



Mayor and Common Council Borough of Flemington

August 23, 2021

Online during COVID-19 Emergency

Work Session (7:00 PM)

Called to order at 7 p.m. Present were Attorney St. Angelo, Mayor Driver, Council Members Giles-McCormick, Hand, Long and Johnston, and Clerk Graziano. Council Members Runion and Tilly were absent.

Ms. Giles-McCormick discussed a Memo of Understanding with the FCP for a Neighborhood Preservation Program grant through the state DCA. Council discussed details of how the grant would be handled.

Mayor Driver discussed vaccines for COVID-19, the status of state requirements for vaccination, and said the OEM coordinator will be discussing the current status in Hunterdon during the regular meeting. She said an executive session might be warranted at the next meeting to receive legal advice on the vaccination issue.

Mayor Driver also checked back with Council about authorizing a change of name for Central Avenue, to Central Station, and Council members had no objections.

The work session ended at 7:25 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	
Jessica Hand	Council Member	Present	
Malik Johnston	Council Member	Present	
Jeremy Long	Council Vice President	Present	
Christopher Runion	Council Member	Present	7:32 PM
Kimberly Tilly	Council Member	Absent	
Betsy Driver	Mayor	Present	

I. OEM Report - Cpl. Brian McNally

Cpl. McNally said the COVID-19 transmission rate in Hunterdon County is 5.15%, considered high by CDC guidelines. Within the last 2 weeks there have been 2 new cases in the Borough; he noted the Borough's vaccination rate is 76% of eligible residents.

He said a mask mandate is in place at Borough Hall to protect residents and staffers. The Borough is going ahead with outdoor events, including Thursday Night Lights on Thursday; the first night of the Central Jersey Jazz Fest on Friday, Sept. 10; and the Sheriff's Dept. is holding a 9/11 ceremony on Saturday the 11th, with road closures starting at 7 a.m.

II. Mayor's Report

The Mayor thanked Council President Giles-McCormick for presiding over the last meeting after the Mayor became ill.

She referred to Cpl. McNally's report and urged people to get vaccinated.

This quarter's bulk pickup is Friday, Aug. 27. People need to get stickers at Borough Hall. Garbage and recycling cans should be arriving in 2 to 3 weeks.

The Planning Board will hold a public hearing on Sept. 14 on a preliminary study of declaring Liberty Village an area in need of redevelopment.

The railing at the monument that was damaged by a hit-and-run driver will have to be repaired. A local artist who works in steel and metal is being consulted.

Late last week the state issued the first set of guidelines regarding marijuana sales; the Borough Attorney will be preparing a memo for the next meeting on what the guidelines mean for Flemington.

She noted the Corcoran Street property that a resident complained about previously has been cleaned up by the property owner.

III. Council Members' Reports

Council Member Hand

For Sustainable Jersey credits, she's been working with an intern on organizing energy bills for Borough Hall, the Library, the DPW garage and the Water Dept. garage. They're tracking energy use and trends. Elizabethtown Gas is also monitoring usage.

On Saturday the Community Garden Committee organized a cleanup at Tuccamirgan Park. Main Street Bagel provided breakfast. On Sunday, Oct. 10, they're planning to address dead limbs and brush in the park.

Council President Giles-McCormick

Samuel Fleming House is continuing outdoor activities like yoga. An apple celebration is planned for September.

She thanked Council Member Hand for organizing the Tuccamirgan Park cleanup.

FCP- Thursday Night Lights is set for this Thursday, 5:30-9 p.m. The FCP's sign grant program is continuing. Yoga continues on the lawn at Stangl.

Council Member Johnston

Nothing to report.

Council Member Runion

Nothing to report.

Council Vice President Long

The Planning Board meets remotely tomorrow night. Access can be found on the borough website. Applications being discussed are for 91 Main, and Premier Outdoor Media.

On Sept. 12 there's a Cops and Kids kickball event that supports the Explorers program. The recent Field Day was a success.

Police report that since August there have been four thefts, with losses ranging from \$50 to \$12,000. Anyone who has something to report can call the police non-emergency line at 908-782-3434.

He and Council Member Hand are holding discussions with anyone interested about mental health issues for police officers. They will be meeting again on Wednesday at 7 p.m., outdoors; reach out to one of them if interested in joining in.

Council Member Tilly

Absent.

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

No comments.

V. Approval of Minutes

Motion To: **Approve Minutes: August 9, 2021 Regular Council Meeting**

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

Consent Agenda

Moved by: Hand Seconded by: Long All present voted in favor.

1. RESOLUTION 2021-175: AUTHORIZING SUBMISSION OF AN APPLICATION TO THE HUNTERDON COUNTY ECONOMIC DEVELOPMENT GRANT PROGRAM
2. RESOLUTION 2021-176: AUTHORIZING AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR A NEIGHBORHOOD PRESERVATION PROGRAM GRANT

Regular Agenda

1. RESOLUTION 2021-173: CERTIFYING THAT ALL MEMBERS OF THE GOVERNING BODY OF FLEMINGTON BOROUGH, HUNTERDON COUNTY, HAVE REVIEWED, AT A MINIMUM, THE SECTIONS OF THE 2020 ANNUAL AUDIT ENTITLED "GENERAL COMMENTS AND RECOMMENDATIONS"

Mayor Driver noted that there were no recommendations in the audit, a reflection of the great job being done by the CFO, Council and Departments.

