RESOLUTION #2025-67

RESOLUTION APPROVING THE HIRING OF REBECCA LUBINSKI AS THE POLICE DEPARTMENT SECRETARY

WHEREAS, the Borough of Flemington is in need of a Police Department secretary; and

WHEREAS, resumes have been received and interviews conducted for the position of a full time Police Department Secretary; and,

WHEREAS, Ms. Lubinski is the most qualified to perform the duties of a Police secretary; and

BE IT FURTHER RESOLVED, that the hiring is pending a successful background check.

NOW THEREFORE IT BE RESOLVED, by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that Rebecca Lubinski is hired effective May 5, 2025 as the Police Department secretary with an annual salary of $40,000. It is further understood and agreed that after a successful six-month probationary period, the salary shall increase to $42,000.

Adopted: April 14, 2025

ATTEST:

_____

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 14th day of April, 2025.

_____

Conner Conner, Borough Clerk

RESOLUTION #2025-65

DESIGNATING APRIL 21-27 AS INTERNATIONAL DARK SKY WEEK

WHEREAS, the beauty and wonder of a natural night sky is a shared heritage of all humankind, inspiring awe, curiosity, and a deeper appreciation for science and nature; and

WHEREAS, every child should have the opportunity to experience the magic of a star-filled sky, fostering a sense of wonder, scientific curiosity, and a connection to the natural world—yet excessive artificial lighting prevents many from seeing the Milky Way and countless celestial wonders; and

WHEREAS, light pollution has well-documented environmental and economic consequences, impacting ecosystems, human health, and energy consumption, including here in the Borough of Flemington and throughout Hunterdon County; and

WHEREAS, an estimated 80 percent of the world's population, including many residents of New Jersey, live under excessive artificial lighting that limits their ability to experience the beauty of a dark sky and its associated ecological and health benefits; and

WHEREAS, urban and suburban areas, including parts of the Borough of Flemington, often experience high levels of artificial light at night, reducing visibility of the night sky while contributing to environmental concerns such as energy waste, wildlife disruption, and potential impacts on human well-being; and

WHEREAS, the New Jersey Astronomical Association (NJAA), located in nearby Voorhees State Park, serves as a vital resource for astronomy education, research, and public engagement, and relies on dark skies for its mission; and

WHEREAS, excessive artificial lighting threatens the ability of astronomers, students, and residents to observe celestial events, study the night sky, and appreciate the natural wonder of the cosmos; and

WHEREAS, light pollution represents a significant waste of energy and public resources, costing billions of dollars annually in the United States; and

WHEREAS, Hunterdon County contains many natural areas and preserved lands where nighttime lighting can disrupt the natural behaviors of migratory birds, nocturnal wildlife, and delicate ecosystems; and

WHEREAS, Dark Sky International (formerly the International Dark-Sky Association) has designated April 21–27, 2025, as International Dark Sky Week, an annual event held during the week of the new moon in April to raise awareness, promote responsible lighting practices, and celebrate the value of dark skies; and

WHEREAS, the Borough of Flemington supports efforts to protect dark sky resources and recognizes the importance of preserving our night skies for future generations;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Flemington do hereby proclaim April 21–27, 2025, as INTERNATIONAL DARK SKY WEEK in the Borough of Flemington and encourage all residents to take part in activities that raise awareness, appreciation, and protection of our night skies.

BE IT FURTHER RESOLVED, that by taking simple steps such as minimizing unnecessary outdoor lighting and using responsible lighting design, we can help ensure that future generations—including children in both urban and rural communities—have the opportunity to experience the breathtaking beauty of a truly dark sky.

BE IT FURTHER RESOLVED, that the Borough of Flemington urges the Hunterdon County Board of County Commissioners and all municipalities within the County to also adopt this resolution and join in recognizing International Dark Sky Week, to bring greater public attention to the growing issue of light pollution and to promote regional cooperation in preserving our shared nighttime environment.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Hunterdon County Board of Commissioners and to the governing bodies of all municipalities in Hunterdon County.

Adopted: April 14, 2025

ATTEST:

_____

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 14th day of April, 2025.

