RESOLUTION #2024-122

RESOLUTION AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND TO LMR DISPOSAL SERVICES, LLC (LMR) DUE TO ASSISGNMENT OF THE SOLID WASTE COLLECTION AND DISPOSAL SERVICES CONTRACT TO CASELLA MAJOR ACCOUNT SERVICES, LLC (CASELLA) AND ACCEPTING CASELLA'S PERFORMANCE BOND

WHEREAS, the Mayor and Council adopted a Resolution on June 24, 2024 consenting to assignment of the contract with LMR for the solid waste collection and disposal services contract to Casella; and

WHEREAS, the Brough has further determined that Casella has the necessary experience, equipment, and financial wherewithal to provide continuous safe, adequate and proper solid waste collection and disposal services to the Borough; and

WHEREAS, the terms for the provision of solid waste collection and disposal services, including the costs to the Borough, will remain as stated in the agreement with LMR; and

WHEREAS, providing consent to the assignment by LMR of the solid waste collection and disposal services contract to Casella is necessary for the efficient operations of the Borough, and to ensure the continued availability of safe, adequate and proper solid waste collection and disposal services to the citizens of the Borough at the same reasonable market price; and

NOW, THEREFORE BE IT RESOLVED, the Mayor and Council of the Borough of Flemington, in the County of Hunterdon, State of New Jersey approves the release of LMR's Performance Bond and accepts the Performance Bond from Casella in the amount of $260,400.00

Adopted: September 9, 2024

ATTEST:

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Marcia A. Karrow, Mayor

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Carla Conner, Borough Clerk

CERTIFICATION

I, Carla Conner, Borough Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 9th day of September, 2024.

Carla Conner, Borough Clerk

RESOLUTION #2024-123

RESOLUTION APPROVING KATHERINE ABARCA TO BECOME A SOCIAL MEMBER OF THE FLEMINGTON BOROUGH FIRE DEPARTMENT

WHEREAS, Katherine Abarca has applied to be a social member of the Flemington Borough Fire Department, and

WHEREAS, Ms. Abarca has provided the required application,

NOW, THEREFORE, BE IT REOLVED by the Mayor and Council of the Borough of Flemington, in the County of Hunterdon and the State of New Jersey that Ms. Abarca is approved to be a social member of the Flemington Borough Fire Department.

Adopted: September 9, 2024

ATTEST:

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Marcia A. Karrow, Mayor

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Carla Conner, Borough Clerk

CERTIFICATION

I, Carla Conner, Borough Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 9th day of September, 2024.

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Carla Conner, Borough Clerk

RESOLUTION #2024-124

RESOLUTION APPROVING OLIVIA MITCHELL TO BECOME A SOCIAL MEMBER OF THE FLEMINGTON BOROUGH FIRE DEPARTMENT

WHEREAS, Olivia Mitchell has applied to be a social member of the Flemington Borough Fire Department, and

WHEREAS, Ms. Mitchell has provided the required application,

NOW, THEREFORE, BE IT REOLVED by the Mayor and Council of the Borough of Flemington, in the County of Hunterdon and the State of New Jersey that Ms. Mitchell is approved to be a social member of the Flemington Borough Fire Department.

Adopted: September 9, 2024

ATTEST:

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Marcia A. Karrow, Mayor

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Carla Conner, Borough Clerk

CERTIFICATION

I, Carla Conner, Borough Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 9th day of September, 2024.

_____

Carla Conner, Borough Clerk

RESOLUTION #2024-125

RESOLUTION APPROVING GERARD MALEK TO BECOME A SOCIAL MEMBER OF THE FLEMINGTON BOROUGH FIRE DEPARTMENT

WHEREAS, Gerard Malek has applied to be a social member of the Flemington Borough Fire Department, and

WHEREAS, Mr. Malek has provided the required application,

NOW, THEREFORE, BE IT REOLVED by the Mayor and Council of the Borough of Flemington, in the County of Hunterdon and the State of New Jersey that Mr. Malek is approved to be a social member of the Flemington Borough Fire Department.

Adopted: September 9, 2024

ATTEST:

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Marcia A. Karrow, Mayor

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Carla Conner, Borough Clerk

CERTIFICATION

I, Carla Conner, Borough Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 9th day of September, 2024.

