parties through reimbursement agreements); and

**WHEREAS**, Maraziti Falcon LLP has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one (1) year, and that the contract will prohibit Maraziti Falcon LLP from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains Joseph Maraziti of Maraziti Falcon LLP as Special Counsel for Redevelopment for the Borough of Flemington for the year 2021, to perform the professional services ordinarily provided by legal counsel of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$100,000.00; and

**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Maraziti Falcon LLP; and

**IT IS FURTHER RESOLVED** that notice of this Resolution shall be published in the Hunterdon County Democrat as required by law; and

**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2021 budget and various escrow accounts.

ADOPTED: JANUARY 4, 2021

ATTEST:

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

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

CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Kimberly Tilly, Council Vice President               |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-27**

DOC ID: 3362

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**Appointing Archer & Greiner, PC as Borough Bond Attorney  
for 2021**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of bond counsel is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Flemington has a need to acquire bond counsel services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

**WHEREAS**, the term of this contract is effective Jan. 1, 2021, continuing through December 31, 2021; and

**WHEREAS**, Archer & Greiner, PC has submitted a rate schedule which is attached to this Resolution; and

**WHEREAS**, Archer & Greiner, PC, has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one (1) year, and that the contract will prohibit Archer & Greiner, PC, from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retain John Cantalupo, Esq., of Archer & Greiner, PC, as Bond Attorney for the Borough of Flemington for the year 2021, to perform the professional services ordinarily provided by an attorney of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$25,000; and

**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Archer & Greiner, PC; and

**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2021 budget and various capital ordinances.

Adopted: January 4, 2021

Attest:

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

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

**CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

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

**ATTACHMENTS:**

- bond counsel rates 2021 (PDF)

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Jeremy Long, Council Member                          |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:  
DOC ID: 3386

**ADOPTED**

**RESOLUTION 2021-28**

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**Appointment of Scholl & Whittlesey, LLC as Borough Labor Attorney for 2021**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of labor attorney is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Flemington has a need to acquire labor attorney services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

**WHEREAS**, the term of this contract is effective Jan. 1, 2021, continuing through December 31, 2021; and

**WHEREAS**, Frank Whittlesey of Scholl & Whittlesey, LLC, has submitted a proposal indicating he will provide labor attorney services at a rate of \$150 per hour; and

**WHEREAS**, Frank Whittlesey of Scholl & Whittlesey, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that he has not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one (1) year, and that the contract will prohibit Scholl & Whittlesey, LLC, from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retain Frank Whittlesey of Scholl & Whittlesey, LLC, as Labor Attorney for the Borough of Flemington for the year 2021, to perform the professional services ordinarily provided by an attorney of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$25,000; and

**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Scholl & Whittlesey, LLC; and

**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2021 budget and various capital ordinances.

Adopted: January 4, 2021

Attest:

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

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

**CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

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

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Jeremy Long, Council Member                          |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-29**

DOC ID: 3361

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**Appointing Suplee, Clooney & Company as Borough Auditor  
for 2021**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of borough auditor is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Flemington has a need to acquire borough auditor services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

**WHEREAS**, the term of this contract is effective Jan. 1, 2021, continuing through December 31, 2021; and

**WHEREAS**, Suplee, Clooney & Company has submitted a proposal indicating they will provide borough auditor services according to the rate schedule attached; and

**WHEREAS**, Suplee, Clooney & Company has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one (1) year, and that the contract will prohibit Suplee, Clooney & Company from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retain Suplee, Clooney & Company as Borough Auditor for the Borough of Flemington for the year 2021, to perform the professional services ordinarily provided by an auditor of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$38,350; and

**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Suplee, Clooney & Company; and

**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution.

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2020 budget and various capital ordinances.

Adopted: January 4, 2021

Attest:

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

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

**CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

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

**ATTACHMENTS:**

- auditor rates 2021 (PDF)

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Kimberly Tilly, Council Vice President               |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-30**

DOC ID: 3390

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**Appointing Jerome A. Harris, PE, PP, of CME Associates as  
Borough Sewer Engineer for 2021**

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of sewer engineer is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Flemington has a need to acquire sewer engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

**WHEREAS**, the term of this contract is one (1) year; and

**WHEREAS**, CME Associates has submitted a rate schedule which is attached to this Resolution; and

**WHEREAS**, CME Associates has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one (1) year, and that the contract will prohibit the CME Associates from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains Jerome A. Harris, P.E., P.P., of CME Associates as Sewer Engineer for the Borough of Flemington for the year 2021, to perform the professional services ordinarily provided by a professional engineer of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$100,000.00; and

**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with CME Associates; and

**IT IS FURTHER RESOLVED** that notice of this Resolution shall be published in the Hunterdon County Democrat as required by law; and

**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2021 sewer budget, various capital accounts, and various escrow accounts.