_____

Carla Conner, Borough Clerk

Flemington Improvement District

	2024 (Budget)	2024 (Actual)	2025 (Budget)
Income Summary	**$586,000**	**$640,515**	**$586,000**
BID Assesments	$362,000.00	$362,000.00	$362,000.00
Grants/Sponsorships	$55,000.00	$62,500.00	$10,000.00
Event Revenue	$55,000.00	$66,400.60	$81,519.00
Carrover*	$114,000.00	$149,613.98	$132,481.05

Proposed 2025 Budget

Total: $586,000

Administration Total	**$187,500.00**
Exec Director Salary	
Asst Director Salary	
Event Staff	
Admin Support	
Payroll Service Fee	
Payroll Tax Expense	
QSEHRA Facilitator Fee	
FID Business Grants Total	**$36,000.00**
Event Grants	
Sign Grants	
Events Total	**$100,000.00**
Corn, Tomato & Beer	
Central Jersey Jazz Fest	
Halloween	
Seasonal Events/Promos	
Holiday/Santa Events	
Sip & Stroll Events	
Main Street Sidewalk Sales	
Economic Development Event	
Contest Giveaways	
Marketing Communications Total	**$135,000.00**
Brochures Redesign and Printing	
Facebook Ads	
Film/Photography	
General Advertising	
Print Materials/Business Promotions	
Business Promotion/Newsletter	
Graphic Design	
Market Research	
Website Maintenance	
Brand Marketing Agency	
FID Swag	
Streetscape Beautification Total	**$45,000.00**
Planters and DPW Watering	
Visual Arts	
Wayfinding Signs	
Operational Total	**$65,000.00**
Truck Rentals	
Computer/Software Expenses	
Unity Bank Fees	
Business Fees/Subscriptions	
Event Ticket Fees	
Square Merchant Fees	
Furniture	
Umbrella Insurance	
Director & Officer Insurance	
Board Meeting Expenses	
Internet, Google Drive, IT Support	
Meals and Entertainment	
Office Rent	
Postage	
Professional Assoc. Dues	
Storage Facility	
Office Supplies	
Utilities - Electric & Heat	
Professional Services Total	**$17,500.00**
Accounting/Bookkeeping	
Audit	
Legal Services	

CERTIFICATION

I, Carla Conner, Borough Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, hereby certify the FCP budget was introduced on first reading at a meeting of the governing body of the Borough of Flemington held February 24, 2025. Public Hearing will be held April 14, 2025 at 38 Park Avenue, Flemington at 7:00pm.

Carla Conner, Borough Clerk

AP-41357238

AFFIDAVIT OF PUBLICATION

Order Number : 11079084

STATE OF WISCONSIN
Brown County

Of the **Courier News**, a newspaper printed in Freehold, New Jersey and published in Somerville, in State of New Jersey and Somerset County, and of general circulation in Somerset County, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in said newspaper in the issue:

03/02/2025

Legal Clerk

Notary Public State of Wisconsin County of Brown

4-6-27

My commission expires

DENISE ROBERTS
Notary Public
State of Wisconsin

ORDINANCE NO. 2025-11

AN ORDINANCE AMENDING CHAPTERS 7 (TRAFFIC) AND 7A (TRAFFIC SCHEDULES) AUTHORIZING ANGLED PARKING SPACES ALONG THE WESTERN PORTION OF SPRING STREET BETWEEN BLOOMFIELD AVENUE AND CHORISTER PLACE AND TO PROHIBIT PARKING ALONG THE EASTERN PORTION OF THE SAME SPAN OF RIGHT-OF-WAY

WHEREAS, traffic and parking regulations for the Borough of Flemington are contained in Chapter 7A and Chapter 7 of the municipal code thereof; and

WHEREAS, the Borough Council wishes to authorize angled parking spaces along the western portion of Spring Street between Bloomfield Avenue and Chorister Place;

WHEREAS, with Spring Street having been made one-way along the relevant span of right-of-way pursuant to Ordinance No. 2025-3 of the Borough of Flemington, the Borough Council further wishes to prohibit parking along the eastern portion thereof to accommodate the aforementioned angled parking.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Flemington, in the County of Hunterdon, State of New Jersey, that Chapter 7A shall be amended as follows:

SECTION I.

