PROCLAMATION

Proclaiming the month of October 2025 as Pregnancy and Infant Loss Awareness Month

WHEREAS Pregnancy and Infant Loss are such a common occurrence, one that is usually not recognized, and

WHEREAS many the Borough of Flemington, Hunterdon County, State of New Jersey parents and families have suffered a miscarriage, a stillbirth or the death of an infant during delivery or shortly after birth, and

WHEREAS this devastating tragedy often occurs suddenly, without warning, as a result of miscarriage, stillbirth, preterm birth, Sudden Infant Death Syndrome (SIDS), accident, or other causes or complications; and

WHEREAS the Borough of Flemington, Hunterdon County, State of New Jersey wishes to acknowledge the profound grief experienced by families who suffer the death of a baby; and

WHEREAS the Borough of Flemington, Hunterdon County, State of New Jersey wishes to acknowledge the existence of the babies and infants that died far too early; and

WHEREAS even the shortest lives are still valuable, and the grief of those who mourn the loss of these lives should not be trivialized; and

WHEREAS the 15th day of October is recognized in parts of the United States and in many other jurisdictions around the world, as a day of remembrance and awareness of pregnancy and infant loss; and

WHEREAS the tragedy of pregnancy and infant loss, which exacts a terrible emotional toll, may be preventable in some instances; and

WHEREAS increased awareness of the causes and impacts surrounding pregnancy and infant loss may lead to greater understanding, support and resources in communities across the Borough of Flemington, Hunterdon County, State of New Jersey; and

WHEREAS a month of remembrance honors the lives of children taken far too soon and supports grieving parents, grandparents, siblings and other family members whose lives are forever altered by the heartbreak of losing a child; and

WHEREAS those parents and families require support and understanding during their time of grief, and

WHEREAS promoting awareness of the challenges faced by those parents and families is a positive means of establishing support and understanding, and

WHEREAS recognizing Pregnancy and Infant Loss Awareness/Remembrance Month would enable the people of the Borough of Flemington, Hunterdon County, State of New Jersey to consider how, as individuals and communities, they can meet the needs of bereaved mothers, fathers, and family members, and work to prevent the causes of these deaths; and

NOW, THEREFORE, the Mayor & Council do hereby proclaim October as Pregnancy and Infant Loss Awareness month in the Borough of Flemington, Hunterdon County, State of New Jersey and encourage parents, caregivers and all residents to become educated in opportunities to prevent pregnancy and infant loss and support bereaved families when prevention is not possible;

Adopted: September 29, 2025

ATTEST:

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Marcia A. Karrow, Mayor

RESOLUTION #2025-142

RESOLUTION APPROVING A REFUND DUE TO 100% DIASABLED VETERAN EXEMPTION ON BLOCK 33, LOT 12

WHEREAS, on a property known as block 33, lot 12, a.k.a. 73 Mine St. an application for a 100% disabled veteran exemption was approved on 3/1/25 by the Tax Assessor for the year 2026; and

WHEREAS, the Tax Collector and Tax Assessor agree that the applicant is eligible for the exemption from 2/28/25, the date of application.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that a 100% disabled veteran's exemption be allowed on this property from 2/28/25 thru 12/31/25 and the records of the Tax Collector be accordingly adjusted.

Adopted: September 29, 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 29th day of September, 2025.

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-143

RESOLUTION APPROVING A REFUND DUE TO 100% DIASABLED VETERAN EXEMPTION ON BLOCK 14, LOT 10

WHEREAS, on a property known as block 14, lot 10, a.k.a. 8 N. Main St. an application for a 100% disabled veteran exemption was approved on 8/28/25 by the Tax Assessor for the year 2026; and

WHEREAS, the Tax Collector and Tax Assessor agree that the applicant is eligible for the exemption from 8/28/25, the date of application.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that a 100% disabled veteran's exemption be allowed on this property from 8/28/25 thru 12/31/25 and the records of the Tax Collector be accordingly adjusted.

Adopted: September 29, 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 29th day of September, 2025.

