



Mayor and Common Council Borough of Flemington

July 26, 2021

Council Meeting Room and Online

Work Session (7:00 PM)

Mayor Driver called the meeting to order and the work session started at 7:00 p.m. Council members Giles-McCormick and Runion were absent; all others were present.

Mayor Driver noted concern about the rise of the Delta variant of COVID-19, and the possibility of moving Council meetings back to online-only. There was general discussion about vaccination status and Council Members voiced their preferences regarding options for in-person and online meetings. OEM Coordinator McNally said equipment is in place to accommodate online and in-person meetings.

Mayor Driver said several people have asked about having a skate park or dog park in the Borough; Ms. Hand said she can inquire about using Green Acres land for this purpose.

Ms. Hand moved to adjourn until the 7:30 p.m. regular meeting; Ms. Tilly seconded. All Council members present voted in favor of adjourning. The session ended at 7:12 p.m.

Regular Meeting (7:30 PM)

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

Flag Salute

Roll Call:

| Attendee Name | Title | Status | Arrived |
|-------------------------|------------------------|---------|---------|
| Caitlin Giles-McCormick | Council President | Present | 7:30 PM |
| Jessica Hand | Council Member | Present | |
| Malik Johnston | Council Member | Present | |
| Jeremy Long | Council Vice President | Present | |
| Christopher Runion | Council Member | Present | 7:33 PM |
| Kimberly Tilly | Council Member | Present | |
| Betsy Driver | Mayor | Present | |

I. Mayor's Report

Mayor Driver discussed the transition to a new garbage company and explained the reasoning behind moving recycling to alternate Fridays. She also discussed the status of the county-owned parking lot on Main Street and said she met with County Commissioner Holt to discuss options.

She noted the need to amend the agenda to add a resolution extending the sale contract for 144 Main Street for 30 days, due to a late request from the Department of Environmental Protection for forms.

II. Council Members' Reports

Council Member Johnston

No report.

Council Member Hand

People interested in joining the Citizens' Group to discuss common issues can reach out to Council Member Johnston - there's a flier out and online that gives details.

Community Garden- She's working with the Animal Control Officer on items for Sustainable Jersey certification.

Council Vice President Long

Police- There's a Field Day planned for July 29, 5:30-7:30 p.m.

Planning Board - They meet 7/27 at 7 p.m. both in person at Borough Hall and online through Zoom. People can view all the documents on the Planning Board section of the Borough website.

Council Member Tilly

Fire Dept. - They met 7/13 and accepted an application of a new firefighter.

DPW - They met on 7/15 and topics included the Community Garden, the Global Ag site and the RTMUA.

TransBridge is reinstating its Flemington-Doylestown bus service.

HPC - Their meeting last week was canceled due to a lack of agenda items.

Council President Giles-McCormick

Lone Eagle celebrated its 5th anniversary.

She discussed several events planned, including the Central Jersey Jazz Fest in September, the extension of car shows through September to make up for some rain-outs, Music on Main event in the works, and a Hunterdon Harvest Festival in early October. Two new stores opening up include a bubble tea shop near Barkley's on Main Street and an Indian food takeout store a little farther south on Main Street.

Opportunity Zone - Council members have been invited to meetings about a study of housing in the Borough.

Council Member Runion

The Environmental Commission didn't have a quorum for its last meeting, so he and Council Member Hand worked on Sustainable Jersey items.

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

Lee Roth, 91 Main St., expressed concern about the potential fate of a county-owned parking lot on Main Street across from Chorister Place. He urged the Borough to get involved.

Lois Stewart, Emery Ave., asked for details on Mayor Driver's meeting with County Commissioner Holt regarding the parking lot, and how much the Borough is likely to get from the sale of its property at 144 Main St. She also asked about the Opportunity Zone housing study and when information would be made public.

Robin Lapidus, FCP executive director, noted Flemington's night for the Central Jersey Jazz Fest will be Sept. 10, a Friday night.

IV. Approval of Minutes

Motion To: **Approve Minutes: July 12, 2021 Regular Council Meeting**

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

Regular Agenda

1. ORDINANCE 2021-17: AN ORDINANCE TO AMEND CHAPTER 25 OF THE CODE OF THE BOROUGH OF FLEMINGTON ENTITLED "COLLECTION OF SOLID WASTE"

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| RESULT: | INTRODUCED [UNANIMOUS] | Next: 8/9/2021 7:30 PM |
| MOVER: | Jessica Hand, Council Member | |
| SECONDER: | Kimberly Tilly, Council Member | |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly | |

2. ORDINANCE 2021-18: SALARY ORDINANCE 2021

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| RESULT: | INTRODUCED [UNANIMOUS] | Next: 8/9/2021 7:30 PM |
| MOVER: | Jessica Hand, Council Member | |
| SECONDER: | Kimberly Tilly, Council Member | |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly | |

3. RESOLUTION 2021-150: AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSE NUMBER 1009-33-002-008 HELD BY CYCLADES ASSOCIATES, LLC, FOR THE TERM 2021-2022

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jessica Hand, Council Member |
| SECONDER: | Kimberly Tilly, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

4. RESOLUTION 2021-151: A RESOLUTION IN SUPPORT OF THE MEDICARE FOR ALL ACT OF 2019 AND, SPECIFIC TO THE PANDEMIC, THE HEALTHCARE EMERGENCY GUARANTEE ACT OF 2020

Mr. Long said this is meant to let legislators know that our healthcare system isn't working for most of the country.