Section 7-4.16 is hereby created and shall be entitled "Angled Parking Zones" and shall contain the following text (all text novel):

The parking of vehicles is permitted at an angle to the curb of sixty degrees at a minimum measurement of nine feet in width and twenty feet in length upon any streets or parts of streets described in Section 7A-21: Schedule XXI of Chapter 7A.

SECTION II.

Section 7A-21 is hereby created and shall be entitled "Angled Parking Zones" and shall contain the following text (all text novel):

In accordance with the provisions of § 7-4.16, the parking of vehicles is permitted at an angle to the curb of sixty degrees at a minimum measurement of nine feet in width and twenty feet in length.

SCHEDULE XXI: ANGLED PARKING ZONES		
Name of Street	**Sides**	**Location**
Spring Street	West	Between Bloomfield Avenue and Chorister Place

SECTION III.

Section 7A-3 is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

SCHEDULE I: NO PARKING		
Name of Street	**Sides**	**Location**
Pennsylvania Avenue	North	From the easterly curbline of East Main Street to the westerly curbline of Broad Street.
Bloomfield Avenue	North	From the easterly curbline of Main Street to the westerly curbline of Broad Street.
Court Street	North	From the westerly curbline of Main Street to a point 242 feet west thereof.
Williams Street	North	From the easterly curbline of Main Street to the westerly curbline of Broad Street.
Mine Street	North	From the westerly curbline of Main Street to a point 125 feet west thereof.
Court Street and Court Street Extension	South	From the westerly curb line of Main Street to the dead end of Court Street Extension where it enters the public school grounds.
Maple Avenue	South	From the easterly curb line of Main Street to the westerly curb line of Broad Street.
Mine Street	South	From the easterly curb line of Central Avenue to the westerly curb line of Main Street.
Mine Street [Added 10-23-2023 by Ord. No. 2023-27]	North	From a point 235 feet west of the northernly curbline of Park Avenue to a point 274 feet west thereof.
Capner Street	North	From the westerly curb line of Main Street to the easterly curb line of Park Avenue.
Capner Street	South	From the westerly curb line of Park Avenue to the Borough line on the west.
Chorister Place	Both	From the easterly curb line of Main Street to the westerly curb line of Spring Street.
Allen Street	West	From the northerly curb line of Court Street to the southerly curb line of Capner Street.
Church Street	Both	From the easterly curb line of Broad Street to the westerly curb line of New Jersey Route 31.
South Main Street	Both	From the Main Street-Route 12 circle to a point 200 feet south thereof.
Reaville Avenue	Both	From the Main Street-Route 12 circle to the

SCHEDULE I: NO PARKING		
Name of Street	**Sides**	**Location**
		Borough line on the east.
Main Street	Both	From the Main Street-Route 12 circle to a point 200 feet north thereof.
Academy Street	West	From the northerly curb line of Mine Street to the southerly curb line of Bonnell Street.
Main Street	West	From the southerly curb line of William Street projected to the northerly curb line of Church Street.
East Main Street	West	From the southerly curb line of Hopewell Avenue to a point 100 feet south thereof.
Park Avenue [Repealed 7-8-2019 by Ord. No. 2019-15]		
Mine Street	North	From the westerly curb line of Park Avenue to a point 50 feet west thereof.
North Main Street	East	From the northerly curb line of Pennsylvania Avenue to the southerly curb line of Hopewell Avenue.
Grant Avenue	North	From the westerly curb line of Main Street to the easterly curb line of Brown Street.
Church Street	South	From the easterly curb line of Main Street to the westerly curb line of Broad Street.
Mine Street	South	From Central Avenue to the Borough line.
Main Street	West	From Church Street to Route 12 circle.
East Main Street	East	From Pennsylvania Avenue to Route 31.
Broad Street [Amended 11-28-2022 by Ord. No. 2022-28]	West	From Church Street to NJ Route 12.
North Place	East	From North Main Street to Corcoran Street.
Main Street	West	From a point 198 feet north of the northerly curb line of Capner Street to a point 60 feet north thereof.
Main Street	West	From a point 340 feet north of the northerly curb line of Capner Street to a point 78 feet north thereof.
Rear of Soldiers' Monument	Both	From the westerly curb line of East Main Street to the easterly curb line of North Main Street for a distance of 64 feet.
Main Street	West	From a point 168 feet south of the northerly curb