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-144

RESOLUTION APPROVING A REFUND FOR THE REDEMPTION OF TAX SALE CERTIFICATE ON BLOCK 13, LOT 10

WHEREAS, on a property known as block 13, lot 10, a.k.a. 43 Capner St. a tax sale certificate #24-00006 was sold to TRYSTONE CAPITAL ASSETS LLC on 10/21/24 for a premium of $1,000.00; and

WHEREAS, redemption funds totaling $2,061.79 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 $3,061.79 be issued to TRYSTONE CAPITAL ASSETS LLC and the records of the Tax Collector be accordingly adjusted.

Adopted: September 29, 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 29th day of September, 2025.

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-145

RESOLUTION APPROVING A REFUND FOR AN ERRONEOUS PAYMENT MADE ON BLOCK 36, LOT 28

WHEREAS, on a property known as block 36, lot 28, a.k.a. 32 Mine St., a payment totaling $18,857.74 was made by Raritan Village Shopping Ctr.; and

WHEREAS, said payment should have been submitted to Raritan Township; and

WHEREAS, the remitter has requested a refund which is recommended 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 a refund in the amount of $18,857.74 be issued to RARITAN VILLAGE SHOPPING CTR and the records of the Tax Collector be accordingly adjusted.

Adopted: September 29, 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 29th day of September, 2025.

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-146

CHAPTER 159 – RECYCLING TONNAGE GRANT

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Flemington has received $13,075.52 for the State of New Jersey Recycling Tonnage Grant and wishes to amend its 2025 budget to include this amount as revenue,

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington requests the Director of the Division of Local Government Services to approve the insertion of this item of revenue in the budget of the year 2025 in the amount of $13,075.52 which is now available as a revenue from:

Miscellaneous Revenues: Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

State of New Jersey Recycling Tonnage Grant $13,075.52

BE IT FURTHER RESOLVED that a like sum of $13,075.52 be and the same is hereby appropriated under the caption of:

General Appropriations: (A) Operations - Excluded from "CAPS": Public and Private Programs Offset by Revenues:

State of New Jersey Recycling Tonnage Grant $13,075.52

Adopted: September 29, 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 29th day of September, 2025.

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Carla Conner, Borough Clerk

RESOLUTION #2025-147

CHAPTER 159 – CLEAN COMMUNITIES GRANT

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Flemington has received $11,512.75 of the State of New Jersey Clean Communities Grant and wishes to amend its 2025 budget to include this amount as revenue,

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington requests the Director of the Division of Local Government Services to approve the insertion of this item of revenue in the budget of the year 2025 in the amount of $11,512.75 which is now available as a revenue from:

Miscellaneous Revenues: Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

Clean Communities Grant $11,512.75

BE IT FURTHER RESOLVED that a like sum of $11,512.75 be and the same is hereby appropriated under the caption of:

General Appropriations: (A) Operations - Excluded from "CAPS": Public and Private Programs Offset by Revenues:

Clean Communities Grant $11,512.75

Adopted: September 29, 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 29th day of September, 2025.

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Carla Conner, Borough Clerk

RESOLUTION #2025-148

CHAPTER 159 – ALCOHOL EDUCATION, REHABILITATION AND ENFORCEMENT GRANT

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Flemington has received $1,650.66 for the State of New Jersey Alcohol Education, Rehabilitation, and Enforcement Grant and wishes to amend its 2025 budget to include this amount as revenue,

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington requests the Director of the Division of Local Government Services to approve the insertion of this item of revenue in the budget of the year 2025 in the amount of $1,650.66 which is now available as a revenue from:

Miscellaneous Revenues: Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

Alcohol Education, Rehabilitation, and Enforcement Grant $1,650.66

BE IT FURTHER RESOLVED that a like sum of $1,650.66 be and the same is hereby appropriated under the caption of:

General Appropriations: (A) Operations - Excluded from "CAPS": Public and Private Programs Offset by Revenues:

Alcohol Education, Rehabilitation, and Enforcement Grant $1,650.66

Adopted: September 29, 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 29th day of September, 2025.

