RESOLUTION #2025-109

RESOLUTION AUTHORIZING THE BOROUGH OF FLEMINGTON TO CONDUCT AN ELECTRONIC TAX SALE PRIOR TO DECEMBER 31, 2025 AND TO CHARGE MAILING FEES ASSOCIATED WITH SAID TAX SALE

WHEREAS, N.J.S.A. 54:5-19.1 permits municipalities to conduct an electronic tax lien sale for unpaid real property taxes and other liens or charges pursuant to rules and regulations promulgated by the Director of the Division of Local Government services; and

WHEREAS, the rule thus promulgated requires a municipality to authorize said electronic tax sale by resolution of the governing body; and

WHEREAS, N.J.S.A. 54:5-104.8 permits municipalities to mail a notice of tax sale in lieu of up to two publications at a cost of up to $25.00 per mailing upon passage of a Resolution by the Governing Body permitting the same; and

WHEREAS, the fees for the tax sale process should be assessed equitably to the delinquent parties and not to the general tax base.

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

1) In accordance with N.J.S.A. 54:5-19.1 the tax sale for the year 2025 shall be conducted electronically.
2) In accordance with N.J.S.A. 54:5-104.8 a fee of $25.00 shall be assessed per mailing, in lieu of up to two publications for all properties included in tax sale before December 31, 2025.

Adopted: July 21, 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 21st day of July, 2025.

_____

Carla Conner, Borough Clerk

RESOLUTION #2025-110

RESOLUTION APPROVING A REFUND FOR THE REDEMPTION OF TAX SALE CERTIFICATE ON BLOCK 15, LOT 27

WHEREAS, on a property known as block 15, lot 27, a.k.a. 39 Bonnell St. a tax sale certificate #24-00007 was sold to TRYSTONE CAPITAL ASSETS LLC on 10/21/24 for a premium of $1,000.00; and

WHEREAS, redemption funds totaling $2,656.33 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 $3,656.33 be issued to TRYSTONE CAPITAL ASSETS LLC and the records of the Tax Collector be accordingly adjusted.

Adopted: July 21, 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 21st day of July, 2025.

_____

Carla Conner, Borough Clerk

RESOLUTION #2025-111

RESOLUTION APPROVING A REFUND FOR THE REDEMPTION OF TAX SALE CERTIFICATE ON BLOCK 5, LOT 12

WHEREAS, on a property known as block 5, lot 12, a.k.a. 54 e Main St. a tax sale certificate #23000001 was sold to PRO CAP 8 FBO FIRSTRUST BANK on 12/4/23 for a premium of $11,400.00; and

WHEREAS, redemption funds totaling $24,036.88 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 $35,436.88 be issued to PRO CAP 8 FBO FIRSTRUST BANK and the records of the Tax Collector be accordingly adjusted.

Adopted: July 21, 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 21st day of July, 2025.

_____

Carla Conner, Borough Clerk

RESOLUTION #2025-112

RESOLUTION APPROVING A REFUND FOR THE REDEMPTION OF TAX SALE CERTIFICATE ON BLOCK 34, LOT 18

WHEREAS, on a property known as block 34, lot 18, a.k.a. 12 Bonnell St. a tax sale certificate #24-00009 was sold to TRYSTONE CAPITAL ASSETS LLC on 10/21/24 for a premium of $1,000.00; and

WHEREAS, redemption funds totaling $2,187.75 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 $3,187.75 be issued to TRYSTONE CAPITAL ASSETS LLC and the records of the Tax Collector be accordingly adjusted.

Adopted: July 21, 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 21st day of July, 2025.

_____

Carla Conner, Borough Clerk

RESOLUTION #2025-113

RESOLUTION APPROVING A REFUND FOR THE REDEMPTION OF TAX SALE CERTIFICATE ON BLOCK 1, LOT 11

WHEREAS, on a property known as block 1, lot 11, a.k.a. 43 N Main St. a tax sale certificate #24-00001 was sold to TRYSTONE CAPITAL ASSETS LLC on 10/21/24 for a premium of $1,000.00; and

WHEREAS, redemption funds totaling $4,964.40 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 $5,964.40 be issued to TRYSTONE CAPITAL ASSETS LLC and the records of the Tax Collector be accordingly adjusted.

Adopted: July 21, 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 21st day of July, 2025.

_____

Carla Conner, Borough Clerk

ORDINANCE NO. 2025-20

AN ORDINANCE CREATING SECTION 9-6 (COMMERCIAL CHANGE OF TENANCY OR SALE) IN CHAPTER 9 (BUILDINGS AND HOUSING) TO ESTABLISH A PROCEDURE FOR FACILITATING CHANGE OF TENANCY APPLICATIONS FOR COMMERCIAL SPACES OR BUILDINGS

WHEREAS, the Borough of Flemington seeks to adopt a uniform procedure for facilitating change of tenancy applications for commercial buildings or spaces; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Flemington, in the County of Hunterdon, State of New Jersey, that a new Section 9-6 shall be inserted into the municipal code thereof, shall be entitled "Commercial Change of Tenancy or Sale), and shall read as follows:

SECTION I.