SCHEDULE I: NO PARKING		
Name of Street	**Sides**	**Location**
		line of North Main Street to a point 60 feet south thereof.
Main Street	East	From the southerly curb line of Williams Street to a point 150 feet south thereof.
Capner Street	South	From a point 300 feet east of the easterly curb line of Park Avenue to a point 84 feet east thereof.
Central Avenue	Both	From Church Street to Mine Street.
Fulper Road	South	From Central Avenue to a point 582 feet east thereof.
Fulper Road	North	From Central Avenue to a point 500 feet east thereof.
~~Spring Street~~	~~West~~	~~From a point 84 feet south of the southerly curb line of Bloomfield Avenue to a point 170 feet south thereof.~~
Park Avenue	West	From a point 162 feet from the northerly curb line of Mine Street to a point 90 feet north thereof.
Pennsylvania Avenue	South	From the easterly curb line of Main Street to a point 180 feet east thereof.
Hopewell Avenue	South	From the southerly curb line of North Main Street to a point 94 feet east thereof.
New Jersey Avenue	South	From the easterly curb line of East Main Street to a point 66 feet east thereof.
North Main Street	West	From a point 180 feet north of the northerly curb line of Main Street to a point 64 feet north thereof.
Broad Street	East	From a point 214 feet south of the southerly curb line of Williams Street to a point 148 feet south thereof.
Regional Court	West	From the cul-de-sac at the southerly terminus of Regional Court.
Regional Court	East	From the cul-de-sac at the southerly terminus of Regional Court.
Main Street	East	Between the southerly curb line of Pennsylvania Avenue to a point 364 feet south thereof.
Hopewell Avenue	South	From the westerly curb line of East Main Street to a point 456 feet west thereof.
Shields Avenue	Both	From the southerly curb line of Bonnell Street to

SCHEDULE I: NO PARKING		
Name of Street	**Sides**	**Location**
		the northerly curb line of Mine Street.
Highland Avenue	South	From the westerly curb line of Route 31 to a point 325 feet westerly thereof (effective only for that portion located in the Borough of Flemington).
Highland Avenue	North	From the westerly curbline of Route 31 to a point 185 feet west thereof (effective only for that portion located in the Borough of Flemington).
Roadways around island located between Highland Ave. and New Jersey Ave. which form a part of the island.	Left (Surrounding the island)	Entire length of all roadways surrounding the island including portions of Highland Avenue and New Jersey Avenue.
North Main Street	Both	From the easterly curbline of Park Avenue projected to a point 185 feet south thereof.
Dewey Avenue	West	From the southerly curbline of Bonnell Street to a point 66 feet south thereof.
North Main Street	Both	From a point 30 feet south of the southerly curbline of Park Avenue to a point 140 feet south thereof.
Bonnell Street	North	From the westerly curbline of Park Avenue to a point 75 feet west thereof.
Broad Street	East	From the southerly curbline of Church Street to a point 170 feet south thereof.
Broad Street [Repealed 11-28-2022 by Ord. No. 2022-28]		
Shields Avenue	West	From the southerly curbline of Bonnell Street to the northerly curbline of Mine Street.
Park Avenue [Repealed 7-8-2019 by Ord. No. 2019-15]		
Park Avenue [Repealed 7-8-2019 by Ord. No. 2019-15]		
East Main Street	West	From State Highway 31 to a point 780 feet south thereof.
Garden Lane	Both	From the northerly curbline of North Main Street to a point 500 feet north thereof.