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Carla Conner, Borough Clerk

RESOLUTION #2025-149

RESOLUTION AUTHORIZING THE STREET CLOSURES FOR THE 3RD ANNUAL HARVEST FESTIVAL ON OCTOBER 4, 2025 WITH A RAIN DATE OF OCTOBER 18, 2025

WHEREAS, the Flemington Community Partnership (FCP) annual Harvest Festival will be held on October 4, 2025 with a rain date of October 18, 2025; and

WHEREAS, the Harvest Festival will take place from 11:00am to 7:00pm; and

WHEREAS, the need to close the following streets in between the hours of 7:00am to 9:00pm is essential to the Festival:

- Main Street from Capner Street to Mine Street
- Maple Avenue from Spring Street to Main Street
- Chorister Place from Spring Street to Main Street
- Court Street from Park Avenue to Main Street
- Bloomfield Avenue from Broad Street to Main Street

WHEREAS, the Flemington Borough Police Department has reviewed and approved this request;

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that the above streets are closed between the hours of 7:00am to. 9:00pm.

Adopted: September 29, 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 29th day of September, 2025.

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Carla Conner, Borough Clerk

RESOLUTION #2025-150

RESOLUTION AUTHORIZING THE RETIREMENT OF K9 DOG KITA AND TRANSFER ALL RESPONSISBILITIES TO PATROLMAN ZYTKO AS A CIVILIAN COMPANION

WHEREAS, the Flemington Police Department will retirement K9 Kita and transfer all responsibilities to Patrolman Zytko as a civilian companion.

WHEREAS, K9 Kita, a 7½-year-old Black Labrador who has served the department since 2019, will retire. Due to her age, she will remain with Patrolman Zytko as a civilian companion who accepts all responsibilities to care for Kita such as medical, food, and housing.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Flemington authorize the retirement of K9 dog Kita to Patrolman Zytko.

Adopted: September 29, 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 29th day of September, 2025.

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Carla Conner, Borough Clerk

RESOLUTION #2025-151

RESOLUTION AUTHORIZING THE DONATION OF K9 ELZA TO THE UNION COUNTY SHERIFF'S DEPARTMENT

WHEREAS, the Flemington Police Department will be donating K9 Elza to the Union County Sheriff's Department.

WHEREAS, K9 Elza, a 3-year-old German Shepherd and explosives-detection K9, will continue her law-enforcement career. Given the increasing need for her skills, she will be repurposed with a new handler at the Union County Sheriff's Department.

WHEREAS, on October 2, 2025, the Flemington Police Department will formally donate Elza to that agency.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Flemington authorize the donation of K9 Elza to the Union County Sheriff's Department.

Adopted: September 29, 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 29th day of September, 2025.

_____

Carla Conner, Borough Clerk

RESOLUTION #2025-152

RESOLUTION AUTHORIZING THE DONATION OF REMAINING K9 FUNDS TO STOCKTON VETERINARY HOSPITAL

WHEREAS, over the years, our community has been incredibly generous in supporting the K9 program. Stockton Veterinary Hospital has provided unlimited care to our dogs, and without their partnership, our program would not have been possible. Once all K9-related costs are covered, any remaining funds in the K9 donation account will be donated to Stockton Veterinary Hospital to continue their work caring for animals in need, honoring the spirit in which the community contributed.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Flemington authorize the donation of remaining K9 Funds to Stockton Veterinary Hospital.

Adopted: September 29, 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 29th day of September, 2025.

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Carla Conner, Borough Clerk

RESOLUTION #2025-153

RESOLUTION APPROVING A REFUND FOR THE REDEMPTION OF TAX SALE CERTIFICATE ON BLOCK 2, LOT 43

WHEREAS, on a property known as block 2, lot 43, a.k.a. 3 West Rd. a tax sale certificate #24-00002 was sold to Bala Partners LLC on 10/21/24 for a premium of $26,500.00; and

WHEREAS, redemption funds totaling $6,178.52 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 $32,678.52 be issued to Bala Partners LLC and the records of the Tax Collector be accordingly adjusted.

Adopted: September 29, 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 29th day of September, 2025.

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Carla Conner, Borough Clerk

RESOLUTION #2025-154

RESOLUTION APPOINTING NEW MEMBERS TO THE CERT TEAM

WHEREAS, the Mayor and Council of the Borough of Flemington wish to add new members to the CERT Team; and

WHEREAS, by the Mayor and Council of the Borough of Flemington that the following people are hereby appointed to the CERT Team:

Paul Kizmann
Patricia Kerr
Christopher Gucker
Joe Abraham
Katherine Abarca

NOW THEREFORE BE IT RESOLVED, this Resolution will take effect immediately.

