Mayor and Common Council
Borough of Flemington

January 24, 2022

Online during COVID-19 Emergency

Call to Order

Mayor Driver called the meeting to order at 7:00 p.m. All Council members were present when the work session started. Mayor Driver read the following notices:

This meeting is called pursuant to the provisions of the Open Public Meetings Law. This meeting of Jan. 24, 2022 was included in a list-of-meetings notice sent to the Hunterdon County Democrat and Courier-News on Jan. 5, 2022, posted on the bulletin board at Borough Hall on that date, and has remained continuously posted as required. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Borough Clerk.

Certain measures are currently in place providing relief to ratepayers experiencing economic hardship during the COVID-19 pandemic. For more information, please go to our website at www.historicflemington.com or contact Rebecca Newman at rnewman@historicflemington.com or call 908-782-8840. The New Jersey Department of Community Affairs (DCA) is currently developing a Low-Income Household Water Assistance Program (LIHWAP). This program is designed to assist water and sewer customers facing economic hardship due to the COVID-19 pandemic. Further information will be provided once the program goes live.

Work Session

Mayor Driver discussed the possibility of expanding the COVID-19 testing offered in the municipal parking lot at Borough Hall to Borough business owners and their employees. The agenda will need to be amended to modify the resolution authorizing the service.
Ms. Hand has been trying to recruit people for the Environmental Commission without much luck, and suggested a volunteer fair when the weather is warmer. Council members Rosetti and Tilly said they'd spread word about openings on the commission. That commission meets the third Monday of the month at 7 p.m. on Zoom.
The work session ended at 7:10 p.m. and the meeting adjourned until the start of the regular meeting at 7:30 p.m.

Regular Meeting

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

Flag Salute

Roll Call:

Attendee Name	Title	Status	Arrived
Caitlin Giles-McCormick	Council 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	

I. Mayor's Report

The mayor attempted to start live-streaming the meeting on YouTube. She noted there is no OEM report tonight.

George Vallone will make a presentation tonight on plans for Liberty Village. This is for Council's benefit and is not a public hearing, but people can ask questions during the public comment sessions.
She said the COVID testing in the lot at Borough Hall has been going well, but rather slow, which is typical when a new site starts operating. She's asked Council to expand the free testing to Borough business owners and their employees.

1. Motion To: **Amend the Agenda to Include a Resolution Modifying Resolution 2022-42**

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

The mayor continued her report:
An interesting proposal is coming forward for the Guitar boy Agway property; she anticipates a presentation will be made soon.

II. Council Members' Reports

Council Member Giles-McCormick

The snowflakes will be coming down on Wednesday; they're looking at alternatives to the snowflakes for next year.
The Planning Board met on Jan. 12; she's catching up on the board's recent approvals.
She participated in meetings regarding the upcoming Agway proposal, and said it's an interesting opportunity.

Council Member Rosetti

She's been in touch with the Property Maintenance official and situations are being handled. He's paying attention to safety, and in particular to sidewalks.

Council President Long

Police- He'll have a year-end report on Police activity at the next Council meeting.
Mental Health- on 1/31, the committee met with Chief Rotella, Emanuele, and representatives from HMC, discussing alternatives for mental health distress calls.
FCP - They hosted two meetings, one in person and one online, regarding the Liberty Village presentation that's being given to Council tonight. A recording of it is on the LoveFlemington website. Regarding Courthouse Square construction, the FCP will inform businesses about construction plans. The Courthouse Square website has updated information. They're planning an Olympic watch party for speed skater Kimi Goetz. New businesses have been opening, and there's a new job at the FCP that's being posted.

Council Vice President Hand

Weather has delayed groundwork on the community garden.
DIY is moving to the NJoy Yourself site, and is looking for volunteers.
The Environmental Commission is also looking for members.
She attended the Agway development meeting and said some exciting stuff is brewing.

Council Member Johnston

Mr. Johnston has touches bases with people on the Shade Tree commission, in Animal Control, at the municipal court, the Samuel Fleming House and the Library. He'll have more to report at the next meeting.

Council Member Tilly

DPW- the Hopewell and Dewey Avenue projects will be starting soon.

Traffic studies in the borough are also being planned.
Electronic waste pickups are being discussed.
On the 11th she met with George Vallone to get a preview of tonight's presentation.
She's getting over COVID, so she's kept in touch by email with the Fire Department and Rescue Squad; vehicles are being donated to the squad for training purposes.
OEM - They've been discussing expanding the criteria for people to access the Borough COVID testing site.

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

No comments.

IV. Approval of Minutes

Motion To: **Approve Minutes: Jan. 10, 2022 Regular Council Meeting**

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

Consent Agenda

Moved by Hand; Seconded by Tilly; all members voted to approve.

1. RESOLUTION 2022-43: AUTHORIZING THE RENEWAL OF ADDITIONAL TAXI LICENSES FOR 2022
2. RESOLUTION 2022-44: CERTIFYING THAT FLEMINGTON-RARITAN FIRST AID AND RESCUE SQUAD HAS MET ALL REQUIREMENTS UNDER NJSA 27:5F-27 FOR 2022
3. RESOLUTION 2022-45: ACCEPTING THE RESIGNATION OF THE COURT VIOLATIONS CLERK AND AUTHORIZING THE SEARCH FOR A REPLACEMENT
4. RESOLUTION 2022-46: DECLARING 2 VEHICLES SURPLUS AND AUTHORIZING THEIR DONATION TO THE FLEMINGTON-RARITAN FIRST AID AND RESCUE SQUAD
5. RESOLUTION 2022-47: AUTHORIZING A PARTIAL REFUND FOR A CANCELED CONSTRUCTION PERMIT FOR WORK AT 16 E. MAIN ST.