SCHEDULE I: NO PARKING		
Name of Street	**Sides**	**Location**
Stangl Road	Both	From the northerly curbline of Route 12 to a point 740 feet north thereof.
Union Hotel/Potting Shed Driveway (Formerly known as Blaher Building)	East	A driveway running in an east-west direction from Main Street to Spring Street along the southerly line of Tax Block 22, Lot 4 and the northerly line of Tax Block 22, Lot 5.
Allen Street	East	From the northerly curbline of Capner Street to a point 139 feet north thereof.
Allen Street	West	From the northerly curbline of Capner Street to a point 182 feet north thereof.
Broad Street	East	30 feet north of northerly curbline of New York Avenue and a point of 30 feet south of the southerly curbline of New York Avenue.
Broad Street [Added 11-28-2022 by Ord. No. 2022-28]	East	From a point 25 feet south of the southerly curbline of Walters Lane to a point 25 feet north of the northerly curbline of Walters Lane.
Spring Street	**East**	**From Bloomfield Avenue to Chorister Place**

SECTION IV. If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION V. Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION VI. This ordinance shall take effect upon adoption and publication in the manner prescribed by New Jersey general law.

Introduced: March 24, 2025

Adopted:

ATTEST:

_____

Marcia A. Karrow, Mayor

_____

Carla Conner, Borough Clerk

ORDINANCE NO. 2025-10

CALENDAR YEAR 2025 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR LESS THAN 2.5 PERCENT (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. A. 40A:4-45.1 *et seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% or the Cost-of-Living Adjustment (COLA), whichever is less, over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.14 provides that a municipality may, in any year in which the COLA is equal to or less than 2.5% increase its final appropriations by a percentage greater than the COLA, but not to exceed the 3.5% rate as specified in the law, when authorized by ordinance; and,

WHEREAS, the COLA for 2024 has been certified by the Director of the Division of Local Government Services in the Department of Community Affairs as 2.5% and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, in any year in which the COLA is equal to or less than 2.5%, may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Flemington in the County of Hunterdon finds it advisable and necessary to increase its 2025 budget by more than 2.50% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to $58,093.20 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Flemington, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the 2025 budget year, the final appropriations of the Borough of Flemington shall, in accordance with this ordinance and N. J.S.A. 40A:4-45.14, be increased by 3.5% amounting to $203,326.20 and that the 2025 municipal budget for the Borough of Flemington be approved and adopted in accordance with this ordinance.

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: March 24, 2025

Adopted:

ATTEST:

_____

Marcia A. Karrow, Mayor

_____

Carla Conner, Borough Clerk

ORDINANCE NO. 2025-09

AN ORDINANCE AMENDING CHAPTER 26 (ZONING), SECTION 2624 (HIGHWAY RETAIL (HR) DISTRICT) OF THE BOROUGH CODE

WHEREAS, pursuant to N.J.S.A. 40:55D-62b, the Mayor and Council of the Borough of Flemington (the "Council") is authorized and empowered to adopt and amend the zoning ordinances of the Borough of Flemington; and

WHEREAS, the amendments herein to the HR Zoning District are intended to facilitate cohesive commercial that are active and inviting to residents and visitors alike; and

WHEREAS, clarity to permitted accessory activities in nonresidential zones should be provided to ensure business owners are able to couple their primary business purpose with typical and supportive activities and promotions that will better attract residents and visitors to those businesses and the Borough;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Flemington, in the County of Hunterdon, State of New Jersey, that Chapter 26, Section 2624 shall be amended as follows:

SECTION I.

Section 2624(B) is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added; ellipses to signify unrelated but intervening provisions):

B. Permitted principal uses. In the Highway Retail Zone, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except as herein described. Commercial uses shall be defined in accordance with their SIC Code number where shown with a number in parentheses (thus). The following establishments or uses shall be permitted:

...

53. Brewery

SECTION II.

Section 2624(C) is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added; ellipses to signify unrelated but intervening provisions):

C. Accessory Uses permitted. Any of the following uses may be permitted when used in conjunction with a permitted principal use.

...

8. Activities such as but not limited to parties, "pop up" events, art installations, performances, sales, services, and classes related to activities of or

promotions for a permitted or conditional use. Said events shall be subordinate to the principal use and may be temporary/intermittent or may be a regular occurrence. Any such event shall be subject to applicable standards of the Borough Code, including but not limited to, Chapter 8 Fire Prevention Code.

9. Any use which is customary and incidental to the principal use.

SECTION III. If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION IV. Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION V. This ordinance shall take effect upon adoption and publication in the manner prescribed by New Jersey general law.