Adopted: September 29, 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 29th day of September 29, 2025.

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Carla Conner, Borough Clerk

RESOLUTION #2025-155

RESOLUTION AUTHORIZING A CONTRACT WITH R & S LANDSCAPE TO ABATE PUBLIC SAFETY HAZARDS AT 146 MAIN STREET, BLOCK 38 LOT 2, AND AUTHORIZING THE TAX COLLECTOR TO LIEN THE PROPERTY

WHEREAS, 146 Main Street Block 38 Lot 2 is in disrepair; and

WHEREAS, there are piles of debris and extremely high grass; and

WHEREAS, letters have been sent to the property owner of record by the property maintenance officer but have been returned undelivered; and

WHEREAS, the safety hazards need to be abated; and

WHEREAS, a quote was received from Caraga Properties LLC in the amount of $350.00 to abate current hazards and ongoing lawn mowing, snow removal, not to exceed $3,000.00; and

WHEREAS, future mowing and snow removal may be needed; and

WHEREAS, pursuant to State Statutes, a municipality can abate safety hazards on private property and authorize the tax collector to place a lien on the property to recover the costs.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that a contract be awarded to Caraga Properties LLC in the amount of $350.00 to abate the current hazards on Block 38 Lot 2, known as 146 Main Street.

BE IT FURTHER RESOLVED, that the property maintenance officer is authorized to have the property landscaped and beautified and future safety hazards abated in the future if necessary for an additional amount not to exceed $3,000.00.

BE IT FURTHER RESOLVED, that the tax collector is authorized to place a tax lien on the property for any Borough funds expended not to exceed $3,550.00 in total, to maintain the property and abate hazards.

Adopted: September 29, 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 29th day of September, 2025.

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Carla Conner, Borough Clerk

ORDINANCE NO. 2025-23

AN ORDINANCE AMENDING CHAPTER 4 (LICENSING) OF THE MUNICIPAL CODE OF THE BOROUGH OF FLEMINGTON TO CREATE A NEW SECTION 4-18 ENTITLED "DUMPSTERS"

WHEREAS, the Borough of Flemington seeks to regulate the placement of dumpsters in the public right-of-way; 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 to Chapter 4 (Dumpsters) shall be created at Section 4-18 and shall be entitled "Dumpsters" and shall appear in the code as follows:

SECTION I.

Section 4-18 is hereby created in Chapter 3 of the municipal code of the Borough of Flemington and shall be entitled "Dumpsters."

SECTION II.

Section 4-18.1 is hereby created and shall be entitled "Purpose" and shall contain the following text (all text novel):

The purpose of this Section is to regulate the encroachment of privately contracted dumpsters in the public right-of-ways of the Borough of Flemington.

SECTION III.

Section 4-18.2 is hereby created and shall be entitled "Dumpsters Related To Construction Projects" and shall contain the following text (all text novel):

1. No more than one (1) privately contracted dumpster shall be permitted in the right-of-way of the Borough of Flemington in association with construction projects underway on properties adjacent to the applicable right-of-way.

2. Any dumpster contracted and situated pursuant to the foregoing shall be no larger than thirty (30) cubic yards and shall be placed in the right-of-way without charge or fee for no more than a period of thirty (30) days. An applicant who has been issued a permit under this section for an initial thirty (30) days may apply to the issuing authority for a single thirty (30) day extension that may be granted at the discretion of the issuing authority.

3. Any dumpster contracted and situated pursuant to the foregoing shall be disclosed and licensed as part of the building permit for the applicable project, with said permit serving as a license to permit the foregoing.

SECTION IV.

Section 4-18.3 is hereby created and shall be entitled "Other Permissible Dumpsters" and shall contain the following text (all text novel):

1. In addition to Section 2 hereof, no more than one (1) privately contracted dumpsters shall be permitted in the right-of-way adjacent to any individual property in the Borough of Flemington in association with domestic cleanups and other associated purposes.

2. Any dumpster contracted and situated pursuant to the foregoing shall be located adjacent to the property where the authorized cleanup is occurring and shall be no larger than thirty (30) cubic yards and shall be placed in the right-of-way without charge or fee for no more than a period of thirty (30) days.