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

2. RESOLUTION 2021-174: REFERRING A REZONING REQUEST TO THE PLANNING BOARD FOR REVIEW

Mayor Driver reviewed the issue with the property in question and said this resolution authorizes the Planning Board to investigate the situation.

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

3. RESOLUTION 2021-177: AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE FLEMINGTON COMMUNITY PARTNERSHIP REGARDING THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS' NEIGHBORHOOD PRESERVATION PROGRAM

RESULT:	ADOPTED [4 TO 0]
MOVER:	Jessica Hand, Council Member
SECONDER:	Jeremy Long, Council Vice President
AYES:	Jessica Hand, Malik Johnston, Jeremy Long, Christopher Runion
ABSTAIN:	Caitlin Giles-McCormick
ABSENT:	Kimberly Tilly

4. SECOND READING, ORDINANCE 2021-19: AMENDING SECTION 3-1 OF THE CODE OF THE BOROUGH OF FLEMINGTON TO INCLUDE THE PROHIBITION OF ILLEGAL DUMPING OF SOLID WASTE AND TO INCREASE THE PENALTIES UNDER THIS SECTION

Motion to open public hearing: Hand, seconded by Long. All present voted yes to open the hearing. The hearing opened at 8:03 p.m. No one commented.

Motion to close public hearing: Hand, seconded by Long. All present voted yes to close the hearing. The hearing closed at 8:04 p.m.

Council discussion: Mayor Driver said that when Council adopted an ordinance addressing clothing donation bins it was clear the illegal dumping ordinance needed updating, and with the changes to the way bulk garbage is handled, this is also being proactive. She noted it will allow for heavy fines.

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

5. FIRST READING, ORDINANCE 2021-20: ORDINANCE CREATING THE POSITION OF MUNICIPAL COURT VIOLATIONS CLERK AND SETTING A SALARY RANGE

Mayor Driver said that following notification of the deputy court administrator of her planned retirement, discussions with the Judge and Court Administrator indicated that the Borough could save some money and hire a violations clerk rather than a deputy court administrator. Attorney St. Angelo said the Administrative Office of the Courts has approved the staffing change. The salary for the new position would be \$30,000 to \$40,000 annually.

RESULT:	INTRODUCED [UNANIMOUS]	Next: 9/13/2021 7:30 PM
MOVER:	Jessica Hand, Council Member	
SECONDER:	Jeremy Long, Council Vice President	
AYES:	Giles-McCormick, Hand, Johnston, Long, Runion	
ABSENT:	Kimberly Tilly	

6. RESOLUTION 2021-178: AUTHORIZING THE EXECUTION OF A THIRD ADDENDUM FOR THE CONTRACT OF SALE OF BOROUGH-OWNED PROPERTY AT 144 MAIN ST., BLOCK 38, LOT 1.01, TO TIDBITS, LLC

Mayor Driver said the DEP is requiring a site assessment before signing off on this sale, consequently the closing date needs to be extended again.

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

7. RESOLUTION 2021-179: AUTHORIZING THE PAYMENT OF CERTAIN FEES TO COMMUNITY GRANTS, PLANNING, AND HOUSING

Mayor Driver said the affordable-housing apartment this addresses dates back to before the Borough hired a company to manage its affordable units, and there is no agreement with the landlord to pay fees to the management company. This is a one-time arrangement, and works to encourage the provision of affordable housing in the Borough.

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

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

No comments.

VII. Attorney's Report

The state Cannabis Commission just issued its first set of rules, and she will prepare an in-depth memo for the next Council meeting, including whether any tweaks are needed to the resolution previously approved by Council. Also, at the next meeting she will have an ordinance for consideration that amends the abandoned vehicles ordinance. She is also working with Ms. Tilly on updating the Historic Preservation Commission ordinances, and those should be ready for the next Council meeting too.

VIII. Payment of the Bills

Motion To: **Pay the Bills in the Amount of \$218,159.54**

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

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

None needed.

X. Adjournment

Motion To: **Adjourn**

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

The meeting adjourned at 8:24 p.m.

Attest: *Sallie Graziano*
 Sallie Graziano, Borough Clerk

Approved by Council 9/13/2021.