Section 9-6.1 is hereby created and entitled "Definitions" (all text novel):

As used in this article, the following terms shall have the meanings indicated:

NEW TENANT CERTIFICATE (NTC) AND/OR NEW OWNER CERTIFICATE (NOC)
A permit issued by the Zoning Officer and approved by the Construction Official, upon advice from the Building, Electrical, and Plumbing and Fire Subcode Officials, certifying that the building, structure, premises or part thereof designated in the permit may be used for the proposed specified use or occupancy and that such building, structure, premises or part thereof is in conformity with the Uniform Construction Code of the State of New Jersey. (The Zoning Officer shall be responsible for certification as to compliance with zoning laws, and the Construction Official shall be responsible for certification as to compliance with the Uniform Construction Code.)

NONRESIDENTIAL USE
Property which is not used as a dwelling; this term includes institutional, industrial, commercial and office uses. The nonresidential use may occupy all or any portion of a structure in accordance with Land Development Ordinance of the Borough of Flemington.

SECTION II.

Section 9-6.2 is hereby created and entitled "Non-Residential Buildings" (all text novel):

A. Where there is to be any change in the use or occupancy of any nonresidential building, structure, premises or part thereof, it shall be unlawful to use or permit the use of such property until a New Tenant Certificate (NTC) of occupancy has been approved by the Zoning Officer and issued by the Construction Official.

B. The owner shall be responsible for preventing the use of the nonresidential building, structure, premises or portion thereof until a New Tenant Certificate (NTC) of occupancy has been approved by the Zoning Officer and issued the Construction Official.

SECTION III.

Section 9-6.3 is hereby created and entitled "Enforcement" (all text novel):

A. The Zoning Officer and Construction Official or their designated representatives are empowered to administer and enforce the requirements of this article; provided, however, that only a licensed subcode official, as provided in N.J.A.C. 5:23, will have the power to enforce the Uniform Construction Code in the absence of the Construction Official.

B. All requests for a NTC or NOC as defined herein shall be made utilizing the Borough's designated permit application which is incorporated herein and may be amended from time to time by resolution of the governing body.

SECTION IV.

Section 9-6.4 is hereby created and entitled "Violation" (all text novel):

A. Any individual or individuals who fails to obtain a certificate pursuant to the terms hereof, or violate any subsection hereof, shall, for a first offense, pay a fine of not less than $250; for the second offense, pay a fine not less than $500.00; for the third offense and all subsequent offenses, pay a fine of not less than $1,000. Each violation of a section or subsection of this chapter shall constitute a separate and distinct violation independent of any other section or subsection. Each day's failure to comply with any section or subsection may constitute a separate violation at the sole discretion of the Borough's enforcing agent.

B. Where the defendant is other than a natural person or persons, subsection 9-6.4(A) shall also apply to any agent, superintendent, officer, member or partner who shall alone or with others have charge, care or control of these premises.

SECTION V.

Section 9-6.5 is hereby created and entitled "Appeals" (all text novel):

The owner and/or tenant or his/her lawful agent may appeal the decision of the Zoning Officer by making application before the Zoning Board of Adjustment in the manner prescribed in the Land Development Ordinance of the Borough of Flemington. The owner and/or tenant or his/her agent may appeal the decision of the Construction Code Official before the Construction Board of Appeals pursuant to N.J.A.C. 5:23-2.35.

SECTION VI.

Section 9-6.6 is hereby created and entitled "Effect on Other Legislation" (all text novel):

A. This chapter shall not repeal any requirement of any local, county, state or federal laws or regulations which control the use and/or occupancy of existing or new residential buildings and structures or portions thereof.

B. This chapter shall not repeal any requirement of any local, county, state or federal laws and regulations governing the requirements for new construction or the use or occupancy of any land, structure or building or portion thereof.

SECTION VII.

The permit application referenced in Section III hereof is attached hereto as Schedule A and shall be inserted into the code Section 9-6 of Chapter 9. This permit application may be amended from time to time by resolution of the governing body.

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

Introduced: July 21, 2025

Adopted:

ATTEST:

_____

Marcia A. Karrow, Mayor

_____

Carla Conner, Borough Clerk

ORDINANCE NO. 2025-21

AN ORDINANCE AMENDING CHAPTER 12 "LAND DEVELOPMENT DEFINITIONS" OF THE BOROUGH CODE, CHAPTER 16 "DESIGN AND PERFORMANCE STANDARDS" OF THE BOROUGH CODE, AND CHAPTER 26 "ZONING" 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 2022 Land Use Element recommended several revisions to the permitted uses in the VAS, DB and DB II districts; and

WHEREAS, the 2022 Land Use Element states that the Borough should expand permitted uses within the VAS district to include additional entertainment and destination uses and additional uses that will facilitate additional demand for businesses to enhance the District's short and long term viability; and

WHEREAS, there is opportunity for additional uses in the VAS district to be created and for the area to better serve as a destination for residents and visitors; and