Regular Agenda

1. RESOLUTION 2022-55: AMENDING RESOLUTION 2022-42 TO EXPAND THE COVID-19 TESTING SERVICE TO FLEMINGTON BOROUGH BUSINESS OWNERS AND THEIR EMPLOYEES

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

2. PRESENTATION ON LIBERTY VILLAGE BY GEORGE VALLONE, HOBOKEN BROWNSTONE

Mr. Vallone gave a presentation; the slides are attached to these minutes. He discussed his background and qualifications. During his presentation he described his goals for Liberty Village: to increase foot traffic and create a mixed-use pedestrian neighborhood that would increase tax ratables; remediate the environmentally contaminated site; and try to resolve ongoing flooding problems.
New housing would be targeted to the middle-income market. There would not be a lot of retail, so the development doesn't cannibalize other retail areas.

He described community benefits from the project. He said the studies that were done by Stantec and Zimmerman/Volk were very important in getting them comfortable with the economics of the project.
Phase 1 would be building 140 townhouses on the main mall site (4 of which would be affordable-housing), and 55 affordable housing units. Phase 2 would be to build 180 rentals in 5 multi-family buildings, depending on the DEP's response to its flood mitigation proposal.
The next step would be to designate his company as the developer, then negotiate a redeveloper agreement. Then they would seek site plan approval from the Planning Board.
Council members asked several questions, covering the possibility of a movie theater; Mr. Vallone's firm's experience dealing with contaminated sites; construction of water and sewer infrastructure; affordable housing; and public transit.

3. RESOLUTION 2022-48: AUTHORIZING THE EXECUTION OF A CONDITIONAL DESIGNATION AND INTERIM COST AGREEMENT WITH HBC LIBERTY VILLAGE LLC PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Caitlin Giles-McCormick, Council Member
SECONDER:	Jeremy Long, Council President
AYES:	Giles-McCormick, Johnston, Long, Rosetti, Tilly
ABSTAIN:	Jessica Hand

4. RESOLUTION 2022-49: AUTHORIZING THE HIRING OF JAMES GAUGHRAN AS A LABORER IN THE DEPARTMENT OF PUBLIC WORKS

Ms. Hand was having internet connection issues and was unable to cast her vote on this resolution.

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

5. RESOLUTION 2022-50: AUTHORIZING THE HIRING OF ANA YANCY PALMA AS OFFICE ASSISTANT

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

6. RESOLUTION 2022-51: APPOINTING ROBERT CLERICO AS SPECIAL PROJECTS ENGINEER FOR 2022

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

7. RESOLUTION 2022-52: AUTHORIZING THE TEMPORARY CLOSURE OF A PORTION OF SPRING STREET DUE TO PUBLIC SAFETY CONCERNS

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Jeremy Long, Council President
AYES:	Hand, Johnston, Long, Rosetti, Tilly
ABSTAIN:	Caitlin Giles-McCormick

8. RESOLUTION 2022-53: ADOPTING A COVID-19 POLICY

Ms. Hand was having internet connection issues and was absent for this vote.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Malik Johnston, Council Member
AYES:	Giles-McCormick, Johnston, Long, Rosetti, Tilly
ABSENT:	Jessica Hand

9. RESOLUTION 2022-54: EXTENDING CONGRATULATIONS AND BEST WISHES TO SPEED SKATER KIMI GOETZ IN THE 2022 OLYMPICS

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

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

No comments.

VI. Attorney's Report

Revised bylaws for the Community Garden will be sent out to Council members.

VII. Payment of the Bills

Motion To: **Pay the Bills in the Amount of $5,506,533.90**

Ms. Hand was having internet connection issues and was absent for this vote.

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

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

None needed.

IX. Adjournment

Motion To: **Adjourn**

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Malik Johnston, Council Member
SECONDER:	Kimberly Tilly, Council Member
AYES:	Giles-McCormick, Hand, Johnston, Long, Rosetti, Tilly

The meeting adjourned at 9:33 p.m.

Attest: Sallie Graziano
Sallie Graziano, Borough Clerk

Approved by Council 2/14/22.

Mayor and Common Council
38 Park Avenue
Flemington, NJ 08822

Meeting: 01/24/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3708

ADOPTED

RESOLUTION 2022-43

Authorizing the Renewal of Additional Taxi Licenses for 2022

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, Ordinance 2017-3 sets eligibility criteria for obtaining a Taxi Owner's License in Flemington Borough, including vehicle insurance and registration, vehicle inspection, criminal background checks, and driver's license history and provides for 10 licenses to be issued; and

WHEREAS, Ordinance 2018-21 describes the renewal process for Taxi Owner's Licenses; and

WHEREAS, the following companies have met the renewal criteria and submitted all necessary fees for renewal of Taxi Owner's Licenses in 2022:

Taxi El Pajarito, License 22-08
Mike Espinoza Taxi, License 22-29
and;

WHEREAS, the Flemington Borough Police Department has inspected the vehicles used by these services and determined that they are in satisfactory condition to safely carry passengers;

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 approve the renewal of the above-listed Taxi Owner's Licenses, which will be effective from January 1, 2022 through December 31, 2022.

Adopted: January 24, 2022
Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

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

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 24, 2022.

Sallie Graziano, Borough Clerk

Mayor and Common Council
38 Park Avenue
Flemington, NJ 08822

Meeting: 01/24/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3706

ADOPTED

RESOLUTION 2022-44

Certifying that Flemington-Raritan First Aid and Rescue Squad Has Met All Requirements Under NJSA 27:5F-27 for 2022

WHEREAS, pursuant to NJSA 27:5F-27, volunteer and non-volunteer emergency medical service organizations shall be responsible for the training of their members, and ambulances and ambulance equipment shall meet the standards required by the aforementioned act; and

WHEREAS, the Flemington-Raritan First Aid and Rescue Squad has certified via letter and certification by the New Jersey Department of Health, attached to this resolution, that it has met all the requirements pursuant to NJSA 27:5F-27;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey do hereby certify that the Flemington-Raritan First Aid and Rescue Squad has met all the requirements of NJSA 27:5F-27.