Ms. Hand spoke in favor of the resolution and talked about her own experiences with healthcare costs.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jessica Hand, Jeremy Long |
| SECONDER: | Kimberly Tilly, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

5. Motion To: **Amend the Agenda to Include a Resolution to Extend the Closing Date for the Contract of Sale for Borough-Owned Property at 144 Main St.**

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Jeremy Long, Council Vice President |
| SECONDER: | Kimberly Tilly, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

6. RESOLUTION 2021-156: EXTENDING THE SALES CONTRACT FOR BOROUGH-OWNED PROPERTY AT 144 MAIN ST., BLOCK 38 LOT 1.01, FOR 30 DAYS

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Kimberly Tilly, Council Member |
| SECONDER: | Jessica Hand, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

7. RESOLUTION 2021-152: APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN THE SFY21 BODY-WORN CAMERA GRANT PROGRAM ADMINISTERED BY THE DEPARTMENT OF LAW AND PUBLIC SAFETY

There was Council discussion about the Attorney General's mandate for body-worn cameras by police, their usefulness in Flemington, and the consequences for police if they fail to turn on their body cameras.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Malik Johnston, Council Member |
| SECONDER: | Jessica Hand, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

8. RESOLUTION 2021-153: CHAPTER 159 RESOLUTION ADDING FUNDS INTO THE 2021 MUNICIPAL BUDGET OF THE BOROUGH OF FLEMINGTON IN THE AMOUNT OF \$42,798.00

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jessica Hand, Council Member |
| SECONDER: | Kimberly Tilly, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

9. RESOLUTION 2021-154: AUTHORIZING HIRING GISSEL AQUINO TO THE POSITION OF PATROLMAN WITH THE FLEMINGTON POLICE DEPARTMENT, AT A SALARY OF \$45,041.00 ANNUALLY

Mr. Long discussed the applicant's qualifications and said if the resolution passes, the Borough will send her to the police academy.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jessica Hand, Council Member |
| SECONDER: | Kimberly Tilly, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

10. RESOLUTION 2021-155: APPROVING CHANGE ORDER #1, SERVICE AND QUANTITY CHARGES, IN THE 2021-2026 SOLID WASTE AND RECYCLABLE MATERIALS COLLECTION SERVICE CONTRACT

Ms. Hand moved and Ms. Tilly seconded a motion to adopt this resolution and it was voted on, but there was some confusion about the substance of the resolution. Ms. Hand moved and Ms. Tilly seconded withdrawing the initial vote. All Council members voted in favor of withdrawing the first vote on the resolution. Ms. Hand then moved and Ms. Tilly seconded this resolution, and discussion followed that this change order addresses quantity and service changes from what was specified in the original bid documents. Ms. Giles-McCormick was having internet connection difficulties and was unable to participate in the vote.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jessica Hand, Council Member |
| SECONDER: | Kimberly Tilly, Council Member |
| AYES: | Hand, Johnston, Long, Runion, Tilly |
| ABSENT: | Caitlin Giles-McCormick |

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

Lois Stewart, Emery Ave., asked about applications before the Planning Board, and the number of officers in the Police Department.

VI. Attorney's Report

Attorney St. Angelo reviewed the status of the sale of Borough-owned property at 144 Main St., and the status of final Green Acres approval for changes to the use at Tuccamirgan Park to allow a community garden. Going forward, she's working on ordinance revisions for the Historic Preservation Commission, and to address illegal dumping.

VII. Payment of the Bills

Motion To: **Pay the Bills in the Amount of \$530,754.90**

Ms. Tilly questioned what looks like a duplicate payment in the check for the Shade Tree Federation; that amount will be researched.

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Jessica Hand, Council Member |
| SECONDER: | Kimberly Tilly, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

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

None needed.

IX. Adjournment

Motion To: **Adjourn**

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| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Jessica Hand, Council Member |
| SECONDER: | Kimberly Tilly, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

The meeting adjourned at 8:40 p.m.