WHEREAS, the 2022 Land Use Element states that the Borough should expand permitted uses within the DB district that will advance goals of attracting residents and visitors and creating an active and vibrant downtown, especially during nights and weekends, and recommended new uses for incorporation into the DB district; and

WHEREAS, there is concern about the lack of activity in the downtown as a result of vacant first floor spaces uses; and

WHEREAS, the Borough serves at the County seat and has historically served as a place for law offices and other uses that relate to or benefit from the County offices and County Courthouse;

WHEREAS, the amendments herein to the DB Zoning District are intended to promote the District as the historic center and gathering place in the Borough and to encourage a wider variety of commercial businesses in the downtown that are inviting to residents and visitors alike; and

WHEREAS, the DBII district historically and currently serves as a transition between Main Street, the DB district and the VAS district, as well as residential neighborhoods,

WHEREAS, the DBII district permitted uses should be revised for clarity and to better attract residents and visitors to those areas; however, the uses should be sensitive to the lower intensity nature of the district as compared to the DB district as well as the adjacency of residential neighborhoods;

WHEREAS, there are several land use definitions that should be revised to ensure clarity of the Borough's intention and ease of interpretation;

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 Mayor and Council of the Borough of Flemington, the County of Hunterdon, that Chapter 26 of the Code of the Borough of Flemington (the "Code"), entitled "Zoning," is hereby amended and supplemented as follows:

Section I. Section 1201 of the Code, entitled "Words and Terms Defined," is hereby amended to read as follows (additions are shown as thus; deletions are shown as ~~thus~~);

ARTISAN STUDIO

Establishments used for the purpose of display, sale, practice and/or instruction of visual, audio, and performing arts, arts and crafts. This may include**, but is not limited to,** dance studios, photography studios, graphic design, and pottery studios.

BANQUET HALL

A use that is rented by individuals or groups to accommodate functions, including but not limited to banquets, weddings, professional conferences or meetings, and other events and celebrations. It may include, as accessory uses, kitchen facilities for preparing or catering of food, sale of alcoholic beverages, a restaurant, and indoor and outdoor recreation.

INDOOR AND OUTDOOR RECREATION

A use **engaged in recreation and/or entertainment opportunities** such as **bowling** alleys, ice skating or roller-skating rinks, video games, skill-based attractions or electronic amusements. **It may include, as accessory uses, sales or rental of related goods or equipment, and banquet hall space. The use may serve private clubs, organized leagues and/or the general public. The use shall exclude adult uses.**

LEARNING CENTER

A use engaged in specialized instruction that provides on-site education **and** assistance for students**. Instruction may address topics such as but not limited to academic subjects, art, and/or technology and may include education regarding use of equipment or technology. The use excludes health and fitness instruction and classes.**

OFFICE, MEDICAL

A use engaged in providing services for health maintenance, diagnosis (including testing) and treatment of human diseases, pain or other physical or mental condition of patients, and may be out-patient or short-term in-patient. This use shall include, but not be limited to, health services and clinics, urgent care clinics, those for general physicians, surgeons, cardiologists, pulmonologists, ophthalmologists, dermatologists, dentists, chiropractors, psychologists, ambulatory surgical center, cancer treatment center, and endoscopy center, and other various medical specialties. **Service providers may or may not be licensed or certified.**

RETAIL SALES

A use engaged in the sale of goods directly to the consumer available for immediate purchase, including but shall not be limited to uses such as convenience stores, grocery stores, **clothing stores, antique stores, art galleries, and furniture stores.** This shall not include vehicle sales or service, cannabis retail uses, or sale of adult materials.

RETAIL SERVICES

A use engaged in the sale of on-site services directly to the consumer available for immediate purchase, including but shall not be limited to active uses such as nail and hair salons, **shipping and printing services, banks, animal grooming, tailoring, laundry and notary service. Dry cleaning drop off and pick up is included; however, the cleaning and processing of dry cleaned clothing is excluded.** This shall not include medical or **professional** office uses, vehicle service**, car washing,** adult uses, real estate offices or insurance offices. **This shall exclude services related to vehicle sales and service, cannabis, and adult uses.**

THEATERS

A structure used for motion picture viewing, in person or virtual performances for music, dances, plays, and similar performances. The use may include food and beverage service and may include incidental use for private meetings, social events, exhibits, and presentations. **The use excludes adult uses.**

Section II. Section 1634 of the Code, entitled "Connectivity and Complete Streets", is hereby amended to read as follows (additions are shown as thus; deletions are shown as ~~thus~~);

...

D. Developments, **excluding single family detached and two-family home lots,** shall provide internal sidewalks creating convenient linkages between the **buildings therein** and all surrounding streets, **and shall facilitate vehicular and pedestrian cross-access to adjacent mixed-use and commercial developments.** Cross-access easements shall be provided for such linkages **where through access cannot be provided at the time of approval.**

Section III. Section 2618 of the Code, entitled "Transition Commercial (TC) District", is hereby amended to read as follows (additions are shown as thus; deletions are shown as ~~thus~~);

...