Introduced: March 10, 2025

Adopted:

ATTEST:

_____

Marcia A. Karrow, Mayor

_____

Carla Conner, Borough Clerk

RESOLUTION 2025-
BOROUGH OF FLEMINGTON
HUNTERDON COUNTY, NEW JERSEY

RESOLUTION MEMORIALIZING CONSISTENCY DETERMINATIONS AND RECOMMENDATIONS OF THE PLANNING BOARD OF THE BOROUGH OF FLEMINGTON WITH REGARD TO PROPOSED AMENDMENTS TO CHAPTER TWENTY-SIX (ZONING) SECTION 2624 (HIGHWAY RETAIL "HR" DISTRICT) OF THE BOROUGH CODE

WHEREAS, the Planning Board of the Borough of Flemington (the "Board") is authorized by the Municipal Land Use Law, codified at N.J.S.A. 40:55D-1, et seq (the "MLUL"), specifically N.J.S.A. 40:55D-64 and 40:55D-26a, to review ordinances related to development regulations, revisions or amendments, proposed by the Borough Council (the "Council") of the Borough of Flemington (the "Borough"); and

WHEREAS, the Council introduced Ordinance 2025-09 entitled "AN ORDINANCE AMENDING CHAPTER TWENTY-SIX (ZONING) SECTION 2624 (HIGHWAY RETAIL "HR" DISTRICT) OF THE BOROUGH CODE", a copy of which is annexed hereto as Exhibit A; and

WHEREAS, at a public meeting held on March 25, 2025, the Board reviewed Ordinance 2025-09 and heard the testimony of Board Planner Elizabeth McManus, PP, AICP relative thereto; and

WHEREAS, the Board, in connection with its review of Ordinance 2025-09 determined that it was not substantially inconsistent with the Borough's Master Plan and did not have any recommendations as to the same.

NOW THEREFORE, BE IT RESOLVED, pursuant to and in compliance with the MLUL, that the Board hereby finds that Ordinance 2025-09 is not substantially inconsistent with the Borough's Master Plan and did not have recommendations as to the same.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Board shall forward a copy of this resolution to the Borough Clerk for presentation to the Mayor and Council.

The undersigned Chair of and counsel to the Borough of Flemington Planning Board, do hereby certify that the foregoing Resolution was adopted by said Board at its regular meeting held on March 25, 2025 pursuant to the vote noted below.

_____

Karen Giffen, Chair
Flemington Borough Planning Board

_____

Milissa Swingle
Recording Secretary, Flemington Borough Planning Board

Motion: Doshna
Second: Schoeb
Vote: Ayes: Karrow, Fusaro, Giffen, Weitzman, Swingle, Schoeb, Doshna, Eckel
Nays:
Abstentions: Campion
Ineligible:
Absences: Schlenger

EXHIBIT A

ORDINANCE NO. 2025-14

AN ORDINANCE PROVIDING FOR THE ACQUISITION OF A FIRE TRUCK FOR THE BOROUGH OF FLEMINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND APPROPRIATING $475,000.00 THEREFOR FROM THE CAPITAL IMPROVEMENT FUND

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE BOROUGH OF FLEMINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized to be undertaken by the Borough of Flemington, New Jersey, as a general improvement. For the improvement or purpose described in Section 2 there is hereby appropriated the sum of $475,000.00 from the Capital Improvement Fund.

Section 2. The improvement hereby authorized is for the acquisition of a used fire truck including equipment at a cost of $475,000.00.

Section 3. The said improvements or purposes described in Section 2 of this ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be assessed on property specially benefited thereby.

Section 4. There is no debt authorized for these improvements or purposes.

Section 5. This ordinance shall take effect immediately upon final passage according to law.

Introduced: April 14, 2025

Adopted:

ATTEST:

_____

Marcia A. Karrow, Mayor

_____

Carla Conner, Borough Clerk

ORDINANCE NO. 2025-13

AN ORDINANCE AMENDING CHAPTER 16 (DESIGN STANDARDS), SECTION 1632 (LANDSCAPE STANDARDS), SUBSECTION A.11 (TREE REPLACEMENT ALTERNATIVES) OF THE BOROUGH CODE TO AMEND THE TREE CONTRIBUTION FEE

WHEREAS, the regulation of tree plantings is regulated pursuant to Section 1632 of the municipal code of the Borough of Flemington; and

WHEREAS, the Borough Council wishes to amend the fee assessed by the Borough for tree replacement alternatives;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Flemington, in the County of Hunterdon, State of New Jersey, that Chapter 16 shall be amended as follows:

SECTION I.