Adopted: January 24, 2022
Attest:

Sallie Graziano, Borough Clerk

Betsy Driver, Mayor

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

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 24, 2022.

Sallie Graziano, Borough Clerk

FLEMINGTON-RARITAN

FIRST AID & RESCUE SQUAD

01/08/2022

To Whom it May Concern:

Let this letter serve as confirmation that all members of the organization meet or exceed the minimum training requirements as set forth be the state of New Jersey Administrative Code 8:40 sections 1-10. If you require any additional information to complete the certification process, please reach out to me via the email or phone number listed below.

Respectfully Submitted,

Dan Jankowski
Operations Supervisor
Flemington-Raritan First Aid & Rescue Squad
operationssupervisor@frfars.org
908-782-6103 ext. 2001

NJ Department of Health and Senior Services

New Jersey

OFFICE OF EMERGENCY MEDICAL SERVICES

The New Jersey Department of Health - Office of Emergency Medical Services recognizes that the requirements for licensure as set forth at N.J.A.C. 8:40-1.1, et seq. and hereby grant licensure to:

Flemington-Raritan First Aid
Po Box 686
Flemington, NJ 08822

As a provider of the following services:

BLS

Provider ID: **1011006**
Valid: **1/1/2021**
Expiration: **12/31/2022**

Terry Clancy, Ph.D., RN, NRP
Director, Office of Emergency Medical Services

Mayor and Common Council
38 Park Avenue
Flemington, NJ 08822

Meeting: 01/24/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3710

ADOPTED

RESOLUTION 2022-45

Accepting the Resignation of the Court Violations Clerk and Authorizing the Search for a Replacement

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, Stacey McGlothlin resigned from her position as Court Violations Clerk effective December 16, 2021; and

WHEREAS, the Borough of Flemington accepts this resignation; and

WHEREAS, this resignation leaves a vacancy in the position of Court Violations Clerk;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that the resignation of Court Violations Clerk Stacey McGlothlin is hereby accepted; and

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Flemington that the Court Administrator is authorized to begin the process of seeking a replacement to fill the vacancy in the Court Violations Clerk position.

Adopted: January 24, 2022
Attest:

Sallie Graziano, Borough Clerk

Betsy Driver, Mayor

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

Mayor and Common Council
38 Park Avenue
Flemington, NJ 08822

Meeting: 01/24/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3713

ADOPTED

RESOLUTION 2022-46

Declaring 2 Vehicles Surplus and Authorizing Their Donation to the Flemington-Raritan First Aid and Rescue Squad

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, a 1997 Ford pickup truck, VIN 1FTHX26G4VEC40578, utilized by the Fire Department, is no longer fit for service; and

WHEREAS, a 2005 Ford Crown Victoria, VIN 2FAFP71W55X134373, utilized by the Fire Marshal's Office, is also no longer fit for service; and

WHEREAS, both of these vehicles are being declared surplus; and

WHEREAS, Flemington-Raritan First Aid and Rescue Squad would benefit from a donation of these vehicles for training purposes;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that the 1997 Ford pickup truck, VIN 1FTHX26G4VEC40578, and the 2005 Ford Crown Victoria, VIN 2FAFP71W55X134373, be declared surplus and be donated to the Flemington-Raritan First Aid and Rescue Squad.

Adopted: January 24, 2022
Attest:

Sallie Graziano, Borough Clerk

Betsy Driver, Mayor

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

Mayor and Common Council
38 Park Avenue
Flemington, NJ 08822

Meeting: 01/24/22 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano
Initiator: Rebecca Newman
Sponsors:
DOC ID: 3715

ADOPTED

RESOLUTION 2022-47

Authorizing a Partial Refund for a Canceled Construction Permit for Work at 16 E. Main St.

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, St. John Chimney Sweeps obtained Construction Permit No. 21-226 for work at 16 E. Main St., which was ultimately canceled; and

WHEREAS, the fee paid for the permit was $160; and

WHEREAS, the Construction Official has recommended refunding $128 of the fee, withholding 20% for the cost of plan review;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council, Borough of Flemington, County of Hunterdon, State of New Jersey that a refund of $128, made payable to St. John Chimney Sweeps, 1613 Reed Road, Pennington, NJ 08534, is approved.

Adopted: January 24, 2022
Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

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

Mayor and Common Council
38 Park Avenue
Flemington, NJ 08822

Meeting: 01/24/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3711

ADOPTED

RESOLUTION 2022-48

Authorizing the Execution of a Conditional Designation and Interim Cost Agreement with HBC Liberty Village LLC Pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 Et Seq.

Borough of Flemington, County of Hunterdon

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (the "Act"), provides a process for municipalities to participate in the redevelopment and improvement of areas designated as areas in need of redevelopment or as areas in need of rehabilitation; and

WHEREAS, the Borough desires that the land located in an area which has been determined to be an area in need of redevelopment in accordance with the Act (the "Redevelopment Area"), currently designated as Block 35, Lots 22, 23, 24, 25, 31, 53, 54, 69, 70 & 71, be redeveloped in accordance with the "Liberty Village Redevelopment Plan, Flemington Borough" dated November 18, 2021, as same may be amended from time to time (the "Redevelopment Plan"); and

WHEREAS, HBC Liberty Village LLC ("Liberty Village") submitted a proposal for redevelopment of the Redevelopment Area, (the "Proposal") a complete copy of which is on file at the Borough Hall, seeking to be designated as the Redeveloper of Block 35, Lots 22, 23, 24, 25, 31, 53, 54, 69, 70 & 71 located in the Redevelopment Area in order to build a multi-family residential project; and

WHEREAS, the Borough Redevelopment Subcommittee vetted the information contained within the Proposal and met with Liberty Village to further discuss the Proposal and the implementation of the Redevelopment Plan, generally; and

WHEREAS, the Proposal calls for, among other things, the construction of several multi-family residential buildings with a total of 375 residential units, with associated parking, related infrastructure and other amenities; and