B. Permitted principal uses. In the Transition Commercial Zone, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except as herein described. The following establishments or uses shall be permitted:

...

14. Leaning Center.

15. Artisan manufacturing.

16. Residential uses existing as of the date of adoption of this ordinance which may be expanded or enlarged without the need for a use variance. Any such expansion/enlargement should, however, be compliant with any applicable bulk or other requirements.

17. Any combination of one or more permitted, conditional, or accessory uses.

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

...

9. 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.

D. Conditional uses permitted. The following uses may be permitted when authorized as a conditional use by the Planning Board.

3. Retail sales**, retail services, restaurants and breweries** meeting the following criteria:

...

5. Hotels meeting the following criteria:

a. Lot frontage shall be along and vehicle access shall be provided from Route 12.

Section IV. Section 2619 of the Code, entitled "Community Business (CB) District", is hereby amended to read as follows (additions are shown as thus; deletions are shown as ~~thus~~);

...

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

...

10. 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.

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

Section V. Section 2620 of the Code, entitled "Downtown Business (DB) District," is hereby amended to read as follows (additions are shown as thus; deletions are shown as ~~thus~~);

A. Purpose. **The purpose of the Downtown Business (DB) District is to provide an active, mixed-use and inviting destination in the heart of the Borough that is walkable and reflective of the Borough's historic character. This area offers a contrast from the car-oriented commercial corridors predominantly found at the periphery of the Borough and in the region. The DB District is located in the central core of the Borough, along Main Street, encapsulating much of the Borough's historic downtown.**

B. Permitted Principal Uses. In the Downtown Business Zone, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except as herein described. The following establishments or uses shall be permitted:

1. **Retail Sales.**
2. **Retail Services.**
3. **Restaurants.**
4. **Artisan studios.**
5. **Breweries.**
6. **Indoor recreation.**
7. **Health and fitness facilities.**
8. **Higher education and training.**
9. **Learning centers.**
10. **Theaters.**
11. **Museums.**
12. **Dwellings on floors not including the first floor.**
13. **Office and medical offices.**
14. **Funeral homes existing as of the date of this ordinance.**
15. **Single-family detached homes existing as of the adoption of this ordinance.**
16. **Municipal Uses.**
17. **Club facilities.**
18. **Any combination of one or more permitted, conditional, or accessory uses. This shall exclude single-family detached homes from being combined with other permitted or conditional uses.**

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

1. **Uses which are customary and incidental to the principal permitted use(s) on the property.**

...

9. **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.**

...

D. Conditional Uses Permitted.

...

4. **Dwellings located on the first floor.**

   a. The portion of the first floor of the building in which the use is located does not face a public street with the exception that it may include an entrance and associated area that does not exceed 8 feet in width.

   b. For lots located north of Capner Street or south of William Street, first floor dwellings may face Main Street provided the subject building exists as of the date of this ordinance and no building addition shall occur along the street facing façade.

   c. Parking for all residential uses shall be provided consistent with Section 2629.

...

E. Area, Yard, Height and Building Coverage. Except as otherwise modified, the following bulk standards shall apply to all DB Districts:

Principal Use and Accessory Buildings	Min Lot Area	Min Lot Width	Min Lot Depth	Front Yard	Min Side Yard	Min Rear Yard	Max Height	Max Impervious Surface Ratio
Non-Municipal	7,000 sf	45'	100	**Min:** 25'(1) **Max: 30'**	0'	**20' (4)**	**45'** (2)	.75
Accessory Buildings (3)				NP	15'	30'	18'	
Municipal	2,000 sf	20'	50'	5'	5'	5'	45'	.8

NP = Not Permitted

(1) – The front yard depth may be reduced to the average of the setbacks from the streetline of existing buildings on both sides of the **subject** building. In the event an adjacent lot is vacant, the **calculation shall exclude the lot. The calculation of average setback shall utilize buildings on the same side of the street as the subject property, and shall utilize buildings on the same block that are within 200 feet of the subject property.**

(2) – Or 4 stories, whichever is less. **Buildings, or portions thereof, that exceed 3 stories shall be setback from the story beneath it not less than 10' along a street facing façade and along a side lot line shared with a single-family detached or two-family dwelling in the SF Single-family or TR Transition Residential districts (this excludes apartments on the second and upper floors of principal structures).**

(3) – Properties must also meet standards for particular accessory buildings, structures and uses, including but not limited to solar facilities, in Chapter 26.

(4) Buildings, or portions thereof, shall not exceed a height of 35' within 50 feet of a property line shared with a permitted single-family detached or two-family dwelling (this excludes apartments on the second and upper floors of principal structures and dwellings located across the street).

F Additional Regulations.