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/23/21 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

DOC ID: 3566

ADOPTED

RESOLUTION 2021-173

**Certifying that All Members of the Governing Body of
Flemington Borough, Hunterdon County, Have Reviewed, at a
Minimum, the Sections of the 2020 Annual Audit Entitled
"General Comments and Recommendations"**

**BOROUGH OF FLEMINGTON
HUNTERDON COUNTY**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the annual audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52-27BB-52 - "A local officer or member of a local governing body, who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provision of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or

imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED on this 23rd day of August 2021, that the Borough Council of the Borough of Flemington hereby states that it has complied with the regulation of the Local Finance Board of the State of New Jersey dated July 30, 1968, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Adopted: August 23, 2021

Attest:

Sallie Graziano
Sallie Graziano, RMC, Borough Clerk

Betsy Driver
Betsy Driver, Mayor

CERTIFICATION

I, Sallie Graziano, Municipal 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 August 23, 2021.

Sallie Graziano
Sallie Graziano, RMC, Borough Clerk

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

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/23/21 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3567

ADOPTED

RESOLUTION 2021-174

Referring a Rezoning Request to the Planning Board for Review

WHEREAS, the Borough Clerk received the attached correspondence requesting the Borough Council review the zoning on property designated on the Tax Maps of the Borough of Flemington as Block 28, Lot 8; and

WHEREAS, the property owner notes that a portion of the property is zoned for commercial use and a portion of the property is zoned for residential use and requests that the Borough consider zoning the entire property for commercial use; and

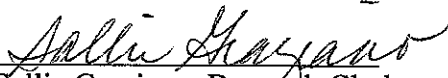
WHEREAS, the Borough Council desires to refer this matter to the Planning Board for their review with the Borough Planner;

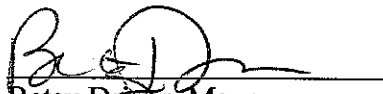
NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey as follows:

1. The Borough Council refers the above-referenced re-zoning request to the Borough Planning Board for their review and recommendation.
2. The Borough of Flemington Planning Board shall consult with the Borough Planner generate a report after this referral containing its recommendation regarding the re-zoning request.
3. This Resolution shall take effect immediately.

Adopted: August 23, 2021

Attest:


Sallie Graziano, Borough Clerk


Betsy Driver, Mayor

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

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/23/21 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3568

ADOPTED

RESOLUTION 2021-175

Authorizing Submission of an Application to the Hunterdon County Economic Development Grant Program

WHEREAS, N.J.A.C. 40:55D-28 outlines the process for preparation and modification of a master plan by the Planning Board; and

WHEREAS, Flemington Borough's most recent master plan was adopted in 2010, with a reexamination report issued in 2015; and

WHEREAS, the Planning Board desires to update the current master plan to reflect current conditions and new regulations; and


WHEREAS, The Hunterdon County Economic Development Grant Program (EDGP) provides funding to Hunterdon municipalities and local non-profit business associations looking to explore, create, or implement programs, policy, or procedure consistent with the goals and objectives of the Hunterdon County Office of Economic Development; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington authorize submission of an application for the Hunterdon County Economic Development Grant Program for up to \$20,000; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Borough of Flemington commits to meet the 10% minimum local match of the EDGP.

Adopted: August 23, 2021

Attest:


Sallie Graziano, Borough Clerk


Betsy Driver, Mayor

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Jessica Hand, Council Member
SECONDER:	Jeremy Long, Council Vice President
AYES:	Giles-McCormick, Hand, Johnston, Long, Runion
ABSENT:	Kimberly Tilly

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/23/21 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

ADOPTED

RESOLUTION 2021-176

DOC ID: 3569

Authorizing an Application to the New Jersey Department of Community Affairs for a Neighborhood Preservation Program Grant

WHEREAS, the New Jersey Department of Community Affairs Neighborhood Preservation Program directly serves targeted neighborhoods throughout the state and provides money to revitalize areas in decline; and

WHEREAS, the Borough of Flemington is eligible to participate in the Neighborhood Preservation Program; and

WHEREAS, the Borough wishes to apply for a grant of \$750,000 over five years through the Neighborhood Preservation Program; and

WHEREAS, the grant requires a \$25,000 annual funding match;

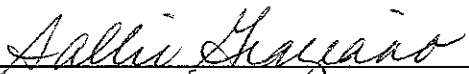
NOW, THEREFORE BE IT RESOLVED that the Council of the Borough of Flemington authorizes the application for the above-named grant;

BE IT FURTHER RESOLVED that Council Vice President Jeremy Long, the Borough Clerk and other Borough representatives are hereby authorized to sign the application and supporting documentation with the New Jersey Department of Community Affairs for a Neighborhood Preservation Program grant.

BE IT FURTHER RESOLVED that the Borough of Flemington authorizes the expenditure of funds pursuant to the terms of the agreement between Flemington Borough and the New Jersey Department of Community Affairs.