WHEREAS, the Proposal calls for Liberty Village to acquire each of the parcels which comprise the Project Site, and redevelop them in accordance with the Proposal, the Redevelopment Plan and all applicable laws, rules and regulations; and

WHEREAS, the Borough and Liberty Village desire to negotiate a Redevelopment Agreement in order for Liberty Village to implement the Proposal, subject to the provisions herein and further review by the Borough; and

WHEREAS, the Borough has determined that Liberty Village possesses the necessary experience and qualifications to take the steps necessary in order to implement the Proposal and further, that the Proposal is in the best interest of the community; and

WHEREAS, the Borough requires that Liberty Village pay the reasonable costs and fees incurred by the Borough associated with the review of the Proposal, the drafting and negotiation of a Redevelopment Agreement (a "Redevelopment Agreement"), and all other costs and fees related to this matter prior to the execution of any such Redevelopment Agreement, should a Redevelopment Agreement ultimately be executed, or the determination by the Borough that such a Redevelopment Agreement cannot be executed, should that result occur.

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

1. The Mayor is hereby authorized and directed to execute a Conditional Designation and Interim Cost Agreement between the Borough of Flemington and HBC Liberty Village, LLC in substantially the form attached hereto as Attachment A.
2. The Clerk and Staff of the Borough of Flemington are hereby authorized and directed to take all actions as shall be deemed necessary or desirable to implement this Resolution.
3. This Resolution shall be effective immediately.

Adopted: January 24, 2022
Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Caitlin Giles-McCormick, Council Member
SECONDER:	Jeremy Long, Council President
AYES:	Giles-McCormick, Johnston, Long, Rosetti, Tilly
ABSTAIN:	Jessica Hand

CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the Borough Council on January 24, 2022.

Sallie Graziano, RMC, Flemington Borough Clerk

CONDITIONAL REDEVELOPER DESIGNATION

AND INTERIM COST AGREEMENT

BY AND BETWEEN

THE BOROUGH OF FLEMINGTON

AND

HBC LIBERTY VILLAGE, LLC

This Agreement dated as of January 24, 2022, by and between the Borough of Flemington, New Jersey, ("Flemington"), having offices at 38 Park Avenue, Flemington, New Jersey 08822, acting pursuant to the provisions of the Local Redevelopment and HBC Liberty Village, LLC, with offices located at 331 Newman Springs Road, Building 3, Suite 310, Red Bank, New Jersey 07701 ("Redeveloper").

WITNESSETH

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1, et seq., as amended and supplemented (the "Act"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, Flemington has chosen to implement the Borough's redevelopment plans; and

WHEREAS, on October 12, 2021, the Mayor and Council of the Borough of Flemington adopted Resolution 2021-15 which designated Block 35, Lots 22, 23, 24, 25, 31, 53, 54, 69, 70 & 71 on the Tax Map of the Borough of Flemington, ("Redevelopment Area") as a Non-Condemnation Redevelopment Area; and

WHEREAS, on December 13, 2021, the Mayor and Council of the Borough of Flemington Redevelopment adopted Ordinance 2021-28 which adopted the "Liberty Village Redevelopment Plan, Flemington Borough" dated November 18, 2021 ("Redevelopment Plan") which Redevelopment Plan included the Redevelopment Area; and

WHEREAS, Flemington desires that a portion of the land located in the Redevelopment Area, also known as Block 35, Lots 22, 23, 24, 25, 31, 53, 54, 69, 70 & 71 on the Tax Map of the Borough of Flemington, (hereinafter "Project Site") be redeveloped in accordance with the Redevelopment Plan; and

WHEREAS, Redeveloper seeks to be designated as the Redeveloper of the Project Site and seeks to redevelop the Project Site with approximately 375 residential units, as more specifically set forth in the Site Plan, marked Schedule A, attached hereto and incorporated herein by reference ("Proposal"); and

WHEREAS, Flemington and Redeveloper desire to negotiate a Redevelopment Agreement to redevelop the Project Site, generally along the lines of the Proposal and in accordance with the provisions of the Redevelopment Plan; and

WHEREAS, Flemington shall during the Interim Period (defined below) negotiate exclusively with Redeveloper with regard to the Proposal for the redevelopment of the Project Site; and

WHEREAS, Flemington requires that Redeveloper pay the reasonable costs incurred by Flemington associated with the issues presented by designation of Redeveloper as the Conditional Redeveloper such as the review and evaluation of the Proposal, and the drafting and negotiation of a Redevelopment Agreement, and all other costs and expenses incurred by Flemington related to this matter, which have been incurred since December 1, 2021 and which

will be incurred prior to the execution of a Redevelopment Agreement (should such an Agreement be executed), or the determination by Flemington that such an Agreement cannot be executed (should that result occur); and

WHEREAS, the parties shall in good faith undertake the negotiation of a Redevelopment Agreement upon the execution of this document and the deposit of the Project Funds, described below.

NOW, THEREFORE, for and in consideration of the promises and of the mutual representations, covenants and agreements herein set forth, the parties hereto, each binding itself, its successors and assigns, do mutually promise, covenant and agree as follows:

1. Conditional Designation. Upon the complete execution of this Agreement, and the deposit of the Project Funds, Redeveloper shall be the conditional designated Redeveloper for the Project Site, on the express and absolute condition that the parties shall successfully negotiate and execute a Redevelopment Agreement within the time frame set forth herein. The parties acknowledge that the redevelopment of the Project Site will be pursuant to the terms of the Redevelopment Agreement. In the event that the parties are unable to reach agreement on the terms of a Redevelopment Agreement, this Conditional Designation Agreement shall be terminated and the designation in this paragraph shall immediately end.