Attest:

Sallie Graziano
Sallie Graziano, Borough Clerk

Approved by Council 8/9/2021

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 07/26/21 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

DOC ID: 3536

ADOPTED

RESOLUTION 2021-150

**Authorizing the Renewal of Plenary Retail Consumption
Liquor License Number 1009-33-002-008 Held by Cyclades
Associates, LLC, for the Term 2021-2022**

**BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON**

WHEREAS, application has been received from Cyclades Associates, LLC, to renew Plenary Retail Consumption Liquor License 1009-33-002-008; and

WHEREAS, said application is complete and accompanied by the required fees, affidavits, and tax clearance certificate from the New Jersey Division of Taxation; and

WHEREAS, no written objection to the renewal of this license was received by the Borough Clerk; and

WHEREAS, Cyclades Associates, LLC received a special ruling from the director of the Division of Alcoholic Beverage Control pursuant to NJSA 33: 1-12.18 authorizing renewal of the license for the 2021-22 term;

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. That the license as referenced above be renewed for the 2020-2021 license term and that the Borough Clerk be directed to forward a certified copy of this Resolution to the Division of Alcoholic Beverage Control, Department of Law and Public Safety, for processing, and to the applicants; and;
2. That the Borough Clerk be authorized to issue the 2020-2021 license to the proper holder.
3. This Resolution shall take effect immediately.

Adopted: July 26, 2021

Attest:

By: Sallie Graziano
Sallie Graziano, Borough Clerk

By: Betsy Driver
Betsy Driver, Mayor

CERTIFICATION

I, Sallie Graziano, RMC, Clerk of the Borough of Flemington do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on July 26, 2021.

Sallie Graziano
Sallie Graziano, RMC, Borough Clerk

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jessica Hand, Council Member |
| SECONDER: | Kimberly Tilly, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 07/26/21 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors: Council Vice President Jeremy Long

ADOPTED

RESOLUTION 2021-151

DOC ID: 3537

**A Resolution in Support of the Medicare for All Act of 2019
And, Specific to the Pandemic, the Healthcare Emergency
Guarantee Act of 2020**

WHEREAS, every person in Flemington Borough, Hunterdon County, deserves high quality health care and everyone's health is at risk when our neighbors cannot receive care; and

WHEREAS, before the Covid-19 pandemic, the number of Americans without health insurance was nearly 30 million with about 50 million Americans underinsured, and the pandemic will greatly increase these numbers; e.g., up to 45 million additional people will lose job-related health insurance, with the impacts most severe on our black and brown neighbors; and

WHEREAS, without new strategies, the never-ending rising costs of health care further challenge our already strapped municipal budget and our small businesses that keep our communities thriving; and

WHEREAS, recent polls show that a growing majority of Americans support Medicare-for-All, and cities/towns approving Medicare for All Resolutions include: Los Angeles (CA), South Bend (IN), Ann Arbor (MI), Knoxville (TN), New Orleans (LA), Putnam (CT), Hanover (NH); Essex County (NJ); Maplewood (NJ); Red Bank (NJ); and Highland Park (NJ); and

WHEREAS, the Senate Medicare for All Act of 2019 and the House Medicare for All Act of 2021 would provide national health insurance for every person in the United States for all necessary medical care including diagnostic (e.g., virus) testing; prescription drugs; hospital, surgical and outpatient services; primary and preventive care; emergency services; women's reproductive care; dental and vision care; and long-term care; and

WHEREAS, the Senate Medicare for All Act of 2019 and the House Medicare for All Act of 2021 would provide coverage without co-pays, deductibles or other out-of-pocket costs and would slash bureaucracy, protect the doctor-patient relationship, and assure patients a free choice of doctors; and

WHEREAS, the Senate Medicare for All Act of 2019 and the House Medicare for All Act of 2021 would save millions in taxpayer dollars now spent on premiums that provide often inadequate health insurance coverage for government employees; and

WHEREAS, the Healthcare Emergency Guarantee Act of 2020 will cover, through Medicare, the costs of COVID-19 related treatment for uninsured Americans as well as all out-of-pocket costs for those with private or public insurance throughout the duration of the pandemic; and

WHEREAS, the quality of life for the residents of Flemington Borough, Hunterdon County, will vastly improve because everyone would be able to get preventive and ongoing care when they need it to keep themselves and their neighbors healthy and avoid further burdening local resources;

NOW, THEREFORE, BE IT RESOLVED, that the Flemington Borough Council enthusiastically supports the (Improved) Medicare for All Act(s) of 2019 and 2021 (S. 1129 and H.R. 1976) and the Healthcare Emergency Guarantee Act(s) of 2020 (H.R. 6906 and S.3790) and calls on our federal legislators to work toward their immediate enactment, assuring appropriate and efficient health care for all residents of the United States.