ADOPTED: January 4, 2021

ATTEST:

BOROUGH OF FLEMINGTON

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

BY: \_\_\_\_\_  
Betsy Driver, Mayor

**CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

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

**ATTACHMENTS:**

- cme rates 2021 (PDF)

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Kimberly Tilly, Council Vice President               |
| <b>SECONDER:</b> | Caitlin Giles-McCormick, Council President           |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:

**ADOPTED**

**RESOLUTION 2021-31**

DOC ID: 3363

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**Appointment of M2 Associates for Borough Hydrogeological Services, 2021**

**WHEREAS**, the Borough of Flemington has a need to acquire Professional Hydrogeological Consulting Services; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of a hydrogeological consultant is a professional service as defined in said statute; and

**WHEREAS**, the Borough of Flemington has a need to acquire hydrogeological consulting services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 as appropriate; and

**WHEREAS**, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

**WHEREAS**, the term of this contract is one (1) year; and

**WHEREAS**, M<sup>2</sup> Associates Inc., has submitted a rate schedule which is attached to this Resolution; and

**WHEREAS**, M<sup>2</sup> Associates Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one (1) year, and that the contract will prohibit M<sup>2</sup> Associates Inc., from making any reportable contributions through the term of the contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains Matt Mulhall of M<sup>2</sup> Associates Inc., as the Hydrogeologist for the Borough of Flemington for the year 2021, to perform the professional services ordinarily provided by a Hydrogeologist of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$50,000.00; and

**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with M<sup>2</sup> Associates, Inc.; and

**IT IS FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and

**IT IS FURTHER RESOLVED** that the Chief Financial Officer certifies that funds are available in the 2021 budget and various capital ordinances.

Adopted: January 4, 2021

Attest:

BY: \_\_\_\_\_  
Betsy Driver, Mayor

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

**CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2021.

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

**ATTACHMENTS:**

- m2 rates 2021 (PDF)

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Jeremy Long, Council Member                          |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

**Mayor and Common Council**

38 Park Avenue  
Flemington, NJ 08822

Meeting: 01/04/21 05:00 PM  
Department: Clerk of the Borough  
Category: Appointments  
Prepared By: Sallie Graziano  
Initiator: Sallie Graziano  
Sponsors:  
DOC ID: 3387

**ADOPTED**

**RESOLUTION 2021-32**

**Naming SSP Architectural Group the Architect of Record for the Borough of Flemington, 2021**

**WHEREAS**, there exists a need for Professional Architectural Services in 2021 for various projects in the Borough of Flemington; and

**WHEREAS**, the Borough of Flemington has a need to acquire such professional services as a Non-Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, SSP Architectural Group ("SSP"), 50 Division St., Suite 503, Somerville, New Jersey 08876, has submitted a proposal indicating that SSP will provide various professional services including but not limited to helping the Borough maintain, update and potentially expand Borough facilities as its buildings age and as needs change; and

**WHEREAS**, the Council of the Borough of Flemington has determined to appoint SSP, due to the firm's record of providing significant architectural services with public buildings, police headquarters, and SSP's extensive skill and experience as a full service architectural firm in general; and

**WHEREAS**, SSP has completed and submitted a Business Entity Disclosure Certification for Non-Fair and Open Contract which certifies that SSP has not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one year and that the contract will prohibit SSP from making any reportable contributions through the term of the contract to a political or candidate committee in the Borough of Flemington; and

**WHEREAS**, SSP has submitted a schedule of hourly rates which is attached to this resolution; and

**WHEREAS**, the Mayor of Flemington has determined and certified in writing that the value of these Professional Services will not exceed \$50,000.00 annually; and

**WHEREAS**, the availability of sufficient funds for said Professional Services Contract to be awarded herein has been certified by the Borough's Chief Financial Officer; and

**WHEREAS**, the New Jersey Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.) requires that the Resolution authorizing the award of the contract for Professional Services without competitive bidding and the contract itself must be available for public inspection.

**NOW, THEREFORE, BE IT RESOLVED** by the Flemington Borough Council:

1. That the Mayor and Clerk are hereby authorized and directed to execute a Non-Fair and Open Agreement pursuant to N.J.S.A. 19:44A-20.5, with SSP

Architectural Group, 1011 Route 22, Suite 203, Bridgewater, New Jersey 08876, for Professional Architectural Services;

2. That this Agreement is awarded without competitive bidding as a Professional Services Contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction, distinguished from general academic instruction or apprenticeship and training;

3. That the Business Entity Disclosure Certification, the Political Contribution Disclosure Form and the Determination of Value be placed on file with the Resolution; and

4. That a Notice of this action shall be printed once in the *Hunterdon County Democrat*.

This being submitted at the Council meeting held on Monday, January 4, 2021.

Attest:

\_\_\_\_\_  
Sallie Graziano, RMC  
Municipal Clerk

**CERTIFICATION**

I, Sallie Graziano, Municipal Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey do hereby certify that the foregoing Resolution to be a true and exact copy of the Resolution adopted by the Flemington Borough Council at the Council meeting held on Monday, January 4, 2021.

\_\_\_\_\_  
Sallie Graziano, RMC  
Municipal Clerk

\_\_\_\_\_  
Date of Certification

|                  |  |
|------------------|--|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                           |
| <b>MOVER:</b>    | Caitlin Giles-McCormick, Council President           |
| <b>SECONDER:</b> | Jeremy Long, Council Member                          |
| <b>AYES:</b>     | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |