

Mayor and Common Council Borough of Flemington

January 4, 2022

Online during COVID-19 Emergency

Call to Order

Mayor Driver called the meeting to order at 5:01 p.m. This meeting is being held in conformance with the Open Public Meetings Act.

Regular Meeting

Flag Salute

I. Oath of Office

Oath of Office for Caitlin Giles-McCormick

Ms. Giles-McCormick took the oath on camera during the Zoom meeting.

Oath of Office for Elizabeth Rosetti

Ms. Rosetti took the oath of office on camera during the Zoom meeting. II. Roll Call:

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

III. Mayor's Report

Mayor Driver gave her reorganization remarks, which are included in full with these minutes.

IV. OEM Comments

Cpl. McNally discussed the status of rising COVID-19 cases in the Borough and said with people finding it difficult to get tests, the Borough will be offering a walk-up and drive-up testing site, working with Ridgewood Diagnostics Lab in Hackensack.

V. Visiting Dignitaries' Comments

State Assemblyman Roy Freiman attended the meeting online, and spoke about COVID-19 fatigue and giving people the benefit of doubt. He said Borough officials aren't working alone in handling the pandemic and dealing with climate change issues; there needs to be a collaborative solution involving all levels of government, and he intends to maintain a dialogue.

VI. Council Members' Reports

Council Member Giles-McCormick

She said she's happy to hear about the COVID testing, and thanked voters for trusting her to work on the Borough's behalf. She said the Mayor and Assemblyman Freiman hit the right reflective note - we have to be realistic about what we're dealing with, but great things are on the horizon.

Council Member Rosetti

Ms. Rosetti thanked voters for electing her to office and said she looks forward to serving, and collaborating with professionals. She's excited about what the future holds, and said if Flemington sticks together we can get through the trying times.

Counci Member Hand

Ms. Hand spoke about the Community Garden and said it will be up and running this spring, so the future will be filled with flowers and produce. She said a cleanup at Tuccamirgan Park on Sunday had a good turnout and a lot was accomplished.

Council Member Johnston

Mr. Johnston thanked everyone for their efforts last year, and he said he's excited to work with his new assignments.

Council Member Long

Mr. Long discussed his service on the Planning Board for the last two years and how rewarding it was to work with such accomplished professionals. Citizens Working Group - This has evolved to focus more on mental healthrelated issues, and examining options for handling issues without the police. HMC met with the group. He thanked Ms. Hand and the other participants for their efforts.

Police - Patrolman Aquino graduated from the Police Academy and is now working in the Borough. Cpl. Bivona retired after 20 years of service to the Borough.

His goals for 2022 include creation of a committee focusing on community engagement, and revisiting efforts to create bylaws for Council.

Council Member Tilly

Ms. Tilly congratulated Ms. Giles-McCormick and Ms. Rosetti on their election to Council. She thanked Cpl. McNally for his efforts as OEM coordinator and on the Reopening Committee.

She thanked the Library Board for its support while she served as its liaison, and said she's made many new friends through that service.

HPC- She's looking to push forward with the certified local government designation, which will open up opportunities for the Borough. There are 2 alternate positions on the commission available and she urged anyone interested to reach out to her.

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

None were made.

VIII. Council Election

Motion To: Appoint Jeremy Long as Council President

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

Motion To: Appoint Jessica Hand as Council Vice President

RESULT: ADOPTED [UNANIMOUS]
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MOVER: Caltlin Giles-McCormick Council Member
MOVER: Caitlin Giles-McCormick, Council Member
SECONDER: Jeremy Long, Council President
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AYES: Giles-McCormick Hand Johnston Long Becottly Tilly
AYES: Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly
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Motion To: Appoint Caitlin Giles-McCormick as Class III Planning Board Member

RESULT: ADOPTED [UNANIMOUS]
RESULT: ADOPTED [UNANIMOUS]
MOVER: Jeremy Long, Council President
SECONDER: Jessica Hand, Council Vice President
AYES: Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly
AYES: Giles-McCormick, Hand, Johnston, Long, Rosetti, Tiny
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IX. Mayor's Council Assignments

Motion To: Approve the Mayor's Council Assignments

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- RECHITE AUVRINED UNANTIOUD	가는 방법에 승규님이 다섯 명에 주요가 바랍니다. 전문에 가지 않는 것이 가 방법에 있는 것 같은 것이 있는 것이 가 많은 것이 있는 것이 가 있는 것이 가 있었다. 이 가 나는 것이 가 있는 것이 있는 것이 같이 있는 것이 같이 있는 것이 같이 것이 같이 같이 것이 같이 것이 없다. 것이 같이 있는 것이 있는 것이 같이 없는 것이 같이 있는 것이 있는 것이 없다. 것이 있는 것이 없다. 것이 있는 것이 있는 것이 있는 것이 없는 것이 있는 것이 없다. 것이 있는 것이 있는 것이 없다. 것이 있는 것이 있는 것이 없다. 것이 있는 것이 없는 것이 없는 것이 없다. 것이 있는 것이 없는 것이 없다. 것이 없는 것이 없는 것이 없는 것이 없는 것이 없는 것이 없는 것이 없다. 것이 없는 것이 없다. 것이 없는 것이 있다. 것이 없는 것이 없는 것이 않는 것이 없는 것이 없는 것이 없는 것이 없는 것이 없는 것이 없는 것이 없다. 않는 것이 없는 것이 있 것이 없는 것이 없 않는 것이 없는 것이 있 것이 없는 것이 없 않은 않은 것이 없 것이 없는 것이 없다. 것이 없는 것이 없는 것이 없는 것이 없는 것이 없다. 것이 없는 것이 없는 것이 없는 것이 없는 것이 없다. 것이 없는 것이 없는 것이 없는 것이 없는 것이 없다. 것이 없는 것이 없는 것이 없는 것이 없다. 것이 없는 것이 없는 것이 없는 것이 없는 것이 없다. 것이 없는 것이 없는 것이 없다. 것이 없는 것이 없는 것이 없는 것이 없다. 것 것이 것이 것이 없는 것이 않는 것이 않는 것이 없는 것이 없는 것이 않는 것이 않는 것이 없다. 것이 것이 없는 것이 없는 것이 없다. 것이 것이 없는 것이 없는 것이 않는 것이 않는 것이 없 않이 않는 것이 않는 것이 않는 것이 않는 것이 없다. 것이 않은 것이 않는 것이 없다. 것이 없는 것이 없 않이 않 않 않 것이 없 않이 않다. 것이 없 것이 없는 것이 없 않 않이 않 않이 않이 않이 않 않이 않이 않이
RESULT: APPROVED [UNANIMOUS]	HE 비용권 24 안전에서 이 가슴으로 실패했다. 것 같아요 가지 않아지는 지방에서는 방법가 가지 않는 것 같아요. 이 문행한 것 같아요. 가지
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SECONDER: Jessica Hand, Council Vice Pre	
SECONDER: Jessica Hand, Council Vice Pro	. T. TARA
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AYES: Giles=McCormick, Hand, John	· 성상 전 사람이 가장 말 것 이야 하는 것 이 가 있는 것 같아. 가 있는 것
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Giles-McCormick, Hand, John	
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X. Mayor's Nominations for Appointments

Mayor Driver made the following nominations:

Library Board: Grace Chang-Fuoti, 5-year term expiring 2026 Planning Board: Hannah Weitzman will be elevated from Alternate 2 to a full

Class IV Planning Board seat, expiring in 2025.

Tony Parker is nominated to the Position of Alternate II; that term expired in 2023. HPC- There are no new nominations.

Environmental Commission - Nominations are pending.

Shade Tree Commission - Nominations are pending.

Motion To: Approve the Mayor's Nominations

RESULT: APPROVED [UNANIMOUS]	
MOVER: Kimberly Tilly, Council Member	
SECONDER: Jessica Hand, Council Vice President	
AYES: Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly	
AYES: Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly	
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XI. RESOLUTION 2022-1: APPROVING USE OF A CONSENT AGENDA, 2022

	DOPTED [UNANIMOUS]	
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MOVER: J	essica Hand, Council Vice President	
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SECONDER: J	eremy Long, Council President	
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AYES:	Giles-McCormick, Hand, Johnston, Long, R	osetti, lilly
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Consent Agenda

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

- 1. RESOLUTION 2022-2: OPEN PUBLIC MEETINGS ACT NOTICE 2022
- 2. RESOLUTION 2022-3: ADOPTING RULES OF ORDER FOR 2022
- 3. RESOLUTION 2022-4: ADOPTING MEETING DATES FOR 2022
- 4. RESOLUTION 2022-5: SCHEDULING THE 2023 REORGANIZATION MEETING
- 5. RESOLUTION 2022-6: DESIGNATING THE DEPOSITORIES FOR 2022
- 6. RESOLUTION 2022-7: SETTING A FEE OF \$20 FOR ANY RETURNED CHECK IN 2022
- 7. RESOLUTION 2022-8: AUTHORIZING THE CHIEF FINANCIAL OFFICER TO INVEST SURPLUS FUNDS, 2022
- 8. RESOLUTION 2022-9: DESIGNATING THE AUTHORITY TO SIGN CHECKS, 2022
- 9. RESOLUTION 2022-10: AUTHORIZING THE PRE-PAYMENT OF CERTAIN BILLS FOR 2022
- 10. RESOLUTION 2022-11: SETTING THE DELINQUENT INTEREST RATE FOR PROPERTY TAXES, 2022

- 11. RESOLUTION 2022-12: ADOPTING A TEMPORARY BUDGET FOR 2022
- 12. RESOLUTION 2022-13: DESIGNATING THE OFFICIAL NEWSPAPERS FOR THE BOROUGH OF FLEMINGTON FOR 2022
- 13. RESOLUTION 2022-14: ADOPTING A PUBLIC COMMENTING POLICY FOR REMOTE/ ELECTRONIC BOROUGH COUNCIL MEETINGS, 2022
- 14. RESOLUTION 2022-15: ADOPTING A COMMENTING POLICY FOR THE PUBLIC AT 2022 BUDGET WORKSHOP SESSIONS
- 15. RESOLUTION 2022-16: RESOLUTION REAFFIRMING THE COMMITMENT AND OBJECTIVES OF THE FLEMINGTON GREEN TEAM, 2022
- 16. RESOLUTION 2022-17: AUTHORIZING THE MUNICIPAL ATTORNEY TO FILE CORRECTIVE APPEALS AND COUNTER CLAIMS INSTEAD OF THE MUNICIPAL TAX ASSESSOR
- 17. RESOLUTION 2022-18: DESIGNATING THE BOROUGH CLERK AS PUBLIC AGENCY COMPLIANCE OFFICER, 2022
- 18. RESOLUTION 2022-19: APPOINTING HYUN J. LEE AND NEIL BRAZER OF MALESKI, EISENHUT AND ZIELINSKI, LLC AS PROSECUTOR AND ALTERNATE PROSECUTOR FOR 2022
- 19. RESOLUTION 2022-20: APPOINTING STANLEY TROY, ESQ., TO THE POSITION OF MUNICIPAL PUBLIC DEFENDER THROUGH DECEMBER 31, 2022 AT AN ANNUAL SALARY OF \$9,600.00
- 20. RESOLUTION 2022-21: APPOINTING DAVE GIULIANI AS EMERGENCY MANAGEMENT FIRST DEPUTY, 2022
- 21. RESOLUTION 2022-22: APPOINTING CHRISTOPHER BOYCE AS EMERGENCY MANAGEMENT SECOND DEPUTY, 2022
- 22. RESOLUTION 2022-23: AUTHORIZING THE HIRING OF MARMIC ASSOCIATES AS A CONSULTANT FOR THE MAINTENANCE AND SECURITY OF THE BOROUGH'S IT INFRASTRUCTURE IN 2022
- 23. RESOLUTION 2022-24: APPOINTING KENNETH DIEHL AS MUNICIPAL LIAISON TO THE RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, 2022

Appointment of Professionals

1. RESOLUTION 2022-26: APPOINTMENT OF GEBHARDT & KIEFER, PC, AS BOROUGH ATTORNEY FOR 2022

RESULT: A	OPTED [UNANIMOUS]	
MOVER: Ca	lin Giles-McCormick, Council Member	<u>_</u>
- [2월 27] 전문 전문 김 유민이 가지 않는 것 같아요.	my Long, Council President	
AYES: GI	s-McCormick, Hand, Johnston, Long, Rosetti, Tilly	
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2. RESOLUTION 2022-27: APPOINTING JEROME HARRIS OF CME ASSOCIATES AS BOROUGH ENGINEER FOR 2022

	승규는 물건이 집을 물러 관계에 집을 물었다.	
ISPECTION.	OPTED [UNANIMOUS]	
RESULT: AD	OFIED [DIVANTHOD2]	
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AYES: Gile	es-McCormick, Hand, Johnston,	LONG, KUSELU, IMY
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3. RESOLUTION 2022-28: APPOINTMENT OF ELIZABETH MCMANUS OF THE FIRM KYLE + MCMANUS ASSOCIATES AS BOROUGH PLANNER FOR 2022

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeremy Long, Council President
SECONDER:	Jessica Hand, Council Vice President
AYES:	Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly
4. RESOLUTIO	N 2022-29: APPOINTING MARAZITI FALCON LLP AS SPECIAL
COUNSEL F	FOR REDEVELOPMENT, 2022
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Jessica Hand, Council Vice President
AYES:	Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly
	ON 2022-30: APPOINTING ARCHER & GREINER, PC, AS BOROUGH UNSEL FOR 2022
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Jessica Hand, Council Vice President
AYES:	Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly
	ON 2022-31: APPOINTMENT OF SCHOLL & WHITTLESEY LLC AS I LABOR ATTORNEY FOR 2022
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeremy Long, Council President
SECONDER:	Caitlin Giles-McCormick, Council Member
AYES:	Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly
	ON 2022-32: APPOINTING SUPLEE, CLOONEY & COMPANY AS H AUDITOR FOR 2022
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Caitlin Giles-McCormick, Council Member
AYES:	Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly
+·· · · ·	ON 2022-33: APPOINTING CME ASSOCIATES AS BOROUGH SEWER R FOR 2022
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Caitlin Giles-McCormick, Council Member
AYES:	Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly
	ON 2022-34: APPOINTING MATT MULHALL OF M2 ASSOCIATES TO BOROUGH HYDROGEOLOGICAL SERVICES IN 2022
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Jeremy Long, Council President
AYES:	Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly
	ION 2022-35: APPOINTING SSP ARCHITECTURAL GROUP THI CT OF RECORD FOR THE BOROUGH OF FLEMINGTON, 2022

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RESULT: A	DOPTED [UNANIMOUS]		
	. 이 것 같은 것		
MOVER: J	essica Hand, Council Vice Pres	sident.	
SECONDER: C	Saitlin Cilon McCoumiels Course	di Manalana	
SECONDER:	Caitlin Giles-McCormick, Counc	11 Meilidei	
AYES:	Siles-McCormick, Hand, Johnst	on Long Rosetti Tilly	
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11. RESOLUTION 2022-36: APPOINTING CME ASSOCIATES AS BOROUGH TRAFFIC ENGINEER FOR 2022

	바다고 ^ 성부, 원동, 방문 방문 방문 공유, 공연, · 공연, · 가,	가 비행 관련 가장 가슴 소금은 가락을 받은 수적을 통하실 수 있다.
RESULT: ADOP	TED [UNANIMOUS]	
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MOVER: Caltlin	Giles-McCormick, Council Me	mber
SECONDER: Jessica	- Uand Council Vise Descident	
SECONDER: JESSIC	a Hand, Council Vice President	
AYES: Giles-I	McCormick, Hand, Johnston, L	ona Pocetti Tilly

Regular Agenda

1. RESOLUTION 2022-25: AUTHORIZING THE HIRING OF NICHOLAS A. SALEEBA TO THE POSITION OF PATROLMAN WITH THE FLEMINGTON POLICE DEPARTMENT

Mr. Long summarized Mr. Saleeba's experience and qualifications, saying he was an impressive candidate.

RESULT: ADOPTED	[UNANIMOUS]
	LONANZIOODI
MOVER: Jeremy Lor	g, Council President
	y, council riesident
SECONDER: Jessica Har	d, Council Vice President
	u, council vice President
AYES: Giles-McCo	
Giles-McCo	rmick, Hand, Johnston, Long, Rosetti, Tilly

XII. Approval of Minutes

Motion To: Approve Minutes: Dec. 13, 2021 Regular Council Meeting

RESULT: APPROVED [UNANIMOUS]	
RESULT: APPROVED [UNANIMOUS]	
MOVER: Jessica Hand, Council Vice President	
SECONDER: Kimberly Tilly, Council Member	
AYES: Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly	
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Motion To: Approve Minutes: Dec. 15, 2021 Joint Council-Planning Bd meeting

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RESULT: APPROVED	[UNANIMOUS]
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	被装饰的工作,在被装饰被打了了一些新闻被装饰的。这些话的价格,这些话的问题,这些新闻这些好,这些这些装饰,这些话,这些话,这些话,这些话,就是这些话的,我们是这些
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MOVER: Jeremy Lone	g, Council President
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SECONDER: Jessica Han	d, Council Vice President
SELUNDER AGGIGS Han	
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(1) 这些运行的时候的时候,你们已经把你的问题,你把你们就是这些好的。你还是这些了不是你的。你们还不能是你。	그 가슴에 눈감을 하는 것이 가지 않는 물질에 있는 것 수밖에 있었다. 동안에 가지 않는 것 같은 것 같은 것을 가지 않는 것 같은 것 같
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XIII. Attorney's Report

Attorney St. Angelo said there will be a resolution on the next agenda regarding a memorandum of understanding for a COVID-19 testing site.

XIV. Adjournment

Motion To: Adjourn

RESULT: APPROVED [UNANIMOUS]
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MOVER: Caltlin Giles-McCormick, Council Mamhan
MOVER: Caltlin Giles-McCormick, Council Member
SECONDER: Jeremy Long Council President
SECONDER: Jeremy Long, Council President
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AYES: Giles-McCormick Hand Johnston Long Beauty Till
AYES: Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly
- 1977 이상 등 고양 관련 1977 이상 문화가 있는 것 같은 것 이 것 이상 것 같은 것이 있는 것이 있는 것이 있는 것이 가지 않는 것 같은 것 같은 것 같은 것 같은 것 같은 것 같은 것이 - 1977 이상 등 고양 관련 관련 것 같은 것 같은 것 같은 것 같은 것이 있는 것 같은 것이 있는 것이 있는 것이 있는 것이 같은 것이 같은 것이 같은 것 같은 것 같은 것 같은 것이 있는 것이 있

The meeting adjourned at 5:52 p.m.

Attest: Sallie Graziano, Borough/Clerk

Approved by Conneil ,110/2022

#### Reorganization Remarks, Jan. 4, 2022, by Mayor Betsy Driver

A year ago, we were here and hoping that we would be looking in the rearview mirror at the pandemic by this time. Events started to come back to town, bringing residents out to socialize with their neighbors and visitors back to the Borough, new businesses were opening and there was a real sense of optimism in town.

Unfortunately, the world had other ideas for Flemington.

Despite not having a play book for pandemic responses, Flemington came together to continue to keep everyone safe. Unfortunately, while our infected numbers held steady for much of the year, over the previous two weeks, the rate of COVID positive tests in the Borough has skyrocketed to numbers that are above anything we saw in the first year of the pandemic. In the past week, we have seen our numbers go up by over 100 people, including another death last week - the first death we've seen in months. Flemington Borough is aware of the difficulties residents are having obtaining testing and so we are planning on standing up a walk-up and drive-up PCR testing site for Borough residents and employees. I expect it to start up next week. I've invited our OEM coordinator, Corporal Brian McNally, here this evening to share how it will work.

We had two extraordinary flooding events this year. And again, Flemington Borough and residents came together to help their neighbors. The event in July and then again in September from Hurricane Ida flooded basements throughout the Borough and unfortunately, left one residence with significant damage. Hundreds of tons of debris came out of Borough basements and was picked up by our contracted garbage hauler.

The evening of Ida, our first responders came together and rescued numerous people from cars. The rescue squad, the fire department, and the police officers working that evening rushed into the newly created rivers on Borough streets and saved dozens of people who got caught in the flash flooding. In November, tragedy hit again with a fire in the Hunter Hills complex leaving over 70 people homeless and one person in critical condition with burns. Once again, the community rallied and, with help from outside agencies and businesses, the Borough was able to temporarily shelter and feed those who lost their homes a few days before Thanksgiving. And that evening was no exception to the heroics from our first responders, with two officers who were nearby rushing in to help evacuate residents from the burning buildings. It was not all bad in 2021.

The Union Hotel project received an amended site plan approval for a scaleddown project. Work has been underway for months preparing the site for construction. 2021 also saw the lawsuits challenging the project approvals finally being settled. The scaled-down project and new site plan approval was key to getting those lawsuits cleared out of the way so that Flemington Borough could move on.

Other projects remain in the pipeline. Both sides of the Agway properties will see movement this year. Liberty Village will also see movement toward redevelopment this year. The monument sign that is being built on the Route 202 circle should be finished soon and will be a landmark welcoming visitors on the highway. Each of these projects is intended to ease the tax burden for every property owner in the Borough and attract new residents to patronize businesses throughout town. The residential projects will lead to much needed community benefit projects and improvements, including a potential in-town neighborhood grocery store.

144 Main Street, the site of the former gas station on Main Street, is finally back on the tax rolls and will soon be the site of an exciting new diner in town. During the floods of this summer, it was clear that climate change is impacting the Borough in ways we've never witnessed before. We, as an entire community, need to start planning and working toward solutions now. Knowing how to prepare for climate change needs to be our number one priority and will be mine going into 2022. I'll be asking our municipal engineering firm and planning board as they finally undertake a new master plan to further study how we can strengthen our resiliency against climate change throughout the Borough.

A year ago, under these same Zoom circumstances, I said the future of Flemington is bright. As we plan for that future and see some of the pieces fall into place, the glow is increasing. And it's this community that is supplying the fuel to make it happen. Thank you to all residents who selflessly give their time on boards and commissions and other volunteer opportunities. We can't do it without you.

Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Board Policy Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors: DOC ID: 3676

### ADOPTED

#### RESOLUTION 2022-1

# Approving Use of a Consent Agenda, 2022

#### **BOROUGH OF FLEMINGTON COUNTY OF HUNTERDON**

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

Adopted: Jan. 4, 2022

Betsy Driver, Mayor

Attest:

Sallie Graziano, RMC, Borough Clerk

#### **CERTIFICATION**

I, Sallie Graziano, Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

zaa Sallie Graziano, RMC, Borozoft Clerk

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#### **RESOLUTION 2022-2**

DOC ID: 3657

### **Open Public Meetings Act Notice 2022**

#### BOROUGH OF FLEMINGTON

#### COUNTY OF HUNTERDON

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

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

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

**1.** The regular meeting of the Mayor and Common Council of the Borough of Flemington shall be held on the **second** and **fourth** Mondays of each month during the calendar year, **2022**, unless otherwise noted. The meetings shall be held at Borough Hall, 38 Park Avenue, Flemington, New Jersey, unless otherwise noted. Meetings will start at 7:30 P.M. prevailing time.

**2.** A regular work session/ new business session/ executive session of the Mayor and Common Council of the Borough of Flemington shall be held on the **second** and **fourth** Mondays as needed, before the regular scheduled meeting, during the calendar year **2022**. The posted agenda for each meeting will indicate if such session will occur, the timing and the nature of such session. The meetings shall be held at the location of the regular meeting.

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

To access these meetings: https://zoom.us/j/99572741338?pwd=S0htSWFsemE4Z3Vld29ONStCeFRwUT09 Passcode: 945654 Or iPhone one-tap: US: +16465588656,,99572741338#,,,,,0#,,945654# or +13017158592,,99572741338#,,,,,0#,,945654# Or Telephone: Dial (for higher quality, dial a number based on your current location): US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 Webinar ID: 995 7274 1338 Passcode: 945654

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

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

Documents in connection with Council meetings will be posted on the Borough website, www.historicflemington.com, with the agenda.

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

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

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

7. Notice requested by news media, other than those specifically enumerated in paragraph 5 above, shall be mailed to any such other news media, upon written request, without charge or fee.

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

#### Adopted: January 4, 2022

Driver, Mayor

Attest:

Sallie Graziano, RMC, Borough Clerk

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Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Board Policy Prepared By: Sallie Graziano Initiator: Rebecca Newman Sponsors: DOC ID: 3658

#### ADOPTED

#### RESOLUTION 2022-3

Adopting Rules of Order for 2022

#### **BOROUGH OF FLEMINGTON COUNTY OF HUNTERDON**

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

SECOND: The Order of Business shall be:

- 1. Work Session/ New Business/ Executive Session if needed (7:00 PM Start: The posted agenda will indicate if such session will occur, the timing and nature of such session.) 2. Regular Meeting (7:30 PM Start)
- Pledge and Roll Call 3.
- 4. Mayor's Report
- **Council Members' Reports** 5.
- Public Comment Session I 6.
- **Approval of Minutes** 7.
- Council Business (Resolutions & Ordinances) 8.
- Public Comment Session II 9.
- 10. Attorney's Report
- Payment of Bills 11.
- 12. **Executive Session**
- 13. Adjournment

Adopted: January 4, 2022 Attest:

elt <u>126</u>

Sallie Graziano, Borough Clerk

Betsy Driver, Mayor

#### CERTIFICATION

I, Sallie Graziano, Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

RESULT: ADOPTE	D BY CONSENT VOTE	
RESULI. ADUFIC		
LANTER STATE STATE		
MOVER: Jessica	Hand, Council Vice P	resident
SECONDER: Jeremy	Long, Council Preside	ent
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AYES: Giles-M	cCormick Hand Joh	nston, Long, Rosetti, Tilly

Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Board Policy Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors:

#### **RESOLUTION 2022-4**

DOC ID: 3656

### Adopting Meeting Dates for 2022

#### **2022 SCHEDULE OF REGULAR MEETINGS**

BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington that the following is hereby established as the schedule of the regular meetings of the Governing Body to be held during calendar year 2022 at 7:30 PM prevailing time, on the 2nd and 4th Monday of each month (or as otherwise noted), at Borough Hall, 38 Park Avenue Flemington, NJ (or as otherwise noted on the municipal website), to include the reorganization/regular meeting of 2023:

Jan. 4, 2022, <u>5 p.m.</u>, Reorganization Meeting

Jan. 10, 2022, 2nd Monday

Jan. 24, 2022, 4th Monday

Feb. 14, 2022, 2nd Monday

Feb. 28, 2022, 4th Monday

March 14, 2022, 2nd Monday

March 28, 2022, 4th Monday

April 11, 2022, 2nd Monday

April 25, 2022, 4th Monday

May 9, 2022, 2nd Monday

May 23, 2022, 4th Monday

June 13, 2022, 2nd Monday

June 27, 2022, 4th Monday

July 11, 2022, 2nd Monday

July 25, 2022, 4th Monday

August 8, 2022, 2nd Monday

August 22, 2022, 4th Monday

September 12, 2022, 2nd Monday

September 27, 2022, 4th Tuesday

October 11, 2022, 2nd Tuesday

October 24, 2022, 4th Monday

November 14, 2022, 2nd Monday

November 28, 2022, 4th Monday

December 12, 2022, 2nd Monday

January 3, 2023, Tuesday, 5 p.m., Reorganization Meeting

Adopted: January 4, 2022 Attest:

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Sallie Graziano, Borough Clerk

Betsy Driver, Mayor

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### **CERTIFICATION**

I, Sallie Graziano, Borough Clerk, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Board Policy Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors: DOC ID: 3659

# **RESOLUTION 2022-5**

ADOPTED

# Scheduling the 2023 Reorganization Meeting

#### **BOROUGH OF FLEMINGTON COUNTY OF HUNTERDON**

BE IT RESOLVED that the Reorganization Meeting of the Borough of Flemington for the year 2023 shall be held at Borough Hall, 38 Park Avenue, Flemington, New Jersey 08822, on Tuesday, January 3, 2023 at 5:00 PM, or on another date to be scheduled by the Mayor and Common Council.

BE IT FURTHER RESOLVED that if a public health safety concern continues to exist, this meeting will be held online-only through the Zoom platform, with access information posted on the Borough website, www.historicflemington.com.

Betsy Driver, Mayor

Adopted: January 4, 2022

Attest:

Sallie Graziano, Borough Clerk

#### **CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

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Sallie Graziano, Borough Clerk

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RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]	1
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MOVER: Jessica Hand, Council Vice President	2 171
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SECONDER: Jeremy Long, Council President	認識
AYES: Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly	õ
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Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Board Policy Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors: DOC ID: 3660

ADOPTED

#### **RESOLUTION 2022-6**

## **Designating the Depositories for 2022**

#### BOROUGH OF FLEMINGTON COUNTY OF HUNTERDON

**BE IT RESOLVED** by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that the following be designated as depositories for the year 2022:

Northfield Bank Provident Bank Unity Bank

ADOPTED: Jan. 4, 2022

Betsy Driver, Mayor

Attest:

ie &

Sallie Graziano, Municipał Clerk

RESULT:ADOPTED BY CONSENT VOTE [UNANIMOUS]MOVER:Jessica Hand, Council Vice PresidentSECONDER:Jeremy Long, Council PresidentAYES:Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly

Öriver, Mayor

#### RESOLUTION 2022-7

DOC ID: 3661

# Setting a Fee of \$20 for Any Returned Check in 2022

#### BOROUGH OF FLEMINGTON COUNTY OF HUNTERDON

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

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

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

#### ADOPTED: January 4, 2022

Attest:

Sallie Graziano, Municipal Clerk

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RESULT: ADOPTED B	Y CONSENT VOTE [UNANIMOUS]
MOVER: Jessica Har	nd, Council Vice President
	성장 승규야 수밖에는 그는 것을 수 있는 것을 가지 않는 것을 가지 않는 것을 가지 않는 것을 하는 것을 하는 것을 하는 것을 받았다. 그는 것을 많은 것을 하는 것을 수 있다. 것을 하는 것을 수 있다. 것을 수 있는 것을 수 있는 것을 수 있는 것을 하는 것을 하는 것을 수 있다. 것을 수 있는 것을 수 있다. 것을 수 있는 것을 수 있다. 것을 수 있는 것을 것을 수 있는 것을 것을 수 있는 것을 수 있는 것을 수 있는 것을 수 있다. 것을 것을 것을 것을 것 같이 것을 수 있는 것을 것을 수 있는 것을 것을 것 같이 않다. 것을 것 같이 것을 것 같이 하는 것을 수 있는 것을 것 같이 않는 것 같이 않는 것 않는 것 같이 않는 것 않는 것 않는 것 같이 않는 것 않는 것 않는 것 같이 않는 것 않는
SECONDER: Jeremy Lor	ng, Council President
AYES: Giles-McCo	ormick, Hand, Johnston, Long, Rosetti, Tilly
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Mayor and Common Council 38 Park Avenue Flemington, NJ 08822