Adopted: August 23, 2021

Attest:


Sallie Graziano, Borough Clerk


Betsy Driver, Mayor

RESULT:	ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Jessica Hand, Council Member
SECONDER:	Jeremy Long, Council Vice President
AYES:	Giles-McCormick, Hand, Johnston, Long, Runion
ABSENT:	Kimberly Tilly

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/23/21 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

DOC ID: 3570

ADOPTED

RESOLUTION 2021-177


**Authorizing a Memorandum of Understanding with the
Flemington Community Partnership Regarding the New
Jersey Department of Community Affairs' Neighborhood
Preservation Program**

WHEREAS, Flemington Borough officials wish to enter into the attached Memorandum of Understanding with the Flemington Community Partnership regarding the NJ Department of Community Affairs' Neighborhood Preservation Program;

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the Borough of Flemington authorizes Council Vice President Jeremy Long and the Borough Clerk to sign the aforementioned Memorandum of Understanding.

Adopted: August 23, 2021

Attest:


Sallie Graziano, Borough Clerk


Betsy Driver, Mayor

RESULT:	ADOPTED [4 TO 0]
MOVER:	Jessica Hand, Council Member
SECONDER:	Jeremy Long, Council Vice President
AYES:	Jessica Hand, Malik Johnston, Jeremy Long, Christopher Runion
ABSTAIN:	Caitlin Giles-McCormick
ABSENT:	Kimberly Tilly

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/23/21 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3563

ADOPTED

RESOLUTION 2021-178

Authorizing the Execution of a Third Addendum for the Contract of Sale of Borough-Owned Property at 144 Main St., Block 38, Lot 1.01, to Tidbits, LLC

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, pursuant to Resolution 2020-99 adopted on May 26, 2020, the Borough entered into a Contract of Sale with TidBits, LLC (“Purchaser”) for the sale of the property at 144 Main Street, Block 38, Lot 1.01(the “Property”) on the Tax Map of the Borough of Flemington; and

WHEREAS, pursuant to Resolution No. 2021-156 the closing date was extended to August 31, 2021; and


WHEREAS, NJDEP requires that Purchaser complete a Preliminary Assessment of the Property prior to NJDEP granting consent to release the liens it holds against the Property; and


WHEREAS, Purchaser has agreed to move forward with the purchase of the Property, but requires until October 4, 2021 to complete the required Preliminary Assessment and NJDEP consent;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are authorized to execute a Third Addendum to the Contract in a form substantially consistent with the attached.

Adopted: August 23, 2021

Attest:


Sallie Graziano, Borough Clerk


Betsy Driver, Mayor

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

THIRD ADDENDUM TO CONTRACT FOR SALE
BY AND BETWEEN

TIDBITS NJ, LLC ("BUYER")
AND
THE BOROUGH OF FLEMINGTON, IN THE COUNTY OF HUNTERDON
("SELLER")
FOR
LOT 1.01, BLOCK 38, BOROUGH OF FLEMINGTON, HUNTERDON COUNTY
(144 MAIN STREET)

The undersigned parties agree to amend the Contract of Sale of Real Estate dated October 5, 2020, for the above referenced property as follows:

1. Paragraph 1—*Time and Place of Closing*. The time of the closing is extended to a date on or before October 4, 2021.
2. Paragraph 22 – *Due Diligence Period*. The period of time for the Buyer to complete their due diligence is extended to October 4, 2021 to afford the parties the opportunity to complete Preliminary Assessment to the satisfaction of NJDEP. The Seller shall grant Buyer and its agents access to the Property for such purposes upon twenty-four hours written notice, which can be transmitted via email.

DATED: 8/11/21 *Michael G. Bird*
for TIDBITS NJ, LLC, Buyer

DATED: 8/24/21 *B. E. D.*
THE BOROUGH OF FLEMINGTON, Seller

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/23/21 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

ADOPTED

RESOLUTION 2021-179

DOC ID: 3571

Authorizing the Payment of Certain Fees to Community Grants, Planning, and Housing

WHEREAS, the property designated on the Tax Maps of the Borough of Flemington as Block 29, Lot 6 and Block 38, Lot 1 is developed with eleven (11) residential apartments; and

WHEREAS, pursuant to Planning Board Resolution No. 2006-8 granting preliminary and final site plan approval for the construction of said apartments required one of these apartments to be deed-restricted and available to moderate- and low-income families; and

WHEREAS, said affordable unit is included the Borough’s Housing Element and Fair Share Plan; and

WHEREAS, the property owner, Flemington Electric Supply Co., contacted the Borough’s affordable housing administrative agent, Community Grants, Planning, and Housing (“CGP&H”) regarding marketing the affordable unit after a tenant vacated; and

WHEREAS, CGP&H informed the property owner that he was responsible for payment of various fees associated with marketing the unit and income-qualifying potential tenants, including an \$800 charge to review applications to ensure that potential tenants met the income qualifications pursuant to the Borough’s Contract with CGP&H dated April 1, 2021; and

WHEREAS, the property owner contacted the Borough and states that he was never required to pay this \$800 fee before and that such fee is burdensome as the rent on the unit is only about \$800 per month; and

WHEREAS, Planning Board Resolution No. 2006-8 did not outline payment of this fee as a condition of approval; and

WHEREAS, the Borough’s Contract with CGP&H states that the Borough “may pay this fee if Developer will not contract with CGP&H;” and

WHEREAS, the Borough Council has determined that it is in the best interests of the Borough to pay such fee;

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

1. The Borough Council authorizes the payment of \$800 to CGP&H on behalf of Flemington Electric Supply Co., for “rental certification” fees as set forth in Schedule A of the Borough’s Contract with CGP&H dated April 1, 2021. The property owner shall be responsible for payment of all other fees to CGP&H, including fees for waiting list management and lease renewal. Moreover, the Borough will only pay one \$800 rental certification fee on behalf of the property owner. If property owner rejects the first qualified applicant, any additional rental certification fees will be paid by the property owner.