1. All equipment stored on the site shall be placed within an enclosed building. **This shall not apply to mechanical equipment or building system equipment.**

...2. **Parking shall not be located between a building and the public street.**

Section VI. Section 2621 of the Code, entitled "Downtown II Business (DB II) District," is hereby amended to read as follows (additions are shown as thus; deletions are shown as ~~thus~~);

A. **The purpose of the Downtown Business II (DBII) District is to provide a mixed-use and inviting district that acts as a transitional area between the more active areas of the historic downtown commercial core found in DB District and the arts and culture-oriented environment found in the VAS District, as well as residential neighborhoods. The DB II District runs along Mine and Church Streets and is characterized by larger front and side yard setbacks, and more residential dwellings than the DB District, creating a seamless land use transition to lower density areas in the Borough.**

B. Permitted Principal Uses. In the Downtown Business II Zone, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except as herein described.. The following establishments or uses shall be permitted:

1. **Retail Sales.**
2. **Retail services.**
3. **Artisan studios.**
4. **Health and fitness facilities.**
5. **Higher education and training.**
6. **Learning center.**
7. **Museums.**
8. **Apartment(s) on second and upper floors of principal structures.**
9. **Offices.**
10. **Medical offices.**
11. **Single-family detached homes existing as of the adoption of this ordinance.**
12. **Municipal Uses.**
13. **Any combination of one or more permitted, conditional, or accessory uses. This shall exclude single-family detached homes from being combined with other permitted or conditional uses.**

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

...

9. **Uses which are customary and incidental to the principal permitted use(s) on the property.**

10. **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 Chapter 8 Fire Prevention Code.**

D. Conditional Uses Permitted.

...

4. ~~**Any other area, yard, height, and building coverage requirement not herein modified shall apply to any conditional use.**~~ **Restaurants, breweries, indoor recreation, and artisan manufacturing:**

   a. **The lot in which the use is located shall not be adjacent to a single-family or two-family lot in the SF Single Family or TR Transition Residential Districts. This shall not apply to second and upper story apartments or homes located across the street.**

5. Dwellings located on the first floor.

a. The portion of the first floor of the building in which the use is located does not face a public street with the exception that it may include an entrance and associated area that does not exceed 8 feet in width.

E. Area, Yard, Height and Building Coverage. Except as otherwise modified, the following bulk standards shall apply to all DB Districts:

Principal Use and Accessory Buildings	Min Lot Area	Min Lot Width	Min Lot Depth	Front Yard	Min Side Yard	Min Rear Yard	Max Height	Max Impervious Surface Ratio
Non-Municipal	7,000 sf	45'	100	**Min:** 25'(1) **Max: 30'**	0'	50'	40'(2)	.75
Accessory Buildings (3)				NP	15'	30'	18'	
Municipal	2,000 sf	20'	50'	5'	5'	5'	45'	.8

NP = Not Permitted

(1) – The front yard depth may be reduced to the average of the setbacks from the streetline of existing buildings on both sides of the **subject** building. In the event an adjacent lot is vacant, the **calculation shall exclude the lot. The calculation of average setback shall utilize buildings on the same side of the street as the subject property and shall utilize buildings on the same block that are within 200 feet of the subject property.**

(2) – Or 3 stories, whichever is less.

(3) – Properties must also meet standards for particular accessory buildings, structures and uses, including but not limited to solar facilities, in Chapter 26.

...

F Additional Regulations.

1. All equipment stored on the site shall be placed within an enclosed building. **This shall not apply to mechanical equipment or building system equipment.**

...

2. **Parking shall not be located between a building and the public street.**

Section VII. Section 2623 of the Code, entitled "Village Artisan Shopping (VAS) District", is hereby amended to read as follows (additions are shown as thus; deletions are shown as ~~thus~~);

...

B. Permitted principal uses. In the Village Artisan Shopping Zone, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except as herein described. The following establishments or uses shall be permitted:

...

11. Retail services.

12. Restaurants.

13. Breweries.

14. Museums.

15. Learning centers.

16. Health and fitness facilities on second and upper stories.

17. Office and medical office on second and upper stories.

18. Banquet hall

19. Any combination of one or more permitted, conditional, or accessory uses.

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

...

10. 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.

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

D. Conditional Uses Permitted. The following uses may be permitted when authorized as a conditional use by the Planning Board.

1. **Health and fitness facilities,** office and medical office **located on the first floor.**

a. Lot frontage shall be along and vehicle access shall be provided from Route 12, or the portion of the first floor of the building in which the use is located does not face a public or private street with the exception that it may include an entrance and associated area that does not exceed 8 feet in width.

E. Area, Yard, Height and Building Coverage. Except as otherwise modified, the following bulk standards shall apply to the VAS District:

Principal Use and Accessory Buildings	Min Lot Area	Min Lot Width	Min Lot Depth	Front Yard	Min Side Yard	Min Rear Yard	Max Height	Max Impervious Surface Ratio
Non-Municipal Accessory Buildings (2)	**.75 ac**	**100'**	200'	**Min: 35'(3)** **Max: 40'**	15'	50'	40'(1)	.82
Municipal	2,000sf	20'	50'	5'	5'	5'	**40'(1)**	**.82**

NP = Not Permitted

(1) – **Or 3 stories, whichever is less**

(2) - Properties must also meet standards for particular accessory buildings, structures and uses, including but not limited to solar facilities, in Chapter 26.