ADOPTED

Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Financial Approval Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors: DOC ID: 3662

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#### **RESOLUTION 2022-8**

# Authorizing the Chief Financial Officer to Invest Surplus Funds, 2022

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

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

PXI e a l IAMA Sallie Graziano, Borough/Clerk

RESULT:ADOPTED BY CONSENT VOTE [UNANIMOUS]MOVER:Jessica Hand, Council Vice PresidentSECONDER:Jeremy Long, Council PresidentAYES:Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly

#### **RESOLUTION 2022-9**

**Designating the Authority to Sign Checks, 2022** 

#### BOROUGH OF FLEMINGTON COUNTY OF HUNTERDON

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

One signature from The Mayor and	Mayor	Betsy Driver
Borough Council:	Council President	Jeremy Long
One signature from		
The Finance	Chief Financial Officer	William J. Hance
Department:		
One signature from		
The Borough Clerk's Office:	Borough Clerk	Sallie Graziano
-OR-		
One Signature from the Utility Clerk's Office:	Utility Clerk	Rebecca Newman
ADOPTED: JANUARY 4, 2	022	

Attest:

Sallie Trayano

Sallie Graziano, Borough Clerk

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Betsy Driver, Mayor

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Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Financial Approval Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors:

# ADOPTED RESOLUTION 2022-10

DOC ID: 3664

# Authorizing the Pre-Payment of Certain Bills for 2022

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

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

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

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

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

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

Adopted: January 4, 2022 Attest:

layor

Sallie Graziano, Borough Clerk

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#### CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, hereby certify the foregoing to be a true copy of a resolution adopted by the Flemington Borough Council at its meeting held January 4, 2022.

WITNESS, my hand and the seal of the Borough of Flemington this 6th day of January, 2022.

herra ano-Sallie Graziano, Borough Clerk

**RESOLUTION 2022-11** 

# Setting the Delinquent Interest Rate for Property Taxes, 2022

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

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

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

**BE IT FURTHER RESOLVED** by the Mayor and Common Council of the Borough of Flemington that the interest rate on delinquent taxes shall be eight (8%) percent per annum on the first \$1,500.00 and eighteen (18%) percent per annum on any amount in excess of \$1,500.00 for the year 2022, and no interest shall be charged if payment of any installment is made by the tenth (10th) calendar day of the month in which due; and

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

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

Adopted: Jan. 4, 2022 Attest:

Sallie Heagenno

Sallie Graziano, Borough⁾Clerk

Bill 22	
Betsy Driver, Mayor	

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### **CERTIFICATION**

I, Sallie Graziano, Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

he Jeaya

Sallie Graziano, Borough Clerk

38 Park Avenue Flemington, NJ 08822

ADOPTED

Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Financial Approval Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors: DOC ID: 3666

#### **RESOLUTION 2022-12**

# Adopting a Temporary Budget for 2022

BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that the following appropriations shall constitute the temporary budget for the year 2022 with the provisions of NJSA 40A:4-19 of the Local Budget Law, which provides that the total of \$1,674,446.88 shall not exceed the temporary appropriations to provide for the period between January 1, 2022 and the adoption of the budget.

	Salaries & Wages	Other Expenses
Borough Council	\$12,000.00	\$500.00
Administrative & Executive		\$10,000.00
Borough Clerk	\$35,000.00	\$6,000.00
Financial Administration	\$10,000.00	\$5,000.00
Assessment of Taxes	\$9,000.00	\$1,000.00
Collection of Taxes	\$9,000.00	\$4,500.00
Legal Services & Costs		\$15,000.00
Engineering Services & Costs		\$10,000.00
Public Buildings	\$5,000.00	\$5,000.00
Rental Property Expense		\$20,000.00
Planning Board	\$2,200.00	\$5,000.00
Recycling	\$1,100.00	\$14,000.00
Insurance:		
Other Insurance		\$55,000.00
Workers Compensation		\$20,000.00
Employee Group		\$80,000.00
Fire		\$10,000.00
Uniform Fire Safety Act	\$15,000.00	\$3,000.00
Police	\$372,034.35	\$24,000.00
Construction Code		
Building Inspector	\$15,000.00	\$1,000.00
Plumbing Inspector	\$3,000.00	
Electrical Inspector	\$3,000.00	
Fire Subcode Official	\$3,000.00	
Property Maintenance Inspector	\$2,500.00	\$500.00
Emergency Management Services	\$1,000.00	\$1,000.00
Board of Health		\$4,000.00
Dog Regulation	\$1,500.00	\$100.00
Streets & Roads	\$70,000.00	\$20,000.00
Gas & Oil		\$18,000.00

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

Grand Total

\$1,674,446.88

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Flemington that the following appropriations shall constitute the temporary budget of the dedicated Water Department for the year 2022 with the provisions of NJS 40A:4-19 of the Local Budget Law which provides that the total of \$481,125.00 shall not exceed the temporary appropriations to provide for the period between January 1, 2022 and the adoption of the budget.

	Salaries & Wages	Other Expenses
Water Operating	\$76,000.00	\$190,625.00
Social Security		\$6,000.00
BAN Interest		\$70,000.00

Resolution 2022-12

Payment of Loan		\$100,000.00
Bond Principal		\$25,000.00
Bond Interest		\$13,500.00
Sub Total	\$76,000.00	\$405,125.00
Grand Total		\$481,125.00

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Flemington that the following appropriations shall constitute the temporary budget of the Dedicated Sewer Department for the year 2022 with the provisions of NJS 40A:4-19 of the Local Budget Law which provides that the total of \$814,618.44 shall not exceed the temporary appropriations to provide for the period between January 1, 2022 and the adoption of the budget.

Salaries & Wages	Other Expenses
\$72,000.00	\$95,000.00
	\$16,000.00
	\$452,700.00
	\$10,000.00
	\$52,000.00
	\$100,000.00
	\$20,000.00
	C C

Sub Total

**Grand Total** 

Adopted: January 4, 2022 Attest:

Sallie Graziano, Borough Clerk

Mayor Driver

\$745,700.00

\$817,700.00

\$72,000.00

RESULT:ADOPTED BY CONSENT VOTE [UNANIMOUS]MOVER:Jessica Hand, Council Vice PresidentSECONDER:Jeremy Long, Council PresidentAYES:Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly

Mayor and Common Council 38 Park Avenue Flemington, NJ 08822

ADOPTED

#### RESOLUTION 2022-13

# Designating the Official Newspapers for the Borough of Flemington for 2022

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

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

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

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

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

**BE IT FURTHER RESOLVED** that Tap Into Flemington-Raritan be designated as an official online news source for 2022.

Adopted: January 4, 2022 Attest:

Sallie Graziano, Borough-Clerk

(DED)	
Betsy Driver, Mayor	

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Mayor and Common Council 38 Park Avenue Flemington, NJ 08822

ADOPTED

#### **RESOLUTION 2022-14**

# Adopting a Public Commenting Policy for Remote/ Electronic Borough Council Meetings, 2022

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

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

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

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

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

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

Adopted: January 4, 2022 Attest:

Sallie Graziano, Borough Clerk

sr, Mayor

RESULT:ADOPTED BY CONSENT VOTE [UNANIMOUS]MOVER:Jessica Hand, Council Vice PresidentSECONDER:Jeremy Long, Council PresidentAYES:Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly

#### Public Commenting Policy for Electronic / Remote Public Meetings

The following is an explanation of the procedures and requirements for making public comment during a remote public meeting as required by <u>N.J.A.C.</u> 5:391.4(h).

Please keep yourself muted until the meeting moderator requests that you unmute yourself. The Borough reserves the right to mute or remove disruptive meeting participants after an initial warning. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity.

If you wish to make a comment during a remote public meeting, there are two ways to do so: in writing and during the meeting.

Comments from members of the public will be accepted in writing. Written comments must be no more than 450 words and must include your name and address. The Borough reserves the right not to accept written public comments if the commenter does not include such identifying information. Such comments will be read into the record at the appropriate time and made part of the minutes. However, please be advised that the Borough reserves the right to summarize duplicative comments consistent with <u>N.J.A.C.</u> 5:391.4(f). Comments can be emailed by 3:00 p.m. the day of the meeting to: PublicComment@historicflemington.com. Comments emailed to any other address will not be accepted as public comments. Written comments may also be submitted via mail or dropped off at the municipal building by such day and time.

If you are utilizing a computer to participate, click the "Raise Hand" button on the bottom of the screen. If you are dialing in on your phone, to avoid having your phone number displayed on the screen, first dial *67, then the meeting phone number followed by the meeting identification number. Your phone number will not be displayed. To "raise your hand" dial *9 to be placed in the queue. When called on, the system will ask you to confirm being un-muted to proceed. Press *6 to unmute yourself. This will place you in a queue that the moderator can see for when it's time to take public comments. People are sorted in the order they raised their hands. When the moderator calls on you, a message will pop-up asking if you want to unmute yourself. If you choose to move forward and place a public comment or question on the record, choose to unmute, if you have changed your mind then choose deny. Please state your name and address before beginning your comment. Please make sure there is no background noise such as the TV on, music or loud chatter.

In order to prevent "zoom bombing," please be advised that the meeting moderator may not call on you to comment if your Zoom display name contains profanity, is meant to insult or defame governing body members or another Borough employee or representative, or is an attempt to impersonate another person or conceal the participant's identity. Your Zoom display name can be easily changed during a meeting. Hover over your name in the "participants list" and click on "rename."

As always, comments are limited to three minutes per person, for a total of thirty minutes per session, and there will be two comment sessions during the meeting. Participants cannot "yield" their time to another participant. Participants that have not yet spoken will be given priority.

Mayor and Common Council 38 Park Avenue Flemington, NJ 08822

ADOPTED

**RESOLUTION 2022-15** 

Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Board Policy Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors: DOC ID: 3673

# Adopting a Commenting Policy for the Public at 2022 Budget **Workshop Sessions**

WHEREAS, annual budget workshop sessions held in the Borough are open to the public; and

WHEREAS, due to the COVID-19 public health emergency these workshops are being held online-only through the Zoom platform, with access information indicated on the Borough website, historicflemington.com; and

WHEREAS, the Mayor and Council wish to adopt a policy allowing for public comment at the start of each budget workshop session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that each member of the public wishing to comment at a budget workshop session be allowed to speak for up to 3 minutes at the start of each workshop held in 2022.