2. This Resolution shall take effect immediately.

Adopted: August 23, 2021

Attest:

Sallie Graziano
Sallie Graziano, Borough Clerk

Betsy Driver
Betsy Driver, Mayor

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

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/23/21 07:30 PM
Department: Clerk of the Borough
Category: Council Ordinance
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

ADOPTED

ORDINANCE 2021-19

DOC ID: 3554

**Amending Section 3-1 of the Code of the Borough of
Flemington to Include the Prohibition of Illegal Dumping of
Solid Waste and to Increase the Penalties Under This Section**

Borough of Flemington, Hunterdon County

WHEREAS, in its continuing efforts to reduce and alleviate littering and dumping in the Borough of Flemington, the Borough wishes to amend the Ordinances of the Borough to include prohibiting the dumping of solid waste and to increase the penalties for illegal dumping; and

WHEREAS, the activity of dumping and littering is a nuisance and creates a risk to the safety, health and well-being of residents and businesses of the Borough; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Flemington, the County of Hunterdon, that the Section of the Code of the Borough of Flemington (the "Code"), entitled "Litter," is hereby amended and supplemented as follows:

SECTION 1. Section 3-1 is hereby renamed, "Littering; Illegal Dumping."

SECTION 2. Section 3-1 is amended and supplemented as follows (additions are shown as *thus*; deletions are shown as ~~thus~~);

§ 3-1.1. Definitions. As used in this section

AIRCRAFT

Shall mean any contrivance now known or hereafter invented, used or designated for navigation or for flight in the air. The word "aircraft" shall include helicopters and lighter-than-air dirigibles and balloons.

AUTHORIZED PRIVATE RECEPTACLE

Shall mean a litter storage and collection receptacle.

BULKY WASTE

Shall include, but not be limited to large items of solid waste which because of their size or weight require handling other than normally used for municipal waste. Bulky waste includes, but is not limited to, such auto bodies, demolition or construction materials, appliances, furniture and drums.

COMMERCIAL HANDBILL

Shall mean any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet or any other printed or otherwise reproduced original or copies of any matter of literature:

- a. Which advertises for sale any merchandise, product commodity or thing.
- b. Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interest thereof by sales.
- c. Which directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind, for which an admission fee is charged for the purpose of private gain or profit: but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event, when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety

and good order; provided that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind, without a license, where such license is or may be required by any law of this state, or under any ordinance of this Borough.

d. Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor.

CONSTRUCTION/DEMOLITION WASTE

Shall mean waste building material and rubble resulting from construction, remodeling, repair, and demolition operations on residential, commercial and/or industrial structures and/or buildings, pavement and other structures. The following materials may be found in construction and demolition waste: treated and untreated wood scrap; tree parts; tree stumps and brush; concrete; asphalt; bricks, blocks and other masonry; plaster and wallboard; roofing materials; corrugated cardboard and miscellaneous paper; dirt; carpets and padding; glass (window and door); and other miscellaneous materials.

GARBAGE

Shall mean putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

ILLEGAL DUMPING

Shall mean any collection of solid waste exceeding fifteen (15) pounds in weight or twenty-seven (27) cubic feet in volume which is either dumped or caused to be dumped or placed on any property either public or private, whether or not regularly used, which tends to create a hazard to the public health, safety and welfare. This definition shall not include the careless, scattered littering of smaller individual items.

LITTER

Shall mean "garbage," "refuse" and "rubbish" as defined herein and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.

NEWSPAPER

Shall mean any newspaper of general circulation as defined by general law, any newspaper entered with the Post Office Department of the United States, in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and, in addition, shall include any periodical or current magazine regularly published with not less than four issues per year, and sold to the public.

NONCOMMERCIAL HANDBILL

Shall mean any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper booklet, or any other printed or otherwise reproduced original or copies of any matter of literature not included in the aforesaid definitions of a commercial handbill or newspaper.

PARK

Shall mean a park, reservation, playground, recreation center or any other public area in the Borough, owned or used by the Borough and devoted to active or passive recreation.

PERSON

Shall mean any person, firm, partnership, association, corporation, company or organization of any kind.

PRIVATE PREMISES

Shall mean any dwelling house, building, or other structure, designed or used either wholly or in part for private residential purposes, whether uninhabited or temporarily or continuously inhabited or vacant, and shall include, but not be limited to, any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building, or other structure.

PUBLIC PLACE

Shall mean any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds, and buildings.