2. The "Interim Period." The Interim Period shall be the 180 day period that commences on the date of this Agreement and the deposit of the Project Funds, whichever shall later occur, during which Flemington agrees to negotiate exclusively with Redeveloper toward the execution of a Redevelopment Agreement, which shall include all the terms and conditions, schedules, and financial arrangements between Flemington and Redeveloper. Such 180 day period may be extended by Flemington in its sole discretion. At the conclusion of the Interim

Period, or any time during an extension of such Period, either party may, at its sole discretion, cease negotiations and cancel this Conditional Designation Agreement. In the event that this Agreement is cancelled, then neither party hereto shall be bound by any further obligations hereunder to the other, except as may exist under Paragraph 3(B) hereof.

3. Payment of Interim Costs.

A. "Interim Costs" shall include, but not be limited to, all expenses and costs incurred by Flemington in connection with the review of the redevelopment Proposal of Redeveloper, the review of additional information provided by Redeveloper, and the preparation and negotiation of the Redevelopment Agreement and all staff time and fees and costs of any professional consultant, Planner, Engineer, Attorney, contractor or vendor retained by Flemington in connection with same.

B. Redeveloper shall pay all reasonable Interim Costs incurred by Flemington related to this matter, which have been incurred since December 1, 2021 and which will be incurred prior to the execution of a Redevelopment Agreement (should such an Agreement be executed), or the determination by Flemington that such an Agreement cannot be executed. Redeveloper shall pay all Interim Costs incurred during the Interim Period, even if the Redevelopment Agreement is not executed for any reason. Redeveloper agrees that in the event the parties continue negotiations following the expiration of the 180-day Interim Period, all costs incurred by Flemington related to such additional negotiations shall be included in the definition of Interim Costs and shall be paid by Redeveloper in the same manner as Interim Costs.

C. Redeveloper shall deposit the sum of Twenty-Five Thousand Dollars ($25,000.00) ("Project Funds") to Flemington to be maintained in a separate account by

Flemington and to be drawn down by Flemington to reimburse it for certain costs previously incurred by it to the project, and the balance to pay Interim Costs. Flemington shall provide Redeveloper with invoice(s) setting forth the costs incurred by Flemington which have been drawn down. Within fifteen (15) days of the receipt by Redeveloper of written notice from Flemington that the amount of Project Funds has decreased to Five Thousand Dollars ($5,000.00), Redeveloper shall replenish the Project Funds to the amount of $25,000.00. If the costs incurred by Flemington exceed the amount of the Project Funds, Redeveloper agrees to pay such costs upon fifteen (15) days written notice from Flemington stating that such costs are due.

D. In the Event that a Redevelopment Agreement is not executed and this Conditional Designation Agreement is terminated, Flemington shall draw down the Project Funds to pay all invoices for Interim Costs incurred up to the date of termination. Within thirty (30) days from the date of termination, Flemington shall return all remaining Project Funds to Redeveloper. In the event that a Redevelopment Agreement is executed, the Project Funds shall remain with Flemington to cover any additional Interim Costs incurred by Flemington and to cover costs incurred by Flemington pursuant to the Redevelopment Agreement, which Redevelopment Agreement shall contain a provision providing for the payment of such costs.

4. Scope. The parties have had preliminary discussions regarding the scope of the Project to be covered by the Redevelopment Agreement which seeks to develop the site as residential development. The negotiations shall consider issues concerning such other issues as may be identified during the negotiation process.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed, all as of the date first above written.

DEVELOPER

Attest:

_____ By: _____

BOROUGH OF FLEMINGTON

Attest:

_____ By: _____
Betsy Driver, Mayor,

Mayor and Common Council
38 Park Avenue
Flemington, NJ 08822

Meeting: 01/24/22 07:30 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3707

ADOPTED

RESOLUTION 2022-49

Authorizing the Hiring of James Gaughran as a Laborer in the Department of Public Works

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, the position of DPW laborer needs to be filled; and

WHEREAS, Resolution 2021-234, adopted on November 8, 2021, authorized the hiring of a DPW laborer; and

WHEREAS, the Borough accepted applications and interviewed several candidates; and

WHEREAS, James Gaughran is the strongest candidate for the position;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that James Gaughran be hired as a DPW Laborer effective January 31, 2022, at a rate of $20.69 per hour, as per the union contract.

BE IT FURTHER RESOLVED that Mr. Gaughran will be a probationary employee for 90 days.

Adopted: January 24, 2022
Attest:

Sallie Graziano, Borough Clerk

Betsy Driver, Mayor

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

Mayor and Common Council
38 Park Avenue
Flemington, NJ 08822

Meeting: 01/24/22 07:30 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3709

ADOPTED

RESOLUTION 2022-50

Authorizing the Hiring of Ana Yancy Palma as Office Assistant

WHEREAS, the Borough of Flemington adopted Ordinance 2021-25 on October 12, 2021, creating the part-time position of Office Assistant; and

WHEREAS, the position was advertised and seven people applied for the position; and

WHEREAS, the interview committee, consisting of Borough Clerk Sallie Graziano and Utilities Clerk and Tax Collector Rebecca Newman, has determined that Ana Yancy Palma is the most highly qualified applicant; and

WHEREAS, the interview committee has determined that a starting salary of $17 per hour, for a maximum of 25 hours per week, is appropriate based on the needs of the position and the candidate's qualifications; and

WHEREAS, this position conforms with the Borough's policy on a six-month introductory period and the Borough's policy of employment at will;

NOW, THEREFORE, BE IT RESOLVED that Council accepts the recommendation of the interview committee that Ana Yancy Palma be hired as an Office Assistant at a starting salary of $17 hourly, for up to 25 hours per week, starting immediately.