BE IT FURTHER RESOLVED, that we, the Flemington Borough Council, acknowledge the following:

- The Covid-19 pandemic has shown the importance of making high-quality healthcare available to everyone; our existing system leaves out too many people of color and those with limited resources; and
- Millions who have no insurance or insurance with high out-of-pocket costs face the possibility that a major illness would lead to financial ruin; medical illness and bills contribute to two-thirds of all bankruptcies; and
- Managed care and other market-based reforms have failed to contain health care costs, which threaten the international competitiveness of U.S. businesses; and
- The existence of thousands of public and private insurance providers and regulators has resulted in extraordinarily complex (and unsustainable) health care business procedures that consume almost one

third of our nation's expenditures for health care, and administrative waste stemming from our reliance on private insurers consumes one-third of private health spending while the single-payer Medicare system has administration costs of less than 5 percent; and

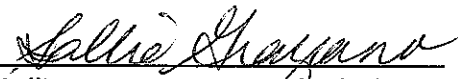
- Rationing health care according to ability to pay has diminished the overall health of our citizens to the point that the United States ranks last among industrialized nations in health outcomes and as many as 30,000 people in the United States die each year due to inadequate health care, and numerous academic studies have concluded that the administrative savings under a single-payer, (Improved) Medicare for All system would be enough to cover the currently uninsured and improve coverage for all those who now have only partial coverage; and
- Entrusting care to profit-oriented firms diverts billions of dollars to outrageous incomes for CEOs and threatens the quality of care, and the failure to provide affordable and appropriate preventive health care services places unnecessary and more costly demands upon local emergency health care services.

BE IT FURTHER RESOLVED, that Flemington Borough encourages all residents to contact their Members of Congress and U.S. Senators and encourage them to co-sponsor this critical legislation.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to U.S. Senator Robert Menendez; U.S. Senator Cory Booker; U.S. Congressman Tom Malinowski, representative of NJ's 7th Congressional District; NJ Senator Christopher "Kip" Bateman, representative of NJ's 16th Legislative District; Assemblyman Andrew Zwicker, representative of NJ's 16th Legislative District; Assemblyman Roy Freiman, representative of New Jersey's 16th Legislative District; NJ Governor Philip Murphy, and the Hunterdon County New Jersey Board of Commissioners.

Adopted: July 26, 2021

Attest:


Sallie Graziano, Borough Clerk


Betsy Driver, Mayor

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jessica Hand, Jeremy Long |
| SECONDER: | Kimberly Tilly, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 07/26/21 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3539

ADOPTED

RESOLUTION 2021-152

Approving Participation with the State of New Jersey in the SFY21 Body-Worn Camera Grant Program Administered by the Department of Law and Public Safety

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN THE SFY21 BODY-WORN CAMERA GRANT PROGRAM ADMINISTERED BY THE DEPARTMENT OF LAW AND PUBLIC SAFETY.

WHEREAS, the Borough of Flemington was awarded funding for a project under the SFY21 Body-Worn Camera Grant Program, and

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


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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that:

1. As a matter of public policy the Borough of Flemington wishes to participate to the fullest extent possible with the Department of Law and Public Safety and accepts this Body-Worn Camera Grant.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Department of Law and Public Safety shall be responsible for the receipt and review of the applications for said funds.
4. The Department of Law and Public Safety shall initiate allocations to each applicant as authorized.
5. The amount of the award is \$42,798.00
6. The Award Number is 21-BWC-150 and the period is from January 1, 2021 - December 31, 2025.

Adopted: July 26, 2021

Attest:

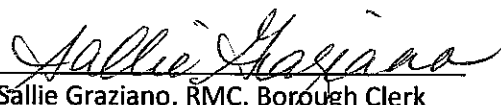

Sallie Graziano, Borough Clerk


Betsy Driver, Mayor

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Malik Johnston, Council Member |
| SECONDER: | Jessica Hand, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

CERTIFICATION OF RECORDING OFFICER

This is to certify that the foregoing Resolution is a true and correct copy of a resolution finally adopted at the meeting of the Mayor and Council of the Borough of Flemington held on July 26, 2021 and duly recorded in my office; that all requirements of law pertaining to the conduct of said meeting and the passage of this resolution were observed; and that I am duly authorized to execute this certificate.


Sallie Graziano, RMC, Borough Clerk

DATED: July 27, 2021

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 07/26/21 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

DOC ID: 3540

ADOPTED

RESOLUTION 2021-153

**Chapter 159 Resolution Adding Funds into the 2021
Municipal Budget of the Borough of Flemington in the
Amount of \$42,798.00**

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough of Flemington has received \$42,798 from the State of New Jersey for the 2021 Body Worn Camera Grant and wishes to amend its 2021 budget to include this amount as revenue;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington requests the Director of the Division of Local Government Services to approve the insertion of this item of revenue in the budget of the year 2021 in the amount of \$42,798 which is now available as a revenue from:

Miscellaneous Revenues: Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

2021 Body Worn Camera Grant \$ 42,798.00

BE IT FURTHER RESOLVED that a like sum of \$42,798 be and the same is hereby appropriated under the caption of:


General Appropriations: (A) Operations - Excluded from "CAPS": Public and Private Programs Offset by Revenues:

2021 Body Worn Camera Grant \$ 42,798.00

Adopted: July 26, 2021

Attest:



Betsy Driver, Mayor


Sallie Graziano, Borough Clerk

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jessica Hand, Council Member |
| SECONDER: | Kimberly Tilly, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

CERTIFICATION

I, Sallie Graziano, RMC, Clerk of the Borough of Flemington do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Borough Council on July 26, 2021.