Adopted: January 4, 2022 Attest:

Sallie Graziano, Borough

Mavor

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

#### **RESOLUTION 2022-16**

# Resolution Reaffirming the Commitment and Objectives of the Flemington Green Team, 2022

WHEREAS, Flemington adopted Resolution No. 2019-84,"Designating the Environmental Commission as Flemington Borough's Green Team," at a regular meeting conducted on March 27, 2019; and

WHEREAS, Flemington resolved in that resolution that they wished to pursue local initiatives and actions that would lead to Sustainable Jersey Municipal Certification; and

WHEREAS, Flemington further resolved in that resolution to re-establish the Flemington Green Team, to serve as Flemington's agents for the Sustainable Jersey municipal certification process; and

WHEREAS, the Green Team is comprised of members of the Environmental Commission, who are interested in advancing the efforts of Flemington in the Sustainable Jersey municipal certification program; and

WHEREAS, that group has been creating and cataloging significant sustainability actions so that Flemington may obtain Sustainable Jersey certification;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington reaffirm that:

1) The Green Team of Flemington is active in the community and advancing sustainable practices and actions included in the Sustainable Jersey municipal certification program;

2) The Green Team has been and shall continue to be comprised of individuals who have demonstrated interest in advancing the efforts of Flemington to pursue certification through the Sustainable Jersey municipal certification program;

3) The role of the Green Team has been and shall continue to be to lead and coordinate the sustainability activities of the community;

Adopted: January 4, 2022 Attest:

Betsý Dríver, Mayor

Sállie Graziano, Borough/Clerk

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#### **RESOLUTION 2022-17**

# Authorizing the Municipal Attorney to File Corrective Appeals and Counter Claims Instead of the Municipal Tax Assessor

### BOROUGH OF FLEMINGTON COUNTY OF HUNTERDON

WHEREAS, the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, New Jersey have been informed by the Hunterdon County Board of Taxation that from time to time errors are made in computing the tax assessments concerning certain property locations within the Borough of Flemington, and

**WHEREAS,** the Hunterdon County Board of Taxation has required that the Mayor and Borough Common Council authorize the Municipal Attorney instead of the Municipal Tax Assessor to file corrective appeals of such errors with the Hunterdon County Board of Taxation, memo dated February 11, 1998; and

**WHEREAS,** the Hunterdon County Board of Taxation has required that the Borough of Flemington Mayor and Common Council authorize the Municipal Attorney instead of the Municipal Tax Assessor to file, in cases of increase, counter claims as the Municipal Attorney deems necessary, with the Hunterdon County Board of Taxation, and

**WHEREAS,** the Municipal Tax Assessor of the Borough of Flemington is called upon to defend tax appeals filed with the Hunterdon County Board of Taxation and to agree to stipulations of appeals,

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Common Council that the Municipal Attorney of the Borough of Flemington is hereby authorized to file corrective appeals with the Hunterdon County Board of Taxation in defense of appeals filed with said Board and to sign stipulations of appeals filed on behalf of the Borough of Flemington which the Municipal Attorney feels are proper and in the best interest of the municipality; and

**BE IT FURTHER RESOLVED** by the Mayor and Common Council that the Municipal Attorney of the Borough of Flemington be and is hereby authorized to file counter claims in cases of increase with the Hunterdon County Board of Taxation, as the Municipal Attorney deems necessary.

Adopted: Jan. 4, 2022

Driver, Mayor

Attest:

Sallie Graziano, Borough-Clerk

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#### Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Board Policy Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors: DOC ID: 3668

#### **RESOLUTION 2022-18**

# Designating the Borough Clerk as Public Agency Compliance Officer, 2022

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

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

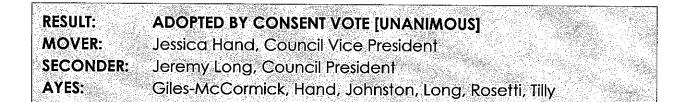
NOW, THEREFORE, BE IT RESOLVED that the Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey appoints Borough Clerk Sallie Graziano as the Borough's public agency compliance officer for the year 2021;

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

Adopted: January 4, 2022 Attest:

Betsy Driver, Mayor

<u>Sallie Graziano, RMC, Borough Clerk</u>





Borough of Flemington

38 Park Avenue Flemington, New Jersey 08822 Phone (908) 782-8840 Fax (908) 782-0142

January 10, 2022

Division of Purchase & Property Contract Compliance Audit Unit EEO Monitoring Program P.O. Box 236 Trenton, New Jersey 08625

To Whom it Concerns:

I was designated the Borough of Flemington's Public Agency Compliance Officer at the Borough Council's reorganization meeting held Jan. 4, 2022. I have submitted my contact information on the Treasury Department's website, Confirmation No. 202201101433-91126.

Attached please find a certified copy of the resolution naming me as Flemington's Public Agency Compliance Officer for 2022. Please let me know if additional information is required. Thank you.

Sincerely,

Sallie Grayean

Sallie Graziano, RMC Flemington Borough Clerk

#### RESOLUTION 2022-19

Appointing Hyun J. Lee and Neil Brazer of Maleski, Eisenhut and Zielinski, LLC as Prosecutor and Alternate Prosecutor for 2022

#### **BOROUGH OF FLEMINGTON, COUNTY OF HUNTERDON**

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

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

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

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

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

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

- 1) Hyun J. Lee, Esq., of the firm Maleski, Eisenhut and Zielinski, LLC, 169 Main St., Flemington, NJ, be appointed as Municipal Prosecutor for the Borough of Flemington Municipal Court as of January 1, 2022 for a period of one year.
- Neil Brazer, Esq., of the firm Maleski, Eisenhut and Zielinski, LLC, 169 Main St., 2) Flemington, NJ, be appointed as Assistant Municipal Prosecutor/Alternate for the Borough of Flemington Municipal Court as of January 1, 2022 for a period of one year.

Adopted: January 4, 2022 Attest:

Jallie Genera

Sallie Graziano, Borough Clerk

Betsy Driver, Mayor

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**Mayor and Common Council** 38 Park Avenue Flemington, NJ 08822

ADOPTED

Department: Clerk of the Borough Category: Appointments Prepared By: Sallie Graziano Initiator: Sallie Graziano DOC ID: 3681

Meeting: 01/04/22 05:00 PM

Sponsors:

#### **RESOLUTION 2022-20**

# Appointing Stanley Troy, Esq., to the Position of Municipal Public Defender through December 31, 2022 at an Annual Salary of \$9,600.00

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that Stanley Troy, Esq. be appointed municipal public defender for the Borough of Flemington through December 31, 2022 at the current annual salary of \$9,600.00

Adopted: January 4, 2022 Attest:

Briver, Mayor

Sallie Graziano, Borough Clerk

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Mayor and Common Council 38 Park Avenue Flemington, NJ 08822

ADOPTED

Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Appointments Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors: DOC ID: 3669

#### **RESOLUTION 2022-21**

# Appointing Dave Giuliani as Emergency Management First Deputy, 2022

**BOROUGH OF FLEMINGTON** 

#### COUNTY OF HUNTERDON

**WHEREAS** the Borough of Flemington Office of Emergency Management is in need of an Emergency Management Coordinator First Deputy for the year 2022; and

WHEREAS David Giuliani is qualified for this position and served in this position in 2021;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that David Giuliani be appointed to the position of Emergency Management Coordinator First Deputy for a one-year term beginning January 1, 2022 and ending December 31, 2022.

Adopted: January 4, 2022

Betsy Driver, Mayor

Attest:

Sallie Graziano, Borough Clerk

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Mayor and Common Council 38 Park Avenue Flemington, NJ 08822

ADOPTED

Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Appointments Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors: DOC ID: 3670

#### **RESOLUTION 2022-22**

# Appointing Christopher Boyce as Emergency Management Second Deputy, 2022

#### **BOROUGH OF FLEMINGTON**

#### **COUNTY OF HUNTERDON**

**WHEREAS** the Borough of Flemington Office of Emergency Management is in need of an Emergency Management Coordinator Second Deputy for the year 2022; and

WHEREAS Christopher Boyce is qualified for this position;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that Christopher Boyce be appointed to the position of Emergency Management Coordinator Second Deputy for a 1-year term beginning January 1, 2022 and ending December 31, 2022.

Betsy Driver, Mayor

Adopted: January 4, 2022

Attest:

Sallie Graziano, Borough Ćlerk

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Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Appointments Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors: DOC ID: 3683

#### **RESOLUTION 2022-23**

# Authorizing the Hiring of Marmic Associates as a Consultant for the Maintenance and Security of the Borough's IT Infrastructure in 2022

WHEREAS, the Borough of Flemington has the need to hire a consultant for the maintenance and security of the Borough IT infrastructure in 2022; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington enter into a contract with Marmic Associates effective January 1, 2022 - December 31, 2022 for IT consultant services at a rate of \$2,125 per month to include all regular scheduled upgrades, troubleshooting, and maintenance and an hourly rate of \$110.00 for any project work beyond this, with a not-to-exceed amount of \$35,000.00

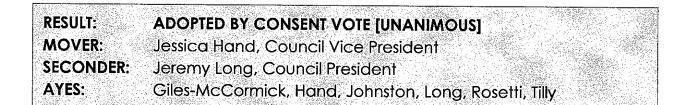
**BE IT FURTHER RESOLVED** that the Chief Financial Officer certifies that funds are available in the Municipal, Sewer and Water Department Budgets.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Člerk



Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Appointments Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors: DOC ID: 3674

#### **RESOLUTION 2022-24**

# Appointing Kenneth Diehl as Municipal Liaison to the Raritan Township Municipal Utilities Authority, 2022

Borough of Flemington, County of Hunterdon

WHEREAS, The Borough of Flemington has an agreement with Raritan Township Municipal Utilities Authority (RTMUA) to receive and treat sanitary sewage from the Borough; and

WHEREAS, The Borough of Flemington has ongoing obligations and negotiations with the RTMUA and has stated a need for Municipal participation in the RTMUA Executive Board Meetings; and

WHEREAS, The Borough of Flemington and RTMUA agree that the Borough should have a Municipal Liaison present at all RTMUA Board Meetings and that this liaison will be allowed to participate in said meetings; and

WHEREAS, The Borough's Licensed Sewer Operator and Collections Superintendent, Kenneth Diehl is the person most qualified to be the Municipal Liaison at the RTMUA Board Meetings.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington formally appoints Kenneth Diehl to attend RTMUA Board Meetings as Municipal Liaison for the Borough of Flemington

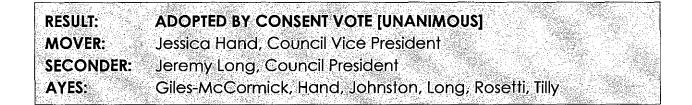
BE IT FURTHER RESOLVED that Mr. Diehl will be compensated in accordance with current Union Agreements or a subsequent agreement thereto.