_____

Carla Conner, Borough Clerk

RESOLUTION #2024-126

Safe and Secure Grant
State of New Jersey
Department of Law and Public Safety
Division of Criminal Justice
Safe and Secure Communities Program
Resolution of Participation

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Borough of Flemington wishes to apply for funding of $20,102.00 with a match of $190,000.00 for an approximate project total cost of $210,102.00 for a project under the State of New Jersey Safe & Secure Communities Grant Program, and

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

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

THEREFORE, BE IT RESOLVED by the Mayor and Council that

1. As a matter of public policy Flemington Borough wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.
5. The subaward number is 25-1009.
6. The subaward period is 9/15/24 to 9/14/25.
7. Flemington Borough accepts the subaward of the Safe & Secure grant.

Adopted: September 9, 2024

ATTEST:

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Marcia A. Karrow, Mayor

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Carla Conner, Borough Clerk

CERTIFICATION

I, Carla Conner, Borough Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 9th day of September, 2024.

_____

Carla Conner, Borough Clerk

RESOLUTION #2024-127

RESOLUTION APPOINTING KERI ROGERSON TO A FULL TIME POSITION AT THE FLEMINGTIN PUBLIC LIBRARY DUE TO A VACANCY

WHEREAS, due to retirements, there is a vacancy in the position of Librarian at the Flemington Public Library; and

WHEREAS, Keri Rogerson is currently employed by the library on a part time basis and wishes to accept the full-time position; and

WHEREAS, the director of the Flemington Public Library recommends appointing Keri Rogerson to the full-time position effective October 1, 2024.

THEREFORE, BE IT RESOLVED, that Keri Rogerson be appointed to the full time librarian position effective October 1, 2024 for an annual salary of $41,000.00.

Adopted: September 9, 2024

ATTEST:

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Marcia A. Karrow, Mayor

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Carla Conner, Borough Clerk

CERTIFICATION

I, Carla Conner, Borough Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 9th day of September, 2024.

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Conner Conner, Borough Clerk

RESOLUTION #2024-128

REJECTING ALL BIDS FOR THE ROADWAY IMPROVEMENT PROJECT FOR MAIN STREET PURSUANT TO N.J.S.A. 40A:11-13.2(E)

WHEREAS, a notice of advertisement for bids and an Invitation to Bid were prepared and advertised on July 25, 2024 in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. for the following project:

Roadway Improvement Project for Main Street

WHEREAS, the Borough opened bids on August 22, 2024 with three bids received:

Reivax Contracting	$698,411.54
Z Brothers Contractors, Inc.	$921,039.00
Top Line Construction	$933,175.23; and

WHEREAS, subsequently at the bid opening, it was noted the low bidder, Reivax Contracting, had an incurable and unwaivable defect in their bid submission, rendering said submission unresponsive; and

WHEREAS, this project will be financed in collaboration with the New Jersey Infrastructure Bank, which by correspondence dated August 28, 2024 has directed the Borough to reject all bids for this project in consideration of incurable and unwaivable defect described herein; and

WHEREAS, the Borough's Qualified Purchasing Agent, William Hance, the Borough's Consulting Engineer, Robert Martucci, and the Borough's Attorney, Christopher Corsini, all recommend rejecting all bids pursuant to N.J.S.A. 11-13.2(e) as awarding a contract under these circumstances would violate the provisions of the Local Public Contracts Law;

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

1. Reivax Contracting's bid is rejected pursuant to N.J.S.A. 40A:11-13.2(e).

2. The Qualified Purchase Agent is authorized to rebid this project.

Adopted: September 9, 2024

ATTEST:

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Marcia A. Karrow, Mayor

Carla Conner, Borough Clerk

CERTIFICATION

I, Carla Conner, Borough Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution duly authorized by the Mayor and Council on this 9th day of September, 2024.

Carla Conner, Borough Clerk

ORDINANCE NO. 2024-19

AN ORDINANCE AMENDING SECTION 2611 OF THE CODE ENTITLED "ZONING MAP"

Title & Whereas Clauses…

Section I. ***Section 2611 of the Code, entitled "Zoning Map" is hereby amended to read as follows (additions are shown as thus; deletions are shown as ~~thus~~);***

….

A. Amendments

….

13. Ordinance No. 2024-19. The Zoning Map is amended to remove Block 1 Lot 13, Block 8 Lots 9, 10, 11, 12, 13, 13.01, Block 13 Lots 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, Block 14 the western portion of Lot 13, Lots 18, 19, 19.81, 19.83, 19.85, 19.87, and 19.89, from the Professional Office (PO) Zoning District and rezone them into the Transition Commercial (TC) Zoning District.