Sallie Graziano, RMC, Borough Clerk


Date

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 07/26/21 07:30 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

DOC ID: 3542

ADOPTED

RESOLUTION 2021-154

**Authorizing Hiring Gissel Aquino to the Position of
Patrolman with the Flemington Police Department, at a Salary
of \$45,041.00 Annually**

WHEREAS, Flemington Borough has added a new position of Patrolman; and

WHEREAS, a search to fill this position was conducted; and

WHEREAS, Gissel Aquino has been selected as the top candidate from a number of qualified applicants for this position, as determined by the Chief, squad leaders and Council who participated in the process; and

WHEREAS, Ms. Aquino has successfully undertaken all prerequisite measures for employment with 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 Gissel Aquino be hired to the position of Patrolman with the Flemington Police Department effective immediately.

BE IT FURTHER RESOLVED that Patrolman Aquino's annual salary will be \$45,041.00.

Adopted: July 26, 2021

Attest:


Sallie Graziano, Borough Clerk


Betsy Driver, Mayor

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jessica Hand, Council Member |
| SECONDER: | Kimberly Tilly, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 07/26/21 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

ADOPTED

RESOLUTION 2021-155

DOC ID: 3543

**Approving Change Order #1, Service and Quantity Charges,
in the 2021-2026 Solid Waste and Recyclable Materials
Collection Service Contract**

WHEREAS, Flemington Borough received a request for additional compensation from LMR Disposal Inc. (Contractor) for the 2021-2026 Collection Service Contract due to changes in the quantity and service for containers that were not included in the original \$1,302,000.00 contract; and

WHEREAS, Additional Collection containers have been provided at a cost of \$10,070.00; and

WHEREAS, actual solid waste pickup is 70 yards per week more than the 169 yards per week contained in the bid specifications for this contract, a difference of container cost of \$10,070.00 and a service cost of \$1,600.00 per month; and

WHEREAS, the Borough Engineer has prepared a change order to the Contract for approval by Council.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington formally approves Change Order #1 for the amount not to exceed \$106,070.00 for the Solid Waste and Recyclable Material Collection Service for the increased cost of collection service and quantity.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the Change Order on behalf of the Borough.

Adopted: July 26, 2021

Attest:

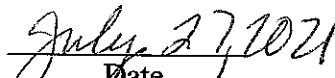

Betsy Driver, Mayor


Sallie Graziano, Borough Clerk

| | |
|------------------|-------------------------------------|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Jessica Hand, Council Member |
| SECONDER: | Kimberly Tilly, Council Member |
| AYES: | Hand, Johnston, Long, Runion, Tilly |
| ABSENT: | Caitlin Giles-McCormick |

Certified as a true copy of the Resolution adopted by the Council on the 26th day of July, 2021.


Sallie Graziano, RMC, Borough Clerk


Date

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the Change Order by the resolution above.

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 07/26/21 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

ADOPTED

RESOLUTION 2021-156

DOC ID: 3549

**Extending the Sales Contract for Borough-Owned Property at
144 Main St., Block 38 Lot 1.01, for 30 Days**

WHEREAS, Council desires to extend the deadline for the closing on a contract for the sale of Borough-owned property at 144 Main St., Block 38, Lot 1.01, for 30 days, to allow for the completion of documents required by the NJ Department of Environmental Protection;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington hereby approves a 30-day extension on the closing date for the sale of Borough Property at 144 Main Street.

Adopted: July 26, 2021

Attest:


Sallie Graziano, Borough Clerk


Betsy Driver, Mayor

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|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Kimberly Tilly, Council Member |
| SECONDER: | Jessica Hand, Council Member |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly |

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 07/26/21 07:30 PM
Department: Clerk of the Borough
Category: Council Ordinance
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

DOC ID: 3538

INTRODUCED

ORDINANCE 2021-17

An Ordinance to Amend Chapter 25 of the Code of the Borough of Flemington Entitled "Collection of Solid Waste"

WHEREAS, the Borough of Flemington, at its regular meeting of June 14, 2021 authorized the execution of a contract for solid waste collection; and

WHEREAS, the Borough of Flemington intends to revise the Solid Waste Collection Ordinance in a response to increases in solid waste and recycling collection, disposal, and processing costs and to be consistent with the current contract for solid waste collection.