REFUSE

Shall mean all putrescible and nonputrescible solid wastes (except body wastes), including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes.

RUBBISH

Shall mean nonputrescible solid waste consisting of both combustible and noncombustible wastes, such as paper wrappings, cigarettes, yard clippings, cardboard, tin cans, wood, glass, bedding, crockery and similar materials. For the purposes of § 3-1.4, the word rubbish shall also include leaves.

SOLID WASTE

Shall include, but not be limited to, municipal wastes (household, commercial or industrial), bulky waste (appliances, furniture, vehicles, vehicles parts, rubber tires), demolition waste (residential, commercial and/or industrial), and/or vegetative waste (plant stalks, hulls, leaves, tree wastes processed through a wood chipper, tree parts, grass clippings, shrubbery and/or garden wastes).

VEHICLE

Shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

§ 3-1.2. ***Prohibited Acts and Regulated Activities Litter in Public Places.***

a. ***No person shall throw, drop, discard, put or place, or cause or permit to be thrown, dropped, discarded, put or placed, any solid waste, rubbish, refuse, garbage, ashes, paper, dirt, cinders, substance, matter or thing upon any street, sidewalk, or public property other than in a litter receptacle, or having done so, to allow such litter to remain.*** ~~No person shall throw or deposit litter in or upon any street, sidewalk or other place within the Borough except in public receptacles for collection.~~

b. ***Whenever any litter and/or solid waste is thrown or discarded or allowed to fall from a vehicle in violation of this Chapter, the operator or owner, or both, of the motor vehicle shall also be deemed to have violated this Chapter.*** ~~No person shall throw or deposit litter in or upon any street, sidewalk, curb or other place within the Borough even though the same may be in authorized private receptacles for collection.~~

c. ***Illegal Dumping of Solid Waste Prohibited. It shall be unlawful for any person to discard or dump any household or commercial solid waste, rubbish, refuse, junk vehicle or vehicle parts, rubber tires, appliances, or furniture in any place not specifically designated for the purpose of solid waste storage or disposal.***

§ 3-1.3. Placement of Litter in Receptacles so as To Prevent Scattering.

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

§ 3-1.4. Sweeping Litter into **Streets Gutters** Prohibited.

No person shall sweep into or deposit in any gutter, street or other public place within the Borough the accumulation of litter, **solid waste, refuse, or rubbish** from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter. Notwithstanding anything in this subsection to the contrary, it shall be permissible to rake leaves into the gutter on any street or road in the Borough for purposes of collection and disposal by the street department during the fall of each year but not after December 1. Raking or depositing leaves in any gutter except during the aforesaid period of time shall be a violation of the provisions of this section.

§ 3-1.5. Merchant's Duty To Keep Sidewalks Free of Litter.

No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the Borough the accumulation of litter, **solid waste, refuse, or rubbish** from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the Borough shall keep the sidewalk in front of their business premises free of litter, **solid waste, refuse, or rubbish**. **Nothing herein shall prevent the sweeping of leaves into the street during the periods officially designated or announced by the Borough Administrator as periods for the collection of such leaves.**

§ 3-1.6. Litter Thrown by Persons in Vehicles.

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the Borough, or upon private property.

§ 3-1.7. Truckloads Causing Litter.

No person shall drive or move any truck or other vehicle within the Borough unless the vehicle is so constructed or loaded as to prevent any load, contents or litter **and/or solid waste** from being blown or deposited upon any street, alley or other public place; nor shall any person drive or move any vehicle or truck within the Borough, the wheels or tires of which carry onto or deposit on any street alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind.

§ 3-1.8. Litter in Parks.

No person shall throw or deposit litter, **solid waste, refuse, or rubbish** in any park within the Borough except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park by the persons responsible for its presence and properly disposed of elsewhere.

§ 3-1.9. Litter in Fountains and Streams.

No person shall throw or deposit litter in any fountain, pond, stream or any other body of water within the Borough.

§ 3-1.10. Throwing or Distributing Commercial Handbills in Public Places.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the Borough. Nor shall any person hand out or distribute or sell any commercial handbill in any public place, provided that it shall

not be unlawful for any person to hand out or distribute, without charge to the receiver, any noncommercial handbill to any person willing to accept it.

§ 3-1.11. Placing Commercial and Noncommercial Handbills on Vehicles.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any vehicle, provided that it shall not be unlawful in any public place for a person to hand out or distribute without charge to the receiver, a noncommercial handbill to any occupant of a vehicle who is willing to accept it.

§ 3-1.12. Depositing Commercial and Noncommercial Handbills on Uninhabited or Vacant Premises.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.

§ 3-1.13. Prohibiting Distribution of Handbills where Property Posted.

No person shall throw, deposit or distribute any commercial or noncommercial handbill upon any private premises, if requested by anyone thereon not to do so, or if there is placed on the premises in a conspicuous position near the entrance thereof, a sign bearing the words "No Trespassing," "No Peddlers or Agents," "No Advertisement," or any similar notice indicating in any manner that the occupants of the premises do not desire to be molested or have their right of privacy disturbed, or to have any such handbills left upon the premises.