Adopted: January 4, 2022 Attest:

alli gra

Sallie Graziano, Borough Ølerk

Betsy Driver, Mayor



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

Certified as a true copy of the Resolution adopted by the Council on this 4th day of January 2022. My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

<u>Sallie Graziano, RMC</u>

#### **RESOLUTION 2022-25**

# Authorizing the Hiring of Nicholas A. Saleeba to the Position of Patrolman with the Flemington Police Department

### BOROUGH OF FLEMINGTON COUNTY OF HUNTERDON

**WHEREAS**, Council has determined that an additional position of Patrolman within the Borough Police Department should be filled, and

**WHEREAS**, a rigorous interview process was undertaken by Chief Jerry Rotella with the assistance of all squad leaders within the Department and the Police Commissioner; and

**WHEREAS**, Nicholas A. Saleeba was the top candidate among a number of qualified candidates for this position, as determined by the Chief, squad leaders and Police Commissioner Long; and

**WHEREAS**, the candidate 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 Nicholas A. Saleeba be hired to the position of Patrolman within the Flemington Police Department, effective immediately.

BE IT FURTHER RESOLVED that Patrolman Saleeba's annual salary will be \$57,462.00.

Adopted: January 4, 2022 Attest:

Sallie Graziano, Borough Clerk

BA	<u>ک</u>
Betsy Driver,	Mayor

RESULT: ADOPTE	D [UNANIMOUS]	
MOVER: Jeremy	Long, Council President	
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SECONDER: Jessica	Hand, Council Vice Pres	ident
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AYES: Giles-M	cCormick, Hand, Johnsto	on, Long, Rosetti, Tilly
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#### RESOLUTION 2022-26

# Appointment of Gebhardt & Kiefer, PC, as Borough Attorney for 2022

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

WHEREAS, proposals were received through a fair and open process; and

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

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

**WHEREAS,** the firm Gebhardt & Kiefer, PC, has submitted a proposal indicating the firm will provide legal services at the rate of \$165 per hour;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retain Gebhardt & Kiefer, PC, as Attorney for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by an attorney of the State of New Jersey and receive such compensation as may be reasonable for such services; and

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

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2022 budget and various escrow accounts.

Adopted: Jan. 4, 2022 Attest:

Junan

Sallie Graziano, Borough Clerk

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Betsy Driver, Mayor

#### <u>CERTIFICATION</u>

Sallie Graziano, Borough Clerk

### RESOLUTION 2022-27

# Appointing Jerome Harris of CME Associates as Borough Engineer for 2022

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

WHEREAS, proposals were received through a fair and open process; and

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

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

**WHEREAS,** CME Associates has submitted a rate schedule with its proposal indicating Jerome Harris will provide municipal engineering services at a rate of \$140 per hour;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retain Jerome Harris of CME Associates as Municipal Engineer for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by a professional engineer of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$500,000; and

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

**IT IS FURTHER RESOLVED** that notice of this Resolution shall be published as required by law; and

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2022 budget, various capital ordinances, and various escrow accounts.

Driver, Mayor

Adopted: January 4, 2022 Attest:

Sallie Graziano, Borough Clerk

ATTACHMENTS:

cme rates 2022 (PDF)

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SECONDER: Jerer	y Long, Council President
JEGORDEN, JEICI	Y LUNU, COUNCIPPIESICENT
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#### **CERTIFICATION**

Sallie Graziano, Borough Clerk



MUNICIPAL ENGINEERING SERVICES GENERAL CONDITIONS AND HOURLY RATE SCHEDULE TO JANUARY 1, 2023

Senior Project Manager Project Manager	\$182.00 Per Hour
Project Manager	\$181.00 Per Hour
Municipal Engineer	\$140.00 Per Hour
Project Leader	\$180.00 Per Hour
Professional Engineer	\$179.00 Per Hour
Senior Project Engineer	\$174,00 Per Hour
Senior Project Engineer	\$153.00 Per Hour
Senior Design Engineer	\$140.00 Per Hour
Design Engineer	\$133.00 Per Hour
Drone Pilot	\$139.00 Per Hour
Senior Engineering Technician	\$125.00 Per Hour
Engineering Technician/Management Information Systems Technician	\$118.00 Per Hour
Drone Technician	\$ 77.00 Per Hour
Professional Land Surveyor Land Surveyor Robotic Total Station	\$176.00 Per Hour
Land Surveyor	\$157.00 Per Hour
Robotic Total Station	\$ 77.00 Per Hour
Party Chief	\$133.00 Per Hour
Survey Technician	\$103.00 Per Hour
Resident Engineer	\$159.00 Per Hour
Chief Construction Engineer	\$150.00 Per Hour
Senior Construction Engineer	\$125.00 Per Hour
Construction Engineer	\$119.00 Per Hour
Chief Construction Technician.	\$103.00 Per Hour
Senlor Construction Technician	
Construction Technician	
Technical Assistant	\$ 99.00 Per Hour
Senior CAD Technician	
Licensed Landscape Architect	\$177.00 Per Hour
Senior Landscape Designer	\$159.00 Per Hour
Landscape Designer	
Director of Planning	\$182.00 Per Hour
Professional Planner	\$181.00 Per Hour
Project Planner	\$151.00 Per Hour
Planning Technician	
Pariner	
Principal	\$184.00 Per Hour
Managing Partner/Administrative Partner	\$195.00 Per Hour

ntal services will be billed in accordance with CME's Environmental Rate Schedule

Invoices - CME Associates (CME) will submit invoices to Client monthly end a final invoice upon completion of services. Payment is due upon presentation of invoice and is past due thirty days from invoice date. Client agrees to pay a finance charge of one and one-half percent per month, or the maximum rate slowed by law, on past due accounts. In the event that the invoice is not paid voluntarily and promptly, and must therefore be referred to an attorney or agency for collection, the Client agrees to pay a collection fee equal to the actual attorney or agency collection fee incurred by CME. Overtime rates are applicable after eight hours Monday through Friday, and all day Saturday and Sunday, and charged at one and one-half times the quoted rate. Holdays are charged at two times the quoted rate. Expenses incured for reproduction, postage harding, photographs and for services including subconsultants equipment and facilities not furnished by CME are charged to the Client at cost plus fifteen percent. Automobile travel may be charged at the current rate per mile allowed by the internal Revenue Service.

Standard of Care - Services performed by CME under this Agreement will be conducted in a menner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. NO OTHER WARRANTY, EXPRESSED OR IMPLIED, IS MADE.

<u>ited Maleria</u>, - it is understood that CME is not, and has no responsibility as a handler, generator lances found or identified at any site. Client shall undertake or aurange for, either directly or ind ansportation and disposal of hezardous substances or constituents found or identified at any site. or, operator, breater or storer, transporter or disp adjrectly through other contractors, the handling r of h na, removal, tr

Limities - In the execution of the work, CME will take all reasonable precautions to avoid damage or injury to aubternanean structures or ut s. The Cilent agrees to hold CME

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Meeting: 01/04/22 05:00 PM Department: Clerk of the Borough Category: Appointments Prepared By: Sallie Graziano Initiator: Sallie Graziano Sponsors: DOC ID: 3686

#### RESOLUTION 2022-28

# Appointment of Elizabeth McManus of the Firm Kyle + McManus Associates as Borough Planner for 2022

**WHEREAS,** proposals were received through a fair and open process for Planning Services in 2022; and

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

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

**WHEREAS,** the firm of Kyle + McManus Associates has submitted a rate schedule which is attached to this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Common Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retain Elizabeth McManus of the firm Kyle + McManus Associates as Planner for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by a professional planner of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$50,000.00; and

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

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2022 budget and various escrow accounts.

Adopted: January 4, 2022

Attest:

(PDF)

Sallie Graziano, Borough-Clerk

ATTACHMENTS:

kma rates 2022

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#### **CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

Betsy Driver, Mayor

KYLE+MCMANUS ASSOCIATES

2 East Broad Street, 2nd Floor Hopewell, NJ 08525 609-257-6705 (v) 609-374-9939 (f) Info@kylemcmanus.com

#### 2022 Public Client Rate Schedule

Principal Planner Associate Planner Senior Project Manager Planner Project Manager Planner Assistant Planner GIS Technician Assistant Professional Administrative Assistant Outside (pass-thru) Services Postage, Federal Express, UPS, DHL Paper Black/White Copy/Prints (8.5"x11") Paper Black/White Copy/Prints (11"x17") Paper Color Copy/Prints (11"x17") Paper Color Copy/Prints (11"x17") Large format Color Copy/Prints (24"x36")

Travel for Regularly Scheduled Meetings Travel for All Other Méetings and Other Municipal Business \$130/hour \$125/hour \$120/hour \$90/hour \$80/hour \$75/hour \$60/hour Cost +10% Cost \$0.10/Sheet \$0.20/Sheet \$0.50/Sheet \$2.50/Sheet \$40/Sheet

\$142/hour

No Charge At Rates Noted Above

#### 2022 Public Client Litigation Rate Schedule

Principal Planner Associate Planner Senior Project Manager Planner Project Manager Planner Assistant Planner GIS Technician Assistant Professional Administrative Assistant Outside (pass-thru) Services Postage, Federal Express, UPS, DHL Paper Black/White Copy/Prints (8.5"x11") Paper Black/White Copy/Prints (11"x17") Paper Color Copy/Prints (8.5"x11") Paper Color Copy/Prints (11"x17") Large format Color Copy/Prints (24"x36")

Travel for Regularly Scheduled Meetings Travel for All Other Meetings and Other Municipal Business \$190/hour \$175/hour \$165/hour \$135/hour \$135/hour \$125/hour \$75/hour \$60/hour Cost +10% Cost \$0.10/Sheet \$0.20/Sheet \$0.50/Sheet \$2.50/Sheet \$40/Sheet

No Charge At Rates Noted Above

#### **RESOLUTION 2022-29**

# Appointing Maraziti Falcon LLP as Special Counsel for **Redevelopment**, 2022

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

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

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

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

WHEREAS, Joseph Maraziti of Maraziti Falcon LLP, 240 Cedar Knolls Rd, Suite 301, Cedar Knolls, NJ 07927 has submitted a proposal indicating he will provide legal services at the rate of \$195 per hour when billed to the Borough, (\$295 per hour for attorneys when such fees are paid solely by private parties through reimbursement agreements); and

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains Joseph Maraziti of Maraziti Falcon LLP as Special Counsel for Redevelopment for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by legal counsel of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$100,000.00; and

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

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

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

IT IS FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2022 budget and various escrow accounts.