NOW THEREFORE BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FLEMINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY as follows:

SECTION 1. CHAPTER 25 OF THE CODE OF THE BOROUGH OF FLEMINGTON, ENTITLED, "COLLECTION OF SOLID WASTE" IS AMENDED AS FOLLOWS (additions are shown as *thus*; deletions are shown as ~~thus~~):

§ 25-1 INTENT AND PURPOSE. Unchanged.

§ 25-2 DEFINITIONS. Unchanged.

§ 25-3 COLLECTION DAYS ESTABLISHED.

- a. Waste collection shall be made from residents on Thursday of each week during the hours of 7:00 a.m. to 5:00 p.m., prevailing time. *Recycling collection shall be made from residents on alternate Fridays starting July 9, 2021, during the hours of 7:00 a.m. to 5:00 p.m., prevailing time.* When a collection day falls on a federal holiday, collections will be made on the following day. In case of an emergency such as a hurricane, snowstorm or other act of God which prevents the collection on a collection day, collections will be made on the following day.
- b. Residents shall not place garbage curbside any earlier than 3:00 p.m. the day preceding the scheduled collection.
- c. ~~Totes Can(s) and bags~~ have to be taken off the street no later than noon of the day after collection.

§ 25-4 WASTE RECEPTACLES.

- a. Residents and occupants shall place all waste *and recycling* to be collected in receptacles Flemington Borough provided Totes.
- b. ~~Residents and owners shall furnish the receptacles for the transportation of waste from dwelling units to the contractor's vehicles.~~ *The Borough shall furnish 96-gallon Totes for the transportation of waste/recycling from dwelling units to the contractor's vehicles. Each property will be provided one (1) 96-gallon tote for solid waste and one (1) 96-gallon tote for recycling. No other cans, bags or resident-owned receptacles will be emptied. Totes are the property of the Borough and must remain with the address they are assigned to if the owner/occupant vacates the property.*
- c. *Requests for Smaller Totes. Property owners or occupants can request a 65-gallon tote in lieu of the 96-gallon tote. This shall be a one-time exchange. If the property owner or occupant wishes to exchange a 96-gallon tote for a 65-gallon tote, there will be no charge. To return to the larger size tote, a \$25 fee will be assessed per tote.*

d. Requests and Fees for Additional Totes.

(i) A property owner may obtain an additional 96-gallon or 65-gallon solid waste tote from the Borough for a charge of \$51.00 by submitting a request in writing to the Borough Clerk. The fee for the additional tote shall be paid at the time the request is made.

(ii) A property owner may obtain an additional recycling tote free of charge.

(iii) Property owners shall pay an additional annual collection fee \$225.00 per additional solid waste tote. The annual collection fee and fee for the tote shall be due at the time the request is made. The fees shall not be prorated and are non-refundable. Thereafter, the annual collection fee for additional solid waste totes shall be paid each year by the property owner by January 1.

(iv) If unpaid, the additional annual collection fee shall become a lien upon the property and be added to and become a part of the taxes next to be assessed and levied upon the property, and shall bear interest at the same rate as taxes and be collected and enforced by the same officer and in the same manner as taxes.

e. Lost, Stolen, or Damaged Totes.

(i) If a solid waste or recycling tote is lost or stolen, the property owner shall file a police report. Thereafter, the property owner shall notify the Borough Clerk in writing regarding the lost or stolen tote and provide a copy of said police report. A new tote will be provided free of charge.

(ii) If a tote is damaged by the garbage hauler, the property owner must notify the Borough Clerk in writing and a new tote will be provided free of charge.

(iii) If a tote is damaged by the property owner or occupant, the property owner shall notify the Borough Clerk in writing. A new tote shall be issued after the payment of a fee in the amount of \$51.00.

~~Receptacles for residents shall be (i) of metal or plastic, sufficiently strong for the intended purpose, equipped with close-fitting lids and have a capacity of not more than 30 gallons, or (ii) plastic bags designed for use in the collection and disposal of waste with a capacity of not more than 30 gallons. A receptacle used by a resident when filled shall not weigh in excess of 25 pounds and be capable of being handled by one person;~~

f. Multi-Family Dwellings.

(i) Receptacles for occupants of multi-family apartment buildings shall be dumpsters which shall be watertight, constructed of metal or plastic and equipped for handling by motorized equipment. The number of receptacles, size and placement for Flemington Arms, Herman E. Kapp, Hunter Hills, Hunterdon Mews, Madison Arms, Prospect Hills and Regional Court Apartments shall be based on annual tonnage reports, needs of the occupants, limitations set forth by the owners of each individual complex and maximum allowable collection per the Borough of Flemington.

(ii) Detached residential homes that include apartments shall be eligible to receive a solid waste tote and recycling tote for each dwelling unit. Only apartments properly registered pursuant to the Borough Code shall be eligible to receive such totes.