Section 1632-A.11 ("Tree Replacement Alternatives") is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

All required trees shall be planted on the site in compliance with Section 1632, Landscaping Standards. In the event relief shall be requested by the applicant based upon practical physical difficulties and undue hardship related to the condition of the site, the Board shall solicit comments and recommendations of the Borough Engineer and Borough Planner in determining whether the relief requested by the applicant shall be granted.

In lieu of planting the required trees, the Board may permit the applicant to make an in lieu of payment to be deposited in the Borough of Flemington Tree Fund as established by this chapter. The contribution, in lieu of planting the trees, shall be ~~$550.00~~ **$900.00** for each tree and shall be deposited in the Borough Tree Fund prior to the Borough issuing any building permits for the development.

SECTION II. If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION III. Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION IV. This ordinance shall take effect upon adoption and publication in the manner prescribed by New Jersey general law.

Introduced: April 14, 2025

Adopted:

ATTEST:

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Marcia A. Karrow, Mayor

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Carla Conner, Borough Clerk

ORDINANCE NO. 2025-12

AN ORDINANCE AMENDING SECTION 16 (SPECIAL EVENTS) OF CHAPTER THREE (POLICE REGULATIONS) TO CLARIFY FEE ASSESSMENTS FOR CERTAIN EVENTS

WHEREAS, the Borough Council wishes to clarify the event permitting procedure related to fee assessments as found in the Borough's municipal code;

WHEREAS, procedural framework for this procedure is found in Chapters Two (Administration) and Three (Police Regulations) of the municipal code of the Borough of Flemington, specifically in Sections 2-25 (The Borough of Flemington Department of Community Event Planning) and 3-16 (Special Events);

BE IT THEREFORE ORDAINED, by the Borough Council of the Borough of Flemington in the County of Hunterdon and State of New Jersey that Sections 2-25 and 3-16 of the Municipal Code thereof are amended as follows:

SECTION I.

Section 3-16.13 (Cancellation) is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

a. The Borough of Flemington reserves the right to cancel any events if proper submissions are not received within seven days of the event.

b. The Borough reserves the right to cancel any event at any time.

c. An applicant reserves the right to cancel the event up to 14 business days prior to the event date without being held responsible for costs of services. Any events cancelled by the applicant less than 14 business days prior to the event date are required to pay for services.

d. <u>Only events that are sponsored by the Borough of Flemington shall be eligible for a rain date under this Chapter at the time of application, unless the event does not require Borough services. All other events that are canceled due to inclement weather and require Borough services must be rescheduled with the submission of a new application.</u>

SECTION II.

Section 3-16.14 (Fees) is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

a. The application fee shall be ~~$25~~ **75** for applications received within the specified time frames set forth in Section 3-16.3, and ~~$75~~ **125** for applications submitted in less than the specified time frames.

b. The Borough of Flemington may charge a fee of $500 if proper submissions are not received within seven days of the event.

c. An invoice for proposed minimum services from the Flemington Borough Department of Public Works, Flemington Borough Police, Flemington Borough Fire Marshal, Flemington Borough Fire Department and Flemington Raritan EMS, or any additional service as specified by the Borough of Flemington shall be issued to the applicant not less than 30 days' prior to an event. **For events with a projected daily attendance over 250 individuals or for event where, at the determination and sole discretion of the Borough's Events Committee, further personnel would be required, the Borough shall require the applicant to escrow an amount to cover additional Police or Public Works personnel at a minimum of four hours per individual to be assessed at the current rate as memorialized in the Borough's collective negotiations agreements.**

d. The invoice for the proposed services **and, if required, any escrow amount** shall be paid 15 days' prior to the event. Failure to pay for services will result in the event being cancelled.