(3) – The front yard depth may be reduced to the average of the setbacks from the streetline of existing buildings on both sides of the subject building. In the event an adjacent lot is vacant, the calculation shall exclude the lot. The calculation of average setback shall utilize buildings on the same side of the street as the subject property, and shall utilize buildings on the same block that are within 200 feet of the subject property.

Section VIII. Section 2624 of the Code, entitled "Highway Retail (HR) District", is hereby amended to read as follows (additions are shown as thus; deletions are shown as ~~thus~~);

…

B. Permitted principal uses. I 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.

...

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 IV. Section 2626 of the Code, entitled "Super Shopping (SS) Overlay District", is hereby amended to read as follows (additions are shown as thus; deletions are shown as ~~thus~~);

...

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

...

9. 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.

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

Section X. 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.

Introduced: July 21, 2025

Adopted:

ATTEST:

_____

Marcia A. Karrow, Mayor

_____

Carla Conner, Borough Clerk

ORDINANCE NO 2025-19

ORDINANCE OF THE BOROUGH OF FLEMINGTON AUTHORIZING THE LEASE OF BLOCK 39, LOT 11.01 ON THE FLEMINGTON BOROUGH TAX MAP AND BLOCK 29, LOT 2.01 ON THE RARITAN TOWNSHIP TAX MAP, KNOWN AS THE FLEMINGTON-RARITAN BASEBALL COMPLEX TO FLEMINGTON-RARITAN BASEBALL, INC., FOR A PERIOD OF TWENTY-FIVE YEARS (WITH A TWENTY-FIVE YEAR OPTION) FOR NOMINAL CONSIDERATION

WHEREAS, the Borough Council of the Borough of Flemington presently has a lease with the predecessor-in-interest of Flemington-Raritan Baseball, Inc., for a fifty (50) year lease commencing on July 1, 1980 and ending on June 30, 2030 for the property known as the Flemington-Raritan Baseball Complex located at Block 39, Lot 11.01 on the Flemington Borough tax map and Block 29, Lot 2.01 on the Raritan Township tax map; and

WHEREAS, the Borough of Flemington and Flemington-Raritan Baseball, Inc. wish to re-execute the lease for a twenty-five (25) year period commencing on July 1, 2025 and terminating on June 30, 2050, with an additional twenty (25) year option; and

WHEREAS, such a lease between a municipal corporation and a non-profit corporation is authorized pursuant to N.J.S.A. 40A:12-14(c), a provision of the New Jersey Local Lands and Buildings Law; and

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

SECTION I. Purpose. The purpose of this ordinance is to authorize the lease of the Property described herein.

SECTION II. The Borough of Flemington is empowered by 40A:12-14(c) to lease property to a non-profit corporation.

SECTION III. This ordinance authorizes lease by the Borough of the property known as the Flemington-Raritan Baseball Complex located at Block 39, Lot 11.01 on the Flemington Borough tax map and Block 29, Lot 2.01 on the Raritan Township tax map to the non-profit entity known as Flemington-Raritan Baseball, Inc.

SECTION IV. Pursuant to N.J.S.A. 40A:12-1 et seq. the Borough Attorney of Flemington Borough, Mayor and Clerk are authorized and directed to undertake any actions and execute any documents necessary or appropriate to effectuate the lease annexed hereto as Schedule A.

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 become effective immediately upon passage and publication, according to the law and certification by the Chief Financial Officer of the availability of funds for the acquisition described herein.

Introduced: June 23, 2025

Adopted:

ATTEST:

_____
Marcia A. Karrow, Mayor

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-114

RESOLUTION RECOGNIZING THE EFFORTS OF MARC HAIN IN ARRANGING THE FIREWORKS DISPLAY IN THE BOROUGH OF FLEMINGTON

WHEREAS, fireworks displays in the Borough of Flemington brings delight to residents, business owners, officials and visitors; and

WHEREAS, the details involved in successfully arranging a fireworks display are extensive and technical; and

WHEREAS, Borough resident Marc Hain has repeatedly done an impressive job of making all the arrangements necessary to ensure safe and uplifting fireworks displays over the years; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Flemington acknowledge the tremendous job Marc Hain has done in arranging the Borough's fireworks displays.

BE IT FURTHER RESOLVED, that the Mayor and Council of the Borough of Flemington honor and commend Mr. Hain for his efforts on behalf of the Borough.

Adopted: July 21, 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 21st day of July, 2025.

_____

Carla Conner, Borough Clerk

RESOLUTION #2025-115

RESOLUTION APPROVING THE CONTRACT WITH WINDOW WORLD FOR THE WINDOW IMPROVEMENT PROJECT AT BOROUGH HALL, NTE $17,777.00

WHEREAS, the Borough of Flemington has received the following quotes for the replacement of windows at Borough Hall:

Window World $17,777.00
Hunterdon Siding & Window Co. $19,940.00
Bullseye Siding LLC $39,747.94

WHEREAS, it has been that the Window World is the lowest responsible quote.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington authorize the Chief Financial Officer to process a purchase order in the amount of $17,777.00 to Window World for the window improvement project.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available in 5-01-630-216.