§ 25-5 PLACEMENT OF WASTE FOR COLLECTION.

- a. Totes containing waste/recycling to be collected from a resident shall be placed by such resident ***along curb line with three feet of clearance on each side and not obstructed by parked vehicles, snow, brush, leaves etc. for automatic pick up by Borough contractor*** on his property within three feet of the curb or street line thereof, from 3:00 p.m. the day preceding collection. A resident shall remove their waste/~~recycle~~ receptacles ~~Totes~~ and any other trash left behind no later than 12:00 noon the day following collection.
- b. Owners ***of multi-family complexes*** shall place receptacles ~~Totes~~ for the collection of waste/~~recycling~~ from occupants at such accessible locations ***for automatic pickup by Borough contractor*** within the multi-family complexes as directed by the sanitation commissioner of the Borough.
- c. Residents ~~shall place no more than ten cans and/or bags of garbage curbside for collection.~~ ***shall not place any other cans, bags or resident-owned Totes out for pickup.***
- d. Residents shall place no more than ~~two~~ ***four*** bulk items curbside for collection ***on 4 days/year as designated by Borough Council.*** of Acceptable materials which are the following: bicycles, nonmetal furniture [dressers, chairs, tables, sofas, beds (except steel frame beds)]; carpeting and matting (must be rolled and tied), lawn furniture, nonmetal toys, old doors, windows, screens, tools and mattresses (mattresses must be wrapped in plastic), glass tables and mirrors (must be covered in newspaper and taped to avoid breakage), single items from home repair (for example, a small vanity or single plumbing fixture). Items from construction renovations will not be collected.
- e. ***Bulk items shall have stickers attached that must be purchased by the resident from either the Borough or the borough contractor. No bulk items will be collected without a purchased sticker. Stickers are available for purchase by packets of four at \$40.00 per pack.***
- f. Tenants vacating a property and/or property owners ~~with an excess of 10 bags and two bulk items shall place Borough Tote and two bulk items out on designated pickup days for curbside collection and must make arrangements with an outside contractor to have the additional bulk items or waste removed and they shall not place these additional items curbside for regular waste collection.]~~

§ 25-6 ALL WASTE TO BE COLLECTED BY CONTRACTORS.

- a. The Borough awards contracts to contractors for the collection of waste from residents and occupants.
- b. Residents shall dispose of all waste generated by them by placing same for collection by the residential contractor in the manner and at the time herein set forth. Residents ~~shall not may~~ dispose of waste through any other waste collectors ~~except the residential contractor.~~ ***or self-transport to the Hunterdon County Transfer Station.***
- c. Owners and occupants shall dispose of all waste generated by occupants by placing same for collection by the multi-family complex contractor in the manner and at the times herein set forth. Owners and occupants shall not dispose of waste through any waste collector except the multi-family complex contractor, provided, however, an owner of a multi-family complex may, upon ten days prior written notice to the Borough Clerk, terminate collections by the multi-family complex collector.
- d. Tenants vacating a property and/or property owners with an excess of ~~10 bags~~ ***waste or***

recycling that does not fit in the Borough provided Tote and an excess of two four bulk items for curbside collection must make arrangements with an outside contractor to have the additional items removed and they shall not place these additional items curbside for regular waste collection.

§ 25-7 (RESERVED)

§ 25-8 (RESERVED)

§ 25-9 PROHIBITIONS. Unchanged.

§ 25-10 SEVERABILITY. Unchanged.

§ 25-11 PENALTY.

For violation of any provision, section or subsection of this chapter, the following shall be enforced by the property maintenance inspector or police for the following offense:

- a. \$50.00 penalty for placing garbage curbside before 3:00 p.m. on the day preceding scheduled pickup.
- b. \$25.00 penalty per can/bag over the ~~ten~~ allowed. *Borough provided Tote.*
- c. \$30.00 penalty per bulk item over ~~two~~ *four* allowed. *The same penalty shall apply for any bulk items left on the curb on days other than the four days per year allotted for bulk pick up.*
- d. \$25.00 penalty for not taking ~~eans and bags~~ *the Borough- provided Tote* off the street by noon of the day after collection.
- e. When a tenant/occupant and/or property owner violates the maximum allowance of ~~10 bags~~ *1 Borough-provided Tote* and two bulk items placed curbside for collection, the property owner will be fined per the above penalties; a placard will be placed on the door of the dwelling and a letter will be sent overnight delivery instructing the property owner they have 24 hours from receipt of the notice to remove all of the remaining debris. Failure to remove within the twenty-four-hour period will result in a contractor selected by the Borough of Flemington to remove the debris and all costs will become a lien on the property.

§ 25-12 SEPARATE VIOLATIONS. Unchanged.

§ 25-13 RECYCLING AND SOLID WASTE.

§ 25-13.1 Definitions. Unchanged.

§ 25-13.2 Municipal Recycling Coordinator. Unchanged.