ADOPTED: JANUARY 4, 2022 ATTEST:

Mallie Grana

Sallie Graziano, Borough Clerk

Betsy Driver, Mavor

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# **CERTIFICATION**

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Sallie Graziano, Borough Clerk

#### **RESOLUTION 2022-30**

# Appointing Archer & Greiner, PC, as Borough Bond Counsel for 2022

WHEREAS, proposals were received through a fair and open process for Bond Attorney services; and

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

WHEREAS, the term of this contract is effective Jan. 1, 2022, continuing through December 31, 2022; and

WHEREAS, Archer & Greiner, has submitted a rate schedule as follows: \$350 for preparation of a single-purpose ordinance; \$450 for preparing a multi-purpose ordinance; \$2,500 per bond sale plus 95 cents per thousand dollars of bonds issued; plus additional fees as listed in the attached rate proposal;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains John Cantalupo, Esq., of Archer & Greiner, as Bond Attorney for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by an attorney of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$25,000; and

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

IT IS FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2022 budget and various capital ordinances.

Adopted: January 4, 2022 Attest:

Friver, Mavor

All X Sallie Graziano, Borough Clerk

ATTACHMENTS:

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#### **CERTIFICATION**

Sallie Graziano, Borough Clerk

#### V. FEE PROPOSAL

Please see our proposed Bond Counsel Services Agreement appended under Tab 2 for a complete description of our fees and scope of services. We have incorporated the fee only section of the agreement immediately below for your convenience.

**A.** For services rendered or in connection with each bond sale, a fee of \$2,500, plus \$0.95 per thousand dollars of bonds issued. Time relating to the review of the Official Statement, the continuing disclosure document or other disclosure document will be billed at the hourly rates described in Section 3F below.

**B.** For services rendered in connection with the preparation of each bond ordinance, a fee of \$350 for each single purpose ordinance and \$450 for each multipurpose ordinance. If the preparation of the ordinance involves consultations, meetings or discussions that are out of the ordinary, that is, services that are not described in Section 2 hereof such as attendance at meetings, attention to litigation or other matters described in Section 3F, there will be additional fees to be charged at the hourly rates of the attorneys in effect at the time of providing the services. The fees for services in connection with the ordinances will be charged periodically during the course of the year.

**C.** The fee for any temporary financing involving a private placement and not involving numerous notes, preparation of an Official Statement, complicated arbitrage analysis, investment yield restrictions or attendance at the closing shall be \$1,000.00 for Bond Counsel's approving legal opinion in connection with such a financing and \$0.50 per thousand dollars of bond or tax anticipation notes or emergency notes issued. If additional services are required, such as with issues involving refundings or the combination of numerous ordinances, the additional time required will be billed at the hourly rates in effect when the services are performed.

**D.** In the event that a Letter of Credit or similar credit enhancement facility is used in connection with either a bond or note issue, an additional fee based on the responsibility assumed and time involved will be billed at the hourly rates described in Section 3F below.

E. In the event of a refunding bond issue providing for the payment of a prior issue of bonds, there will be a fee of \$3,000 in addition to the fees described herein.

F. Services rendered beyond the scope of those described above will be billed at the hourly rates in effect when the services are rendered. The present hourly rates range from \$75 to \$150 per hour depending on the paralegal or attorney involved. Such services include, but are not limited to, attendance at meetings, work involved in the preparation or review of the Official Statement and a continuing disclosure agreement, if applicable, for a bond sale or the review or the preparation of an Official Statement and a continuing disclosure agreement, if applicable, for a bond anticipation note sale, diligence for a bond ordinance, review of authorization proceedings for a bond ordinance, preparation of prequalification packages for bond insurance, preparation of a rating agency package, analysis of any credit enhancement facility, the preparation or review of a Local Finance Board application, attention to or services rendered with regard to any

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litigation that may occur or any légal question posed by the Borough, tax work, complicated arbitrage analysis or applications to the Federal Reserve Bank for investments of bond or note proceeds in State and Local Government Series federal obligations and legal services, the preparation of the necessary documentation and reviewing and commenting upon all documentation in connection with any capital equipment lease financing or pooled loan financing undertaken by the Borough.

**G.** In the event that a bond sale is held but all bids are rejected or the sale is cancelled, or this Agreement is terminated prior to the sale of bonds, the fee to be charged shall be a reasonable one, based on the services performed.

H. Customary at-cost disbursements shall be added to the fees referred to in this Agreement. These may include photocopying, express or overnight delivery charges and postage costs, telecommunications, filing fees, book binding, messenger service or other costs advanced on behalf of the Borough.

#### **RESOLUTION 2022-31**

Appointment of Scholl & Whittlesey LLC as Borough Labor Attorney for 2022

**WHEREAS,** proposals were received through a fair and open process for Labor Attorney services in 2022; and

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

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

WHEREAS, Franklin G. Whittlesey, Esq., of Scholl & Whittlesey LLC has submitted a proposal indicating they will provide labor counsel services at a rate not to exceed \$150.00 per hour;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains Franklin G. Whittlesey, Esq., of Scholl & Whittlesey LLC as Labor Attorney for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by an attorney of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$50,000.00.

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

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2022 budget, water budget, and sewer budget.

ADOPTED: January 4, 2022

BOROUGH OF FLEMINGTON

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Sallie Graziano Borough Clerk BY: Beter Driver Mayor

Betsv Driver, Mavor

Dated: January 4, 2022

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#### **CERTIFICATION**

I, Sallie Graziano, Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

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Sallie Graziano, Borough Clerk

# RESOLUTION 2022-32

Appointing Suplee, Clooney & Company as Borough Auditor for 2022

**WHEREAS,** <u>N.J.S.A.</u> 40A:5-4 requires that every municipality shall have an annual audit of its books and financial transactions by a Registered Municipal Accountant of New Jersey; and

WHEREAS, proposals were received through a fair and open process; and

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

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

**WHEREAS,** Suplee, Clooney & Company has submitted a rate schedule which is attached to this Resolution;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retain Suplee, Clooney & Company as Municipal Auditor for the Borough of Flemington for the year 2019, to perform the professional services ordinarily provided by a Registered Municipal Accountant of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$38,450.00; and

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

**IT IS FURTHER RESOLVED** that the Chief Financial Officer certifies that funds are available in the 2022 budget, sewer budget and water budget.

Adopted: January 4, 2022 ATTEST:

BOROUGH OF FLEMINGTON

Grayano Sallie Graziano

Betsy Driver, Mayor

Borough Clerk

ATTACHMENTS:

suplee rates 2022 (PDF)

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#### **CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

## SUPLEE, CLOONEY & COMPANY

The Honorable Mayor and Members of the Borough Council

We propose the following schedule of services and fees:

A. <u>2022 Statutory Audit</u> - Audit of Current Fund, Trust Fund, Capital Fund, General Fixed Assets Account Group, and various other offices as prescribed by the Division of Local Government Services including Federal and State programs in accordance with the Single Audit Act of 1996, Federal Uniform Guidance, and State of New Jersey OMB Circular 15-08

\$27,900.00

4,350.00

3,100.00

- B. Assistance with the preparation of the 2022 Annual Financial Statement, 2022 Annual Debt Statement, and assistance with the 2023 Annual Municipal Budget including preparation of the budget document and budget amendments, and if required, the attendance at any budget meetings or public hearings
- C. Audit of the financial activities of the Borough's Water Utility Operating and Capital Funds
- D. Audit of the financial activities of the Borough's Sewer Utility Utility Operating and Capital Funds 3,100.00
- E. Preparation of Supplemental Debt Statements in accordance with the requirements of the Local Bond Law 40A:2-42 425.00 Per
- F. Telephone consultation as needed with any administrative or elected officials

#### <u>\$38,450.00</u>

<u>No Charge</u>

Any additional services requested by the Borough would be mutually agreed upon before the commencement of any work and billed at the following rates:

Partner	-	\$155.00 - \$175.00
Manager	-	\$115.00
Senior Staff	-	\$ 90.00 - \$105.00
Staff Accountant	-	\$ 75.00 - \$ 85.00

Yours very truly,

SUPLEE, CLOONEY & COMPANY

Warren M. Korecky, Partne

October 8, 2021

WMK;te

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#### RESOLUTION 2022-33

# Appointing CME Associates as Borough Sewer Engineer for 2022

**WHEREAS,** the Borough of Flemington has a need to acquire sewer engineering services; and

WHEREAS, proposals were received through a fair and open process; and

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains CME Associates as Sewer Engineer for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by a professional engineer of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$100,000.00; and

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

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2022 sewer budget, various capital accounts, and various escrow accounts.

Adopted: January 4, 2022 Attest:

· · ·

BOROUGH OF FLEMINGTON

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BY: Dett

Sallie Graziano Borough Clerk

ATTACHMENTS:

cme rates 2022 (PDF)

RESULT: ADOPTED [L	JNANIMOUS]
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#### **CERTIFICATION**

PA.