§ 3-1.14. Distributing Commercial and Noncommercial Handbills at Inhabited Private Premises.

No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon private premises which are inhabited, except by handing or transmitting the handbill directly to the owner, occupant or other person then present in or upon the private premises, provided that in cases of inhabited private premises which are not posted, the person, unless requested by anyone upon the premises not to do so, may place or deposit any handbill in or upon the inhabited private premises, if the handbill is so placed or deposited as to secure or prevent the handbill from being blown or drifted about the premises or sidewalks, streets, or other public places, except that mailboxes may not be so used when so prohibited by federal postal law or regulations.

§ 3-1.15. Exemption for Mail and Newspapers.

The provisions of this section shall not apply to the distribution of mail by the United States, nor to newspapers, except that newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place, or upon private property.

§ 3-1.16. Dropping Litter from Aircraft.

No person in an aircraft shall throw out, drop or deposit within the Borough any litter, handbill or other object.

§ 3-1.17. Posting Notices Prohibited.

No person shall post or affix any notice, poster or other paper or device calculated to attract the attention of the public to any lamp post, public utility pole or shade tree, or upon any public structure or building, except as may be authorized or required by law.

§ 3-1.18. Litter on Occupied Private Property.

No person shall throw or deposit litter, **solid waste, refuse, or rubbish** on any occupied private property within the Borough, whether owned by that person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from

being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

§ 3-1.19. Owner to Maintain Premises Free of Litter.

The owner or person in control of any private property shall at all times maintain the premises free of litter, **solid waste, refuse, or rubbish** provided that this subsection shall not prohibit the storage of litter in authorized private receptacles for collection.

§ 3-1.20. Litter on Vacant Lots.

No person shall throw or deposit litter, **solid waste, refuse, or rubbish** on any open or vacant private property within the Borough whether owned by that person or not.

§ 3-1.21. **Enforcement; Violations and Penalties** ~~Clearing of Litter from Lands by Borough.~~

a. **Enforcement.** *This Chapter shall be enforced by Borough Police Officers or Borough Health Officer.*

b. **Notice To Remove.** The health officer or the police chief is authorized and empowered to notify the owner or tenant of any lands within the Borough or the agent of such owner or tenant, to properly dispose of litter, **solid waste, refuse, or rubbish** located on the owner or tenant's lands which is dangerous to public health, safety or welfare. The notice shall be given by personal service, or by certified mail addressed to the owner, at his last known address.

cb. **Action upon Noncompliance.** Upon the failure, neglect or refusal of any owner or tenant or any agent of the owner or tenant so notified to properly dispose of litter, **solid waste, refuse, or rubbish** dangerous to public health, safety or welfare within ten days after receipt of written notice, or within 15 days after the date of such notice in the event the notice is returned to the Flemington Post Office because of its inability to make delivery, provided it was properly addressed to the last known address of the owner, tenant, or agent, the litter, **solid waste, refuse, or rubbish** shall be removed from the lands in question under the direction of the health officer or police chief.

de. **Charges Included in Tax Bill.** In all cases where the Borough has affected the removal of litter, **solid waste, refuse, or rubbish** or has paid for its removal under the direction of the health officer or the police chief, the health officer or police chief, whichever the case may be, shall certify the cost to the Borough Council. The Council shall examine the certificate, and if found correct shall charge the cost shown against the lands involved. The amount charged shall forthwith become a lien upon the lands and shall be added to and become part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes, and shall be collected and enforced by the same officers and in the same manner as taxes.

e. **Penalties for Littering.** *Any person who violates this Chapter shall be subject to the fines and penalties set forth in Chapter 2, Attachment 1, Schedule A of this Code, in the discretion of the Judge imposing the same as follows:*

i. *Any person who shall violate any subsection of Section 3-1 of the Code as it relates to littering, shall be subject to a fine of not less than \$56.00 upon conviction.*

ii. *Any person who shall violate Section 3-1.2(a) of the Code with regard to littering in public places shall be subject to a fine of not less than \$50.00 upon conviction of a first offense and a fine of not less than \$100 upon the conviction of subsequent offenses.*

f. **Penalties for Illegal Dumping.** *In addition to the cost of removal of the solid waste, refuse, or rubbish, any person who shall violate any of the provisions of this Chapter or any other order promulgated hereunder shall, as it relates to*

illegal dumping of solid waste, upon conviction, be subject to a fine of not less than \$2,500.00 and not exceeding \$10,000.00. Each day that a violation continues shall constitute a separate violation.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 4. 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 5. The Borough Clerk is hereby directed, upon adoption of this ordinance after public hearing, to publish notice of the passage thereof.