Adopted: July 21, 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 21st day of July, 2025.

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-116

RESOLUTION AUTHORIZING THE CREATION OF THE 2025 HUNTERDON COUNTY MUNICIPAL PARKS AND RECREATION GRANT

WHEREAS, the Hunterdon County Board of County Commissioners believes that investing in open space and farmland preservation is essential to maintaining Hunterdon County's high quality of life; and,

WHEREAS, Hunterdon County is home to over 35,000 acres of farmland and open space; and,

WHEREAS, in June of 2024, the Hunterdon County Board of County Commissioners created a *Municipal Parks and Recreation Grant Program* to financially assist its municipal partners with enhancing local parks and recreational opportunities within their jurisdictions; and,

WHEREAS, given significant level of support and interest in the 2024 *Municipal Parks and Recreation Grant Program,* including previous endorsement of the grant program by the Hunterdon County Parks and Open Space Advisory Committee, there is a desire to make another round of funding available as part of the FY25 Hunterdon County Budget; and,

NOW, THEREFORE, BE IT RESOLVED, that the Hunterdon County Commissioner Board does hereby authorize the creation of the 2025 Municipal Parks and Recreation Grant Program and appropriate $1,000,000 from budget account 5-32-00-0001-500; and

BE IT FURTHER RESOLVED, that the application period for this grant program shall open on May 12, 2025, at 9:00 AM and close on August 29, 2025, at 4:30 PM; and,

BE IT FURTHER RESOLVED, that grant applications can be submitted up to a maximum of $100,000. Applicants must match 25% of the total project cost and may use matching funds received from private donations, municipal match, the State of New Jersey, the federal government, or a municipality's share of funds available through the County's Municipal Open Space Grant Program; and

BE IT FURTHER RESOLVED, that applicants shall follow the guidelines and application that has been prepared by the Hunterdon County Department of Planning and Land Use with review and consent by the Parks and Open Space Advisory Committee.

Adopted: July 21, 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 21st day of July, 2025.

Carla Conner, Borough Clerk

RESOLUTION #2025-117

RESOLUTION AUTHORIZING INCREASING THE BID THRESHOLD

WHEREAS, the State of New Jersey has adjusted the bid threshold for contracting units subject to the Local Public Contracts Law effective July 1, 2025; and

WHEREAS, contracting units that have appointed a Qualified Purchasing Agent pursuant to N.J.S.A. 40A:11-9(b) and take advantage of a higher bid threshold pursuant to N.J.S.A 40A:11-3 can have a maximum bid threshold of $53,000.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Flemington that the bid threshold for the Borough be increased to $53,000 and the quote threshold be increased to $7,950.

Adopted: July 21, 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 21st day of July, 2025.

_____

Carla Conner, Borough Clerk

RESOLUTION #2025-118

RESOLUTION APPROVING DONALD ALA'S ACCUMULATED LEAVE PAY

WHEREAS Donald Ala resigned from the position of Police Officer of the Borough of Flemington effective July 7, 2025; and

WHEREAS is has been determined that he is due the following accumulated leave pay prorated for the year:

212.0	Vacation Hours @ $51.09 per hour = $10,831.08
21.0	Comp Hours @ $51.09 per hour = $1,072.89
$11,903.97	Total Due

BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that the Chief Financial Officer be authorized to pay $11,903.97 to Donald Ala for the paid time off that is due on the next payroll.

Adopted: July 21, 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 21st day of July, 2025.

_____

Carla Conner, Borough Clerk

RESOLUTION #2025-119

RESOLUTION APPOINTING THE MUNICIPAL HOUSING LIAISON

WHEREAS, pursuant to N.J.A.C. 5:99 and N.J.A.C. 5:80-26.1 et. seq., the Borough of Flemington is required to appoint a Municipal Housing Liaison for the administration of Borough of Flemington affordable housing program to enforce the requirements of the NJ Fair Housing Act and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, Section 2632 of the Borough of Flemington provides for the appointment of a Municipal Housing Liaison to administer Flemington affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Flemington, in the County of Hunterdon and the State of New Jersey that the Borough Clerk is hereby appointed by the Mayor and Council of Borough of Flemington as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with § 2632 of the Borough of Flemington Code.

Adopted: July 21, 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 21st day of July, 2025.

_____

Carla Conner, Borough Clerk

RESOLUTION #2025-120

RESOLUTION APPOINTING KEN MCCORMICK AS THE DEPUTY CONSTRUCTION OFFICIAL

WHEREAS the need exists to hire an deputy construction official to fill in at times when our construction official is not in the office; and

WHEREAS it has been determined that Ken McCormick is qualified to hold this position.

BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that Ken McCormick be hired as the deputy construction official effective July 1, 2025 for a prorated salary of $5,000.