Sallie Graziano, Borough Clerk



#### MUNICIPAL ENGINEERING SERVICES GENERAL CONDITIONS AND HOURLY RATE SCHEDULE TO JANUARY 1, 2023

Senior Project Manager		
Municipal Engineer       \$140.00 Per Hour         Project Leader       \$180.00 Per Hour         Senior Project Engineer       \$179.00 Per Hour         Project Engineer       \$173.00 Per Hour         Project Engineer       \$140.00 Per Hour         Design Engineer       \$140.00 Per Hour         Design Engineer       \$133.00 Per Hour         Senior Engineering Technician       \$125.00 Per Hour         Senior Engineering Technician       \$125.00 Per Hour         Professional Land Surveyor       \$176.00 Per Hour         Professional Land Surveyor       \$176.00 Per Hour         Professional Land Surveyor       \$176.00 Per Hour         Party Chief       \$177.00 Per Hour         Party Chief       \$133.00 Per Hour         Robotic Total Station       \$77.00 Per Hour         Party Chief       \$133.00 Per Hour         Selor Construction Engineer       \$150.00 Per Hour         Robotic Total Station       \$170.00 Per Hour         Selor Construction Engineer       \$150.00 Per Hour         Construction Engineer       \$160.00 Per Hour         Construction Engineer	Senior Project Manager	\$182.00 Per Hour
Municipal Engineer       \$140.00 Per Hour         Project Leader       \$180.00 Per Hour         Senior Project Engineer       \$179.00 Per Hour         Project Engineer       \$173.00 Per Hour         Project Engineer       \$140.00 Per Hour         Design Engineer       \$140.00 Per Hour         Design Engineer       \$133.00 Per Hour         Senior Engineering Technician       \$125.00 Per Hour         Senior Engineering Technician       \$125.00 Per Hour         Professional Land Surveyor       \$176.00 Per Hour         Professional Land Surveyor       \$176.00 Per Hour         Professional Land Surveyor       \$176.00 Per Hour         Party Chief       \$177.00 Per Hour         Party Chief       \$133.00 Per Hour         Robotic Total Station       \$77.00 Per Hour         Party Chief       \$133.00 Per Hour         Selor Construction Engineer       \$150.00 Per Hour         Robotic Total Station       \$170.00 Per Hour         Selor Construction Engineer       \$150.00 Per Hour         Construction Engineer       \$160.00 Per Hour         Construction Engineer	Project Manager	\$181.00 Per Hour
Project Leader	Municipal Engineer	\$140.00 Per Hour
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Drone Pilot	Design Engineer	\$133.00 Per Hour
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Partner\$185.00 Per Hour Principal\$184.00 Per Hour	Planning Technician	\$129.00 Per Hour
Principal\$184,00 Per Hour	Pariner	\$185.00 Per Hour
Managing Partner/Administrative Partner	Principal	\$184.00 Per Hour
	Managing Partner/Administrative Partner	\$195.00 Per Hour

Environmental services will be billed in accordance with CME's Environmental Rate Schedule

Invoices - CME Associates (CME) will submit invoices to Client monthly and a final invoice upon completion of services. Payment is due upon presentation of invoice and is past due thirty days from invoice date. Client agrees to pay a finance charge of one and one-half percent per month, or the maximum rate allowed by law, on past due accounts. In the event that the invoice is not paid voluntarily and promptly, and must therefore be referred to an atomety or agency for collection, the Client agrees to pay a collection fee equal to the actual atomety or agency collection fee incurred by DCME. Overtime rates are applicable after eight hours Monday through Friday, and all day Saturday and constraint fillings the quoted rate. Holdays are charged at two times the quoted rates incurred for reproducting postage handling, photographs and for services including subconsultants equipment and facilities not furnished by CME. Over the service.

Standard of Care - Services performed by CME under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. NO OTHER WARRANTY, EXPRESSED OR IMPLIED, IS MADE.

Contaminated Malerial -, it is understood that CME is not, and has no responsibility as a handler, generator, operator, treater or storer, transporter or disposer of hazardous or toxic substances found or identified at any site. Client shall undertake or arrange for, either directly or indirectly through other contractors, the handling, removal, treatment, storage, transportation and disposel of hazardous substances found or identified at any site.

Littlities - In the execution of the work, CME will take all reasonable precautions to avoid damage or injury to aubterranean structures or utilities. The Cliant agrees to hold CME

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#### **RESOLUTION 2022-34**

# Appointing Matt Mulhall of M2 Associates to Provide Borough Hydrogeological Services in 2022

**WHEREAS,** the Borough of Flemington has a need to acquire professional Hydrogeological consulting services; and

WHEREAS, proposals were received through a fair and open process; and

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

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

**WHEREAS,** M² Associates Inc., has submitted a proposal indicating they will provide Hydrogeological consulting services at a rate not to exceed \$140.00 per hour;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains Matt Mulhall of M² Associates Inc., as the Hydrogeologist for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by a Hydrogeologist of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$50,000.00; and

**IT IS FURTHER RESOLVED** that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with M² Associates, Inc.; and

**IT IS FURTHER RESOLVED** that the Chief Financial Officer certifies that funds are available in the 2022 budget and various capital ordinances.

Adopted: January 4, 2022 Attest:

Sallie Graziano, Borough Clerk

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#### **CERTIFICATION**

Sallie Graziano, Borough Clerk

Mayor and Common Council 38 Park Avenue Flemington, NJ 08822

ADOPTED

#### **RESOLUTION 2022-35**

# Appointing SSP Architectural Group the Architect of Record for the Borough of Flemington, 2022

WHEREAS, there exists a need for Professional Architectural Services in 2022 for various projects in the Borough of Flemington; and

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

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

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

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

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

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

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

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

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

1. That the Mayor and Clerk are hereby authorized and directed to execute a Non-Fair and Open Agreement pursuant to <u>N.J.S.A.</u> 19:44A-20.5, with SSP Architectural Group, 1011 Route 22, Suite 203, Bridgewater, New Jersey 08876, for Professional Architectural Services;

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

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

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

Adopted: January 4, 2022 Attest:

Driver, Mayor

ayana Sallie Graziano, **Ŕ**MC

Municipal Clerk

ATTACHMENTS:

ssp fees 2022 (PDF)

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#### **CERTIFICATION**

I, Sallie Graziano, Municipal Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey do hereby certify that the foregoing Resolution to be a true and exact copy of the Resolution adopted by the Flemington Borough Council at the Council meeting held on Tuesday, January 4, 2022.

<u>Sallie Graziano, RMC, Borough Clerk</u>

Date of Certification

Effective: January 1, 2022 through December 31, 2022

Principal	\$165.00
Associate	\$150.00
Project Manager	\$135.00
Architect	\$115.00
Project Coordinator	\$105.00
Designer	\$75.00
Administrative Support	\$55.00

#### Reimbursable Expense Policy

Reimbursable expenses are in addition to our fees for Basic Services and shall include any and all fees paid for securing reviews, inspections and/or approval of projects by authorities having jurisdiction over the project. Reimbursable expenses shall also include copy work, prints, photographic or digital copies, printing, reproductions, plots, standard form master documents, bid documents, postage, handling and delivery services related to the distribution of design and bidding documents.

Any other expenses not specifically listed but intended to be handled as a reimbursable charge shall be submitted to and authorized by the client in advance of incurring the charge.

All reimbursable expenses will be subject to an 8% mark-up that will be added to the direct invoiced costs for all products and services.

For Additional Services for consultants a 15% mark-up will be added to the direct invoiced costs.

*Rates are amended annually in January



908.725.7800 50 Division Street, Suite 503 Somerville, NJ 08876 **ssparchitects.com** 

#### **RESOLUTION 2022-36**

# Appointing CME Associates as Borough Traffic Engineer for 2022

WHEREAS, The Borough of Flemington desires to have a traffic engineer; and

WHEREAS, proposals were received through a fair and open process; and

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains CME Associates for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by a professional traffic engineer of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$50,000.00; and

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

**IT IS FURTHER RESOLVED** that the Chief Financial Officer has certified that funds are available in the 2018 budget, various escrow accounts, and various capital ordinances; and

Adopted: January 4, 2022 Attest:

Sallie Graziano, Borough/Clerk

ATTACHMENTS:

#### **CERTIFICATION**

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, RMC, Borough Clerk

Driver, Mayor



#### MUNICIPAL ENGINEERING SERVICES GENERAL CONDITIONS AND HOURLY RATE SCHEDULE TO JANUARY 1, 2023

Senior Project Manager	\$182.00 Per Hour
Project Manager	\$181.00 Per Hour
Municipal Engineer	\$140.00 Per Hour
Project Leader	\$180.00 Per Hour
Professional Engineer	\$179,00 Per Hour
Senior Project Engineer	\$174.00 Per Hour
Project Engineer	\$153.00 Per Hour
Senior Design Engineer	\$140.00 Per Hour
Design Engineer	
Drone Pilot	\$139.00 Per Hour
Senior Engineering Technician	\$125.00 Per Hour
Engineering Technician/Management Information Systems Technician	\$1 18.00 Per Hour
Drone Technician	\$ 77.00 Per Hour
Professional Land Surveyor	\$176.00 Per Hour
Land Surveyor	\$157.00 Per Hour
Land Surveyor Robotic Total Station	\$ 77.00 Per Hour
Party Chief	\$133.00 Per Hour
Survey Technician	
Resident Engineer	
Chief Construction Engineer	
Senior Construction Engineer	
Construction Engineer	\$119.00 Per Hour
Chlef Construction Technician	\$103.00 Per Hour
Senlor Construction Technician	\$ 92.00 Per Hour
Construction Technician	
Technical Assistant	\$ 99.00 Per Hour
Senior CAD Technician	
Licensed Landscape Architect	\$177.00 Per Hour
Senior Landscape Designer	\$159.00 Per Hour
Certified Tree Expert	
Landscape Designer	
Director of Planning	
Professional Planner	
Project Planner	\$151.00 Per Hour
Planning Technician	
Pather	
Principal	\$184.00 Per Hour
Managing Partner/Administrative Partner	\$195.00 Per Hour

Environmental services will be billed in accordance with CME's Environmental Rate Schedule

Invoices - CME Associates (CME) will submit invoices to Client monthly and a final invoice upon completion of services. Payment is due upon presentation of invoice and is past due thirty days from invoice date. Client agrees to pay a finance charge of one and one-half percent per month, or the maximum rate allowed by isw, on past due accounts. In the event that the invoice is not paid voluntarily and promptly, and must therefore be referred to an attorney or agency for collection, the Client agrees to pay a collection fee equal to the actual attorney or agency collection face invoice it collection. CME. Overtime rates are applicable after eight hours Monday through Friday, and id any Saturday and Sunday, and charged at one-half times the quoted rate. Holdays are charged at two times the quoted rate. Expenses inclured for reproduction, postage handling, photographs and for services including subconsultants equipment and facilities not times by CME are charged to the Client at cost plus fifteen percent. Automobile travel may be charged at the current rate per mile allowed by the Internal Revenue Service.

Standard of Care - Services performed by CME under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the protession currently practicing under similar conditions. NO OTHER WARRANTY, EXPRESSED OR IMPLIED, IS MADE.

Contaminated Material - it is understood that CME is not, and has no responsibility as a handler, generator, operator, treater or storer, transporter or disposer of hazardous or toxic substances found or identified at any site. Client shall underlake or arrange for, either directly or indirectly through other contractors, the handling, removal, treatment, storage, transportation and disposel of hazardous substances or constituents found or identified at any site.

Utilities - In the execution of the work, CME will take all reasonable precautions to avoid damage or injury to aubterranean structures or utilities. The Client agrees to hold CME

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