e. Upon completion of the event, subsequent invoices may be sent for services performed in addition to the minimum service fees that were paid prior to the event. Services ~~such as~~ **may include** but **are** not limited to: additional staffing required, additional hours worked prior to the event or upon completion of the event, additional equipment. **In the event an escrow was insufficient to cover any expense contemplated in this Chapter, an invoice will be sent for payment of the deficiency.** Final invoices shall be sent within 15 days of the event completion and are payable within 30 days of receipt. Balances left unpaid shall be subject to interest at a rate consistent with tax collection rates. Failure to pay invoices in full shall prevent an applicant from holding subsequent events. **Any remaining balance held in escrow under this Chapter shall be refundable to the applicant within 30 days of the completion of the event.**

SECTION III. If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION IV. Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION V. This ordinance shall take effect upon adoption and publication in the manner required by New Jersey general law.

Introduced: April 14, 2025

Adopted:

ATTEST:

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Marcia A. Karrow, Mayor

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Carla Conner, Borough Clerk

RESOLUTION #2025-64

RESOLUTION APPROVING A REFUND FOR THE REDEMPTION OF TAX SALE CERTIFICATE ON BLOCK 46, LOT 10

WHEREAS, on a property known as block 46, lot 10, a.k.a. 203 Main St. a tax sale certificate #24-00018 was sold to RAM TAX LIEN FUND II LP on 10/21/24 for a $46,700.00 premium; and

WHEREAS, redemption funds totaling $31,049.02 have been received and processed by the Tax Collector.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that redemption funds in the amount of $77,749.02 be issued to RAM TAX LIEN FUND II LP and the records of the Tax Collector be accordingly adjusted.

Adopted: April 14, 2025

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 14th day of April, 2025.

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-63

RESOLUTION APPROVING A REFUND FOR THE REDEMPTION OF TAX SALE CERTIFICATE ON BLOCK 28, LOT 11

WHEREAS, on a property known as block 28, lot 11, a.k.a. 31 Emery Ave. a tax sale certificate #2200001 was sold to PHOENIX FUNDING, INC. on 11/22/22 for a $31,000.00 premium; and

WHEREAS, redemption funds totaling $40,919.62 have been received and processed by the Tax Collector.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that redemption funds in the amount of $71,919.62 be issued to PHOENIX FUNDING, INC. and the records of the Tax Collector be accordingly adjusted.

Adopted: April 14, 2025

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 14th day of April, 2025.

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-62

RESOLUTION AUTHORIZING THE RELEASE OF $250.00 ROAD OPENING BOND TO JENNIFER MORGAN

WHEREAS, a road opening bond was collected from Jennifer Morgan for work done at 18 Brown Street; and

WHEREAS, the work has been completed and approved by the Public Works Manager.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington that the Chief Financial Officer is hereby authorized and directed to return the $250.00 road opening bond to Jennifer Morgan, 18 Brown Street, Flemington NJ 08822.

Adopted: April 14, 2025

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 14th day of April, 2025.

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Carla Conner, Borough Clerk

RESOLUTION #2025-61

RESOLUTION DECLARING THREE VEHICLES SURPLUS AND AUTHORIZING DONATING THE VEHICLES TO THE FLEMINGTON-RARITAN FIRST AID AND RESCUE SQUAD

WHEREAS, a 1994 Ford F350 Truck, VIN#1FDKF38G0REA37040, 2000 Ford F365 Truck, VIN# 1FDWF36L5YEB94644 and a 2005 Ford Crown Victoria, VIN# 2FAHP71W65X113749, utilized by the Police Department and DPW, are no longer fit for service; and

WHEREAS, these vehicles are being declared surplus; and

WHEREAS, Flemington-Raritan First Aid and Rescue Squad would benefit from a donation of the 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 1994 Ford F350 Truck, VIN#1FDKF38G0REA37040, 2000 Ford F365 Truck, VIN# 1FDWF36L5YEB94644 and a 2005 Ford Crown Victoria, VIN# 2FAHP71W65X113749, be declared surplus and be donated to the Flemington-Raritan First Aid and Rescue Squad.

Adopted: April 14, 2025

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 14th day of April, 2024.

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Carla Conner, Borough Clerk