Adopted: January 24, 2022
Attest:

Sallie Graziano, Borough Clerk

Betsy Driver, Mayor

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

Mayor and Common Council
38 Park Avenue
Flemington, NJ 08822

Meeting: 01/24/22 07:30 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3705

ADOPTED

RESOLUTION 2022-51

Appointing Robert Clerico as Special Projects Engineer for 2022

WHEREAS, the Borough of Flemington, Hunterdon County, is in need of engineering services for special projects during Calendar Year 2022; and

WHEREAS, Special Projects include representing the Borough as designated Engineer for the intended purpose of performing inspection and determining acceptance of Site Improvements being installed as part of Site and Subdivision projects approved by the Borough's combined Planning Board and Zoning Board of Adjustment; and

WHEREAS, Special Projects also include other specific services as may be assigned by the Borough of Flemington; 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 Special Projects Engineer is a professional service as defined in said statute; and

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

WHEREAS, the Borough of Flemington desires to retain Robert J. Clerico, PE, CME of the firm Van Cleef Engineering Associates, a New Jersey Limited Partnership, Hunterdon County Office, 1128 Route 31, Lebanon, NJ 08833, as Special Projects Engineer; and

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

WHEREAS, the Borough of Flemington and the Engineering Firm wish to enter into an Agreement for such services as reflected in the attached document; and

WHEREAS, this agreement includes a maximum hourly rate of $155 for all Engineering Services rendered, not to exceed a total of $25,000 for the year; and

WHEREAS, the CFO has indicated that adequate funds are available in the Borough's 2022 budget;

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington, Hunterdon County, appoint Robert J. Clerico, PE, CME of the firm Van Cleef Engineering Associates, a New Jersey Limited Partnership, Hunterdon County Office, 1128 Route 31, Lebanon, NJ 08833, as Special Projects Engineer for Calendar Year 2022.

Adopted: January 24, 2022
Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

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

Van Cleef
ENGINEERING WITH FOCUS

BOROUGH OF FLEMINGTON
SPECIAL PROJECTS - BOROUGH ENGINEER
CALENDAR YEAR 2022

WHEREAS, the Borough of Flemington Hunterdon County, is in need of Engineering Services for Special Projects during Calendar Year 2022; and

WHEREAS, Special Projects include representing the Borough as designated Engineer for the intended purpose of performing inspection and determining acceptance of Site Improvements being installed as part of Site & Subdivision projects approved by the Borough Combined Planning Board and Zoning Board of Adjustment; and

WHEREAS, Special Projects also include other specific services as may be assigned by the Borough of Flemington; and

WHEREAS, the Borough of Flemington has retained Robert J Clerico, P.E., C.M.E of the Firm of Van Cleef Engineering Associates, A New Jersey Limited Partnership, Hunterdon County Office, 1128 Route 31, Lebanon, New Jersey 08833, as Special Project Engineer; and

WHEREAS, the Borough of Flemington and the Engineering Firm wish to enter into an Agreement for such Services;

NOW, THEREFORE, BE IT AGREED by and between the Borough of Flemington and Van Cleef Engineering Associates as follows:

1. The Engineer shall be compensated at the maximum hourly rate of $155.00 for all Engineering Services rendered.

2. Engineering Services may be performed for the Borough of Flemington by other principals and employees of the Firm of Van Cleef Engineering Associates, under the direct supervision of Robert J Clerico P.E., C.M.E, when Robert Clerico is unavailable or when otherwise necessary and desirable. Such Services shall be compensated in accordance with the "2022 Schedule of Hourly Fees" attached hereto and made a part of this Agreement.

3. This Agreement shall cover the period from January 1, 2022 to December 31, 2022.

4. The Engineer agrees that no Services shall be performed unless an appropriate Municipal official grants specific approval, either verbally or in writing.

5. As required under the terms of this Agreement, a signed "*Exhibit A - Mandatory Equal Employment Opportunity Language* [Rider], *for Goods, Professional Services and General Service Contracts*" has been acknowledged and is attached hereto as a part of this Agreement, under **Exhibit "A"**.

6. As required under the terms of this Agreement, a **"Certificate of Employee Information Report"** (Certificate No. 3288) is attached hereto as part of this Agreement, under **Exhibit "A-1"**.

7. Van Cleef Engineering Associates will carry, at its own expense during the Appointment Period, professional liability insurance. A "Specimen" copy of the **Certificate of Insurance** is attached to hereto and made a part of this Agreement, under **Exhibit "B"**. At the time of award of this Contract and final execution among the parties, the Firm shall process and forward a specific "Certificate of Insurance" to be placed on file with the Borough.

8. Van Cleef Engineering Associates has a valid **Business Registration Certification** (BRC), and agrees to comply with N.J.S.A. 52:32-44, "*Revised Contract Language for BRC Compliance for Goods and Services Contracts*", (including purchase orders), copies of which documents have been acknowledged (revised language only) and attached hereto as a part of this Agreement under **Exhibits "C"** and **"C-1"**, respectively.

9. Robert J. Clerico, PE, member of the Firm hereby certifies that he, or the Firm of Van Cleef Engineering Associates, has not made any reportable contribution to the campaign of any Borough Committee Member during Calendar Year 2021 and will not make any contribution during the term of this Agreement (listed under Item No. 3 above), pursuant to P.L. 2004, c.19 of the Contract. A copy of the language entitled, "*Non-Fair and Open Contract Contribution Prohibition Language*" pursuant to N.J.S.A. 19:44A-20.4 et seq., has been acknowledged and is attached hereto as a part of this Agreement under **Exhibit "D"**.

10. If any provision or part thereof to this Agreement is deemed to be void or unenforceable under any law(s) and shall be deemed to be stricken, all remaining provisions shall nevertheless, continue to be valid and binding upon the Parties. The Parties agree that this Agreement shall be reformed to replace such stricken provision or part thereof, with a valid and enforceable provision, which comes as close as possible to expressing the intention of the stricken provision.