14. Ordinance No. 2024-19. The Zoning Map is amended to remove Block 6.01 Lot 1 from the Professional Office (PO) Zoning District and rezone them into the Public Schools, Parks (PS/P) Zoning District.

15. Ordinance No. 2024-19. The Zoning Map is amended to remove Block 5 Lots 1 and 2, Block 13 Lots 15 and 16 Block 14 Lots 1, 2, 3, 19, 19.81, 19.83, 19.85, 19.87, 19.89 from the "Redevelopment Office/Senior Housing Overlay District" Overlay.

Section II. ***Section 2622 of the Code, entitled "PROFESSIONAL OFFICE (PO) DISTRICT" is hereby repealed in its entirety.***

~~§ 2622 PROFESSIONAL OFFICE (PO) DISTRICT~~

…

Section III. ***Section 2640 of the Code, entitled "Redevelopment Office/Senior Housing Overlay District" is hereby repealed in its entirety.***

~~§ REDEVELOPMENT OFFICE/SENIOR HOUSING OVERLAY DISTRICT~~

…

Section IV. ***Severability***

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Flemington declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section V. ***Effective Date.***

This ordinance shall take effect immediately upon passage and publication according to law.

ATTEST:

Introduced: September 9, 2024

Adopted:

_____

Marcia A. Karrow, Mayor

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Carla Conner, Borough Clerk

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

BOND ORDINANCE NO. 2024-20

BOND ORDINANCE AMENDING IN PART BOND ORDINANCE NO. 2023-34 ADOPTED ON DECEMBER 11, 2023, PROVIDING FOR THE MAIN STREET SEWER REPLACEMENT PROJECT, AND APPROPRIATING $1,400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $1,400,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, IN ORDER TO EXPAND THE SCOPE OF IMPROVEMENTS TO INCLUDE THE LOCATING, REMOVAL AND REPLACEMENT OF GALVANIZED PIPES, AUTHORIZED IN AND BY THE BOROUGH OF FLEMINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY

WHEREAS, the Borough of Flemington, in the County of Hunterdon, New Jersey (the "Borough") finally adopted Bond Ordinance No. 2023-34 on December 11, 2023, providing for the sewer replacement project located on Main Street from Church Street to the Route 12 Circle in the Borough (the "Prior Ordinance"); and

WHEREAS, the Borough has determined that the purpose of the Prior Ordinance should be amended to include the locating, removal and replacement of galvanized pipes, without increasing the aggregate appropriation or debt authorization for said purposes.

NOW, THEREFORE, BE IT ORDAINED by the BOROUGH COUNCIL of the BOROUGH OF FLEMINGTON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section One. Section 3 (a) of the Prior Ordinance is hereby amended to read as follows:

> Section 3 (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued consist of the locating, removal and replacement of galvanized pipes and the sewer replacement project located on Main Street from Church Street to the Route 12 Circle in the Borough. The sewer replacement project includes the removal and replacement of approximately 1,250 linear feet of 8" SDR-35 sewer pipe, 7 (seven) 4 foot diameter sanitary sewer manholes, 1,050 linear feet of 4" SDR-26 sanitary sewer laterals, 35 sanitary sewer cleanout assemblies, 1,000 square yards of pavement removal, various water service repairs and replacements incidental to the sewer main construction, 1,000 square yards of 2" temporary pavement restoration, and various traffic control and other incidental items, and also including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

Section Two. The aggregate appropriation of $1,400,000, the aggregate debt authorization of $1,400,000, the average period of usefulness of thirty (30) years, and other authorizations set forth in the Prior Ordinance remain unchanged and are hereby confirmed.

Section Three. All ordinances or parts of ordinances in conflict or inconsistent with any of the terms of this ordinance are hereby repealed to the extent that they are in such conflict or are inconsistent. In the event that any section, part or provision of this ordinance shall be held to be unconstitutional or invalid by any court, such holding shall not affect the validity of this ordinance as a whole, or any part hereof other than the part so held unconstitutional or invalid.

Section Four. This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final passage, as provided in the Local Bond Law, N.J.S.A. 40A:2-1 et seq.

INTRODUCED ON FIRST READING
DATED:

_____
CARLA CONNER
Borough Clerk

ADOPTED ON FIRST READING
DATED:

CARLA CONNER
Borough Clerk

APPROVAL BY THE MAYOR ON THIS ____ DAY OF _____, 2024.

_____
MARCIA A. KARROW
Mayor