§ 25-13.3 Source Separation. Unchanged.

§ 25-13.4 Residential Dwelling Compliance Requirement. Unchanged.

§ 25-13.5 Residential Dwelling Complexes Compliance Requirement. Unchanged.

§ 25-13.6 Nonresidential Establishment Compliance Requirements. Unchanged.

§ 25-13.7 New Developments of Multi-Family Residential Units and Commercial, Institutional, or Industrial Properties. Unchanged.

§ 25-13.8 Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials. Unchanged.

§ 25-13.9 Solid Waste Transporter Requirements. Unchanged.

§ 25-13.10 Proof of Provision of Solid Waste and Recycling Collection Services. Unchanged.

§ 25-13.11 Enforcement. Unchanged.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

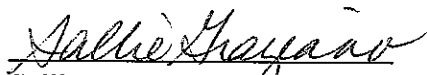
SECTION 4. This Ordinance shall take effect upon final passage, publication, and filing with the Hunterdon County Planning Board, all in accordance with the law.

Introduced: July 26, 2021

Adopted:

Attest:


Betsy Driver, Mayor


Sallie Graziano, Borough Clerk

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| RESULT: | INTRODUCED [UNANIMOUS] | Next: 8/9/2021 7:30 PM |
| MOVER: | Jessica Hand, Council Member | |
| SECONDER: | Kimberly Tilly, Council Member | |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly | |

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 07/26/21 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

INTRODUCED

ORDINANCE 2021-18

DOC ID: 3541

Salary Ordinance 2021

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

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

Section 1: The rate of compensation of the following employees shall be on a yearly basis, payable quarterly and effective January 1, 2021:

| | |
|-----------------|---------|
| Mayor | \$6,120 |
| Council Member | \$4,935 |
| Public Defender | \$9,792 |

Section 2: The rate of compensation of the following non-union employees shall be on a yearly basis, payable bi-weekly and effective January 1, 2021:

| | |
|--|-----------|
| Borough Clerk (To include Registrar of Vital Statistics) | \$57,282 |
| Deputy Clerk | \$26,342 |
| Administrator / Engineer | \$120,000 |
| Chief Financial Officer (To include Deputy Collector) | \$47,828 |
| Tax Collector | \$21,933 |
| Tax Assessor | \$32,043 |
| Finance Assistant | \$19,265 |
| Municipal Court Judge | \$25,987 |
| **\$1,010.00 per 4th Monday Court Session | |
| Court Administrator | \$55,000 |
| Court Officer (per night) | \$97 |
| Court Night Violations Clerk (per night) | \$112 |
| Construction Official / Building Sub-Code Inspector / Zoning | \$58,679 |
| Property Maintenance Officer (per hour rate) | \$23.08 |
| Fire Sub-Code Inspector | \$11,597 |
| Plumbing Sub-Code Inspector | \$11,597 |
| Electric Sub-Code Inspector | \$12,956 |
| Fire Marshal | \$44,217 |
| Planning Board Secretary | \$25,087 |
| Office of Emergency Management | \$2,295 |
| Department of Public Works Director / Recycling Coordinator | \$112,767 |
| Library Director | \$69,743 |
| Librarian I | \$40,666 |
| Librarian II | \$38,649 |
| Property Maintenance Inspector (per hour rate) | \$23.08 |
| Fire Prevention Inspector Step I (per hour rate) | \$20.00 |
| Fire Prevention Inspector Step II (per hour rate) | \$21.64 |
| Right to Know Officer | \$2,500 |

| | |
|---|-------------|
| Police Secretary (per hour rate) | \$14.94 |
| Library Aide (per hour rate) | \$12- \$16 |
| Adult Crossing Guards (per hour rate) | \$16 - \$27 |
| Tax Assessor Assistant (per hour rate) | \$26.00 |
| Parking Enforcement Officer (per hour rate) | \$15 - \$27 |
| Special Police Officer: Class I (per hour rate) | \$12 - \$27 |
| Casual Employees (per hour rate) | \$12 - \$58 |

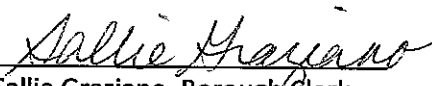
Section 3: The rate of compensation of the following police non-union employee shall be on a yearly basis, payable bi-weekly:

Chief of Police \$151,076

Introduced: July 26, 2021

Adopted:

Attest:


 Sallie Graziano, Borough Clerk


 Betsy Driver, Mayor

| | | |
|------------------|--|-------------------------------|
| RESULT: | INTRODUCED [UNANIMOUS] | Next: 8/9/2021 7:30 PM |
| MOVER: | Jessica Hand, Council Member | |
| SECONDER: | Kimberly Tilly, Council Member | |
| AYES: | Giles-McCormick, Hand, Johnston, Long, Runion, Tilly | |