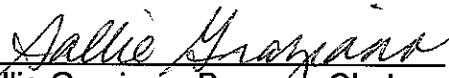
SECTION 6. This Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduced: August 9, 2021

Adopted: August 23, 2021

Attest:


Betsy Driver, Mayor


Sallie Graziano, Borough Clerk

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

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/23/21 07:30 PM
Department: Clerk of the Borough
Category: Council Ordinance
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

DOC ID: 3562

INTRODUCED

ORDINANCE 2021-20

First Reading: Ordinance Creating the Position of Municipal Court Violations Clerk and Setting a Salary Range

WHEREAS, the Deputy Clerk of the Borough of Flemington Municipal Court has given notice of her planned retirement; and

WHEREAS, the Municipal Court Judge and Municipal Court Clerk have recommended to the Council that a full-time violations Clerk be appointed in lieu of appointing a new deputy clerk; and

WHEREAS, a review of salaries for violations clerks in the area reveals that the salary range set forth below is reasonable.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Flemington, the County of Hunterdon, that the Borough of Flemington (the "Code") is hereby amended and supplemented as follows:

SECTION 1. Section 2-8 of the Code, entitled "Municipal Court" shall be amended as follows (additions are shown as *thus*; deletions are shown as ~~thus~~):

a. There is hereby established a municipal court for the Borough of Flemington pursuant to N.J.S.A. 2A:8-1 et seq., which shall be known as the "Municipal Court of the Borough of Flemington."

b. The municipal court of the Borough of Flemington shall have an official seal which shall bear the impress of the name of the court.

c. The court created hereby shall be presided over by a judge, who shall be known as the judge of the municipal court of the Borough of Flemington, and who shall be appointed pursuant to the provisions of N.J.S.A. 2A:8-5. The judge of the municipal court of the Borough shall serve for a term of three years from the date of his appointment to fill a vacancy caused other than by expiration of term shall be made for the unexpired term only.

d. The judge of the municipal court of the Borough shall possess the qualifications set forth in N.J.S.A. 2A:8-7.

e. The judge of the municipal court of the Borough shall be compensated by an annual salary to be paid by the Borough, which salary shall be fixed by ordinance adopted by the Mayor and Common Council of the Borough of Flemington. The compensation so paid shall be in lieu of any and all other fees.

f. ***Municipal Court Staff***

i. There shall be a clerk of the municipal court of the Borough who shall be appointed by the Mayor with the advice and consent of the Common Council of the Borough. Said clerk shall serve a term of one year from date of his or her appointment and until his or her successor is appointed and qualified. The clerk of the municipal court of the Borough shall receive an annual salary as fixed by ordinance.

ii. The Mayor and Common Council of the Borough may, by ordinance or resolution, provide for other necessary clerical and other assistance for the municipal court and provide for their compensation. The Mayor and Common Council of the Borough may, by ordinance or resolution, designate any officer or employee of the Borough to serve as clerk of the municipal court with or without additional compensation.

iii. ***There may be a violations clerk of the municipal court of the Borough appointed by the Mayor with the advice and consent of the Common Council of the Borough. Said violations clerk, if one is appointed, shall serve a term of one year from date of his or her appointment and until his or her successor is appointed and qualified. The violations clerk of the municipal court of the Borough shall receive an annual salary as fixed by ordinance.***

g. The municipal court of the Borough and the municipal judge thereof shall have, possess and exercise, all of the functions, powers, duties and jurisdiction conferred by law upon said court and judge.

h. The office of prosecutor of the municipal court of the Borough is hereby established. The prosecutor shall be appointed by the Mayor with the advice and consent of the Common Council of the Borough and shall serve for a term of one year from his or her appointment, or until his successor is appointed and qualified. The prosecutor of the municipal court of the Borough shall receive an annual salary as fixed by ordinance.

i. The prosecutor of the municipal court of the Borough shall appear and participate in all contested cases in the municipal court wherein a police officer of the Borough is the complaining witness.

SECTION 2. The Borough's 2021 Salary Ordinance (Ordinance 2021-18) is amended to add the salary of the Violations Clerk as follows:

Violations Clerk: \$30,000 to \$40,000 annually

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 4. 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 5. The Borough Clerk is hereby directed, upon adoption of this ordinance after public hearing, to publish notice of the passage thereof and to provide a copy hereof to the Municipal Court Clerk and Municipal Court Judge

SECTION 6. The Municipal Court Clerk is hereby authorized to take all steps necessary to have the municipal court staffing changes approved by the Administrative Office of Courts.

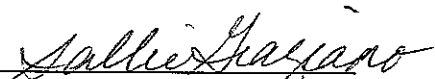
SECTION 7. This Ordinance shall take effect upon final passage and publication in accordance with the law.

Introduced: August 23, 2021

Adopted:

Attest:


Betsy Driver, Mayor


Sallie Graziano, Borough Clerk

RESULT:	INTRODUCED [UNANIMOUS]	Next: 9/13/2021 7:30 PM
MOVER:	Jessica Hand, Council Member	
SECONDER:	Jeremy Long, Council Vice President	
AYES:	Giles-McCormick, Hand, Johnston, Long, Runion	
ABSENT:	Kimberly Tilly	