ATTEST: for the
BOROUGH OF FLEMINGTON

By: _____

for the
BOROUGH OF FLEMINGTON

By: _____
, Mayor [date]

ATTEST: for Van Cleef Engineering Associates

By: Joanna Guydosh

FOR VAN CLEEF
ENGINEERING ASSOCIATES:

By: 12-28-21
Robert J Clerico, P.E., Member [date]

Mayor and Common Council
38 Park Avenue
Flemington, NJ 08822

Meeting: 01/24/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3712

ADOPTED

RESOLUTION 2022-52

Authorizing the Temporary Closure of a Portion of Spring Street Due to Public Safety Concerns

WHEREAS, construction work being done in connection with the Courthouse Square project has made sidewalks and the roadway on Spring Street between Bloomfield Avenue and Chorister Place dangerous for public use; and

WHEREAS, the roadway will continue to be accessible to emergency vehicles and personnel throughout the construction;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington authorize the temporary closure of Spring Street and the adjoining sidewalks between Bloomfield Avenue and Chorister Place while the construction work disrupts normal traffic patterns.

Adopted: January 24, 2022
Attest:

Sallie Graziano, Borough Clerk

Betsy Driver, Mayor

RESULT:	**ADOPTED [5 TO 0]**
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Jeremy Long, Council President
AYES:	Hand, Johnston, Long, Rosetti, Tilly
ABSTAIN:	Caitlin Giles-McCormick

Mayor and Common Council
38 Park Avenue
Flemington, NJ 08822

Meeting: 01/24/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3704

ADOPTED

RESOLUTION 2022-53

Adopting a COVID-19 Policy Regarding Use of and Reimbursement for Sick Time

WHEREAS, the Borough is interested in providing and maintaining a workplace that is free of known hazards; and

WHEREAS, Coronavirus disease 2019 ("COVID-19") is a contagious, and at times fatal, respiratory disease caused by the SARS-CoV-2 virus; and

WHEREAS, the Borough desires to adopt a policy, as shown in the attached document, to help safeguard the health of its employees and their families, visitors and the community at large from the current concerns associated with COVID-19, which may be reduced by vaccinations; and

WHEREAS, such policy will comply with all applicable laws and be based on guidance from the Centers for Disease Control and Prevention ("CDC") and local health authorities, as applicable;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington adopts a COVID-19 policy substantially in the form as shown in the attached document.

Adopted: January 24, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Kimberly Tilly, Council Member
SECONDER:	Malik Johnston, Council Member
AYES:	Giles-McCormick, Johnston, Long, Rosetti, Tilly
ABSENT:	Jessica Hand

Borough of Flemington

COVID-19 Policy Regarding Use of and Reimbursement for Sick Time

Purpose

In accordance with the Borough's interest in providing and maintaining a workplace that is free of known hazards, the Borough is adopting this policy to help safeguard the health of its employees and their families, visitors and the community at large from the current concerns associated with COVID-19, which may be reduced by vaccinations. This policy will comply with all applicable laws and is based on guidance from the Centers for Disease Control and Prevention ("CDC") and local health authorities, as applicable.

Definitions

COVID-19: COVID-19 is a respiratory disease caused by SARS-CoV-2, a new coronavirus discovered in 2019.

COVID-19 Immunization: Administration of a complete series of any COVID-19 vaccine authorized for use in the United States by the United States Food and Drug Administration (FDA) and recommended by the Advisory Committee on Immunization Practices (ACIP) of the Centers for Disease Control and Prevention (CDC). As of the date of this policy, there are currently three COVID-19 vaccines authorized by the FDA for emergency use and recommended by the ACIP: two mRNA vaccines (Pfizer-BioNTech, Moderna) and one viral vector vaccine (Janssen [Johnson & Johnson]).

Fully Vaccinated: The following individuals are considered "fully vaccinate" for the purposes of this Policy.

- Individuals ages 18 or older that have received all recommended vaccine doses, including boosters as set forth by the CDC (https://www.cdc.gov/coronavirus/2019-ncov/vaccines/booster-shot.html).
- Individuals ages 5-17 years and completed the primary series of COVID-19 vaccines.

Close Contact: Someone who was less than 6 feet away from an infected person (laboratory-confirmed or a clinical diagnosis) for a cumulative total of 15 minutes or more over a 24-hour period (for example, three individual 5-minute exposures for a total of 15 minutes).

Scope

Borough employees are not required to be fully vaccinated against COVID-19; however, it is highly recommended. Borough employees must provide evidence of their COVID-19 vaccination status to the Clerk by **February 25, 2022.** If an employee fails to provide the requested vaccination information, such employee will be considered not fully vaccinated for the purposes of this Policy.

This policy is subject to change based on factors such as the progress of the COVID-19 pandemic and guidance from governmental authorities.

Procedures for Submission of Vaccination Information

All employees must submit evidence of immunization to the Borough Clerk by emailing a scanned or photographed copy of their COVID-19 Vaccination Record Card by **February 24, 2022, 2022**. If an employee becomes fully vaccinated after the adoption of this policy, the copy of the COVID-19 Vacciantion Record Card must be submitted within senve (7) calendar days of becoming fully vaccinated. Failure to submit proof of vaccination may result in the employee being denied reimbursement for personal or sick time taken due toe COVID-19.

Employees are encouraged to register with the Docket app (https://covid19.nj.gov/pages/vaxrecords), which provides secure access to COVID-19 vaccination records. In lieu of providing a copy of the Vaccination Record Card, an employee may provide information from the Docket App.

The Vaccination Record Card (or other acceptable document) will be kept in the employee's personnel file and will not be disclosed other than to necessary personnel to verify the employee's vaccination status.

For employees that are not fully vaccinated, but wish to be, the Borough can provide a list of locations to receive a vaccine. To the extent an employee incurs an out-of-pocket expense associated with the cost of the vaccination, the Borough will cover that expense. Vaccinations should be run through health insurance and be submitted for reimbursement where applicable.

All employees will be paid for time taken to receive vaccinations and for illness associated with the receipt of the vaccine up to one (1) day (i.e. seven (7) or eight (8) hours depending on the employee's work schedule). Employees are to work with their department heads to schedule appropriate time to comply with this policy.