Adopted: July 21, 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 21st day of July, 2025.

_____

Carla Conner, Borough Clerk

RESOLUTION #2025-120

RESOLUTION APPOINTING KEN MCCORMICK AS THE DEPUTY CONSTRUCTION OFFICIAL

WHEREAS the need exists to hire an deputy construction official to fill in at times when our construction official is not in the office; and

WHEREAS it has been determined that Ken McCormick is qualified to hold this position.

BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that Ken McCormick be hired as the deputy construction official effective July 1, 2025 for a prorated salary of $5,000.

Adopted: July 21, 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 21st day of July, 2025.

_____

Carla Conner, Borough Clerk

RESOLUTION #2025-121

RESOLUTION AUTHORIZING THE PAYMENTS FOR UTILIZING SPATIAL DATA LOGIC (SDL) IN THE AMOUNT OF $26,900.00 AND EDMUNDS GOVTECH IN THE AMOUNT OF $21,533.01

WHEREAS, a need exists for the Borough to maintain software subscriptions to assist with the recording and reporting of various fees and permits as well as tracking budgetary expenditures;

WHEREAS, the Borough has utilized Spatial Data Logic and Edmunds Govtech for these purposes and the annual subscriptions and hosting fees are currently due.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington authorize the Chief Financial Officer to process a purchase order in the amount of $26,900.00 to Spatial Data Logic and $21,533.01 to Edmunds Govtech for these subscriptions and hosting fees.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available in the following budget line items: 5-01-260-221, 5-01-115-221, 5-07-100-221, and 5-05-100-221.
Adopted: July 21, 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 21st day of July, 2025.

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-122

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF FLEMINGTON ENDORSING THE HOUSING ELEMENT AND FAIR SHARE PLAN ADOPTED BY THE FLEMINGTON PLANNING BOARD

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter "FHA II"); and

WHEREAS, FHA II established a procedure by which municipalities can secure approval of a Housing Element and Fair Share Plan ("HEFSP"); and

WHEREAS, that procedure contemplated that municipalities would adopt a resolution by January 31, 2025 committing to a fair share number and filing a declaratory relief action within 48 hours from adoption of the resolution and then filing a HEFSP by June 30, 2025 and filing that plan within 48 hours with the Affordable Housing Dispute Resolution Program (the "Program"); and

WHEREAS, in accordance with this statutory procedure, the Borough adopted a binding resolution on January 27, 2025 committing to a Fourth Round Present Need of 74 and Round 4 Prospective Need obligation of 25, subject to applicable adjustments;

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court's Directive No. 14-24, the Borough filed a timely Fourth Round Declaratory Judgment complaint ("DJ Complaint") with the Affordable Housing Dispute Resolution Program ("the Program"), along with its binding resolution, on January 28, 2025; and

WHEREAS, the Borough received no objections to its round 4 committed present need or prospective need obligations; and

WHEREAS, on March 27, 2025 the Hon. William G. Mennen, J.S.C. executed an Order Fixing the Municipal Obligations for the Borough of Flemington at 74 for the present need obligation 25 for the Round 4 Prospective Need obligation; and

WHEREAS, the Borough's affordable housing planning consultant, Elizabeth McManus, PP, AICP, of Kyle + McManus Associates, has prepared an HEFSP to address the Borough's affordable housing obligations under FHA II; and

WHEREAS, the Flemington Borough Planning Board adopted an HEFSP, prepared by Ms. McManus on June 24, 2025; and

WHEREAS, in accordance with the procedure established by FHA II, the Borough's affordable housing counsel filed the duly adopted HEFSP with the Program created by FHA II within 48 hours from adoption; and

WHEREAS, the Borough Council now wishes to endorse the Housing Element and Fair Share Plan adopted by the Flemington Planning Board and seek approval of the HEFSP by the Program and Court.

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

1. The Borough Council hereby endorses the Fourth Round HEFSP previously adopted by the Flemington Planning Board and attached hereto.

2. The Borough Council hereby directs the Borough's Affordable Housing Counsel to (a) file this resolution with the Program, along with any additional documents the professionals deem necessary or desirable; and (b) seek a Compliance Certification from the Program or Vicinage area judge as may be appropriate formally approving the Plan.

3. The Borough reserves the right to further amend the HEFSP attached hereto, should that be necessary.

Adopted: July 21, 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 21st day of July, 2025.

_____

Carla Conner, Borough Clerk

RESOLUTION #2025-123

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE NJDOT FY26 ROAD IMPROVEMENT PROJECT

WHEREAS, Main Street is in need of improvement.

WHEREAS, Terence Vogt P.E., Borough of Flemington Engineer, has prepared a cost estimate for improvements to this street.

NOW, THEREFORE, BE IT RESOLVED that Council of the Borough of Flemington formally approved the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as NJDOT FY26 – Main Street 10 to the Jersey Department of Transportation on behalf of the Borough of Flemington.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Flemington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

Adopted: July 21, 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 21st day of July, 2025.

_____

Carla Conner, Borough Clerk