Reporting, Testing, and Quarantine Protocol

Employees that test positive for COVID-19 or come into close contact with someone that has COVID-19 shall report such immediately to their supervisor or department head. As with employees' vaccination status, all information regarding close contacts and testing will be kept in the employee's personnel file and will not be disclosed other than to necessary personnel.

For PCR testing, the Borough currently recommends the site established at the Municipal Building by Ridgewood Dianostics.

- ***For vaccinated and unvaccinated employees testing positive:***

Vaccinated and unvaccinated employees that test positive for COVID-19 shall quarantine for five (5) days. The date of the test is considered day 0. If after 5 days the

employee continues to exhibit a fever, they should provide medical documentation confirming such to remain out of work. Upon their return to work, they shall wear a mask for 5 days while around others.

- ***Close contact for vaccinated employees:***
    - Employees who have received their booster shot do not need to quarantine following an exposure, but should wear a mask for 10 days after the exposure.
    - Employees who were vaccinated more than 90 days ago and have not received a booster shot shall take a PCR test 3-5 days after exposure. The date of exposure is considered day 0. They can remain in the workforce while pre-asymptotic testing is taking place while wearing a mask. In the event of a negative test result they should self-monitor for symptoms for 14 days and re-test if needed. In the event of a positive test result, the employee shall follow the above policy for asymptomatic or asymptotic positive testing.
- ***Close contact for unvaccinated employees***

Unvaccinated employees that have had a close contact with someone testing positive for COVID-19 should be removed from the workforce and enter isolation. They should take a PCR test 3-5 days after exposure. The date of exposure is considered day 0. With a negative test they can return to work on day 5 after exposure and self-monitor for symptoms until day 14. In the event symptoms develop follow procedures above. With a positive test, the above procedures above shall be followed.

* Employees that are not fully vaccinated, but tested positive for COVID-19 with a verified viral test within the last ninety (90) days shall follow quarantine protocol for fully vaccinated employees. However, such employees must use accrued sick and personal time for the quarantine period.

Use of Sick and Personal Time

Fully vaccinated employees shall *not* be required to use accrued sick or personal time to quarantine in the event of a positive test or close contact with someone testing positive for COVID-19. However, to be reimbursed for the time off, the employee must submit medical documentation clearing them for a return to work.

Employees that are not fully vaccinated shall use accrued sick and personal time for any quarantine period.

Employees that are not fully vaccinated, but become fully vaccinated by May 1, 2022 shall be reimbursed for any sick and personal time used for COVID-19 quarantining in that calendar year.

This policy shall be retroactive to November 1, 2021. Fully vaccinated current employees that utilized sick or personal time for COVID-19 quarantining between November 1, 2021 and the adoption of this policy shall be reimbursed for any such time used in the form of compensatory time.

The maximum amount of paid leave for vaccinated employees under this policy shall be ten (10) days per calendar year.

Exemptions

Employees that are unable to be vaccinated as a result of a medical or religious exemption will not be required to use accrued sick or personal time for COVID-19 quarantine periods.

- Medical exemption: Medical exemption requires a written statement, signed by a licensed physician, advanced practice nurse, or physician assistant, indicating that the COVID-19 vaccine is medically contraindicated for a specific period of time and the reasons for the medical contraindication, based on valid medical reasons as determined by regulation of the Commissioner of Health and Senior Services.

- Religious exemption: Religious exemption requires a written statement explaining how the administration of the COVID-19 vaccine would violate, contradict, or otherwise be inconsistent with the bona fide religious tenets or practices of the employee. Attestation from the religious leader is a requirement of the exemption request. Philosophical, sociological or moral views are not accepted as religious exemptions.

An employee asserting a medical or religious exemption must submit a request for such exemption in writing to the Borough Clerk in the event such employee must quarantine in compliance with the above protocols.

Non-Compliance

Employees who do not comply with the protocols outlined above will be subject to corrective and disciplinary action.

Communication

Information regarding COVID-19 vaccination status is not protected by the EEOC or HIPAA and, therefore, may be shared with those Borough officials who need the information to safely conduct operations. In all cases, discretion will be applied and test results will not become part of the employee's personnel file.

Mayor and Common Council
38 Park Avenue
Flemington, NJ 08822

Meeting: 01/24/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3716

ADOPTED

RESOLUTION 2022-54

Extending Congratulations and Best Wishes to Speed Skater Kimi Goetz in the 2022 Olympics

WHEREAS, Kimi Goetz, a native of Flemington Borough, has qualified as a member of the 2022 U.S. Olympic Long Track Speedskating Team; and

WHEREAS, Ms. Goetz has been skating since she was 8 years old riding on her inline skates down New York Avenue; and

WHEREAS, the Flemington community has supported Ms. Goetz' efforts as she has trained to become an Olympian; and

WHEREAS, Ms. Goetz will be traveling to Beijing, China, to compete in the XXIV Olympic Winter Games as a long track speed skater;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington extend their congratulations and best wishes to Ms. Goetz in her Olympic efforts.

Adopted: January 24, 2022
Attest:

Sallie Graziano, Borough Clerk

Betsy Driver, Mayor

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

Mayor and Common Council
38 Park Avenue
Flemington, NJ 08822

Meeting: 01/24/22 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3717

ADOPTED

RESOLUTION 2022-55

Amending Resolution 2022-42 to Expand the COVID-19 Testing Service to Flemington Borough Business Owners and Their Employees

WHEREAS, Flemington Borough Council approved Resolution 2022-42 on January 10, 2022, providing COVID-19 testing to Borough residents and employees; and

WHEREAS, this program had proved successful and Council wishes to expand the program to include Borough business owners and their employees;

NOW, THEREFORE, BE IT RESOLVED that Resolution 2022-42 be modified to reflect that the COVID-19 testing program being offered in the municipal parking lot at Borough Hall is expanded to include testing of Borough business owners and their employees.

Adopted: January 24, 2022
Attest:

Sallie Graziano, Borough Clerk

Betsy Driver, Mayor

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