3. A license under this Subsection shall be issued by the Borough Clerk in the manner prescribed in Section 1 hereof (General Provisions) and shall, in the event the requesting party is a tenant and as a prerequisite for the issuance of the license, contain a written authorization on behalf of the property owner consent to the placement of the dumpster adjacent to the owner's property.

4. An applicant who has been issued a permit under this section for an initial thirty (30) days may apply to the issuing authority for a single thirty (30) day extension that may be granted at the discretion of the issuing authority.

SECTION V.

Section 4-18.4 is hereby created and shall be entitled "Penalties; Enforcement" and shall contain the following text (all text novel):

1. Any violation of the durational requirements of a dumpster license shall result in a $50 per day fine for the first ten (10) days of the violation.

2. If the offending dumpster is not removed with the ten (10) day initial penalty period, the Borough of Flemington shall contract to remove the said dumpster with fees and costs associated with said removal assessable and lienable against the property owner and property in question.

3. In addition to the foregoing, any person, firm, corporation or business violating this section shall, upon conviction, pay a fine not exceeding $1,000.00.

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

Introduced: September 29, 2025
Adopted:

ATTEST:

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Marcia A. Karrow, Mayor

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Carla Conner, Borough Clerk

ORDINANCE NO. 2025-25

AN ORDINANCE AMENDING CHAPTER 34 (FILMING) OF THE BOROUGH'S MUNICIPAL CODE TO PROVIDE FOR COMPLIANCE WITH CERTAIN TRAFFIC REGULATIONS

WHEREAS, the Borough Council wishes to amend Chapter 34 (Filming) of the Borough's municipal code to comply with certain traffic regulations;

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 34 (Filming) shall be amended as follows:

SECTION I.

Section 34-5 ("General Regulations") is hereby amended as follows (struck through portions are to be removed; bolded and underlined portions are to be added):

a. The holder of a permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Borough of Flemington Police Department with respect thereto.

b. The holder of a permit shall conduct filming in such a manner so as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. The holder shall avoid any interference with previously scheduled activities upon public lands and limit to the extent possible any interference with normal public activity on such public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three days prior to the requested shooting date and be informed that objections may be filed with the Film Commission, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Film Commission within two days of the requested shooting date.

c. The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris and rubbish during filming and shall be responsible for removing all equipment, debris and other rubbish from the filming location upon the completion of filming or the expiration of the permit, whichever comes first. If the Borough Film Commission determines that the filming will produce excessive debris and other rubbish, the Borough Film Commission may require the posting of a letter of credit, bond or other performance guaranty in addition to the bond required pursuant to § 34-4 herein to cover possible costs incurred.

d. Filming shall take place within the hours agreed upon by the Borough Film Commission and the film company.

e. Each film location shall have an off-duty Borough of Flemington police officer, or a police officer approved by the Borough of Flemington Police Chief, at the film location, the cost of which shall be paid by the film company, according to the agreed upon public safety plan, unless the Chief shall determine that no officer is necessary. The Borough Film Commission, upon advice of the Borough Police Chief, reserves the right to require more than one police officer be on site during filming. The cost of said police officer(s) shall be paid by the applicant **in a manner consistent with Chapter 7 (Traffic), Section 7-15.7 (Payment and Insurance for Services Rendered by Off-Duty Police Officers) of the municipal code of the Borough of Flemington**. In the event that any type of pyrotechnics is part of the filming, the Borough Film Commission may require the presence of a fire inspector and/or fire apparatus, the cost of which shall be paid by the applicant. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.

f. No public street in the Borough may be closed without the express permission of the Mayor and Council.

g. If any inspections such as fire, electrical, building or plumbing are required, the costs shall be paid by the film company. The Borough Film Commission reserves the right, on a case-by-case basis, to require the approval of any Borough Department or agency for activities which such Department or agency oversees or regulates.

h. Copies of the approved permit shall be sent to the Borough Police Department and Fire Department(s) and New Jersey Film Commission at njfilm@njeda.gov before filming takes place. The applicant shall permit the Fire Department(s) or other Borough inspectors to inspect the site and the equipment to be used and shall comply with all safety instructions issued by the Fire Department(s) or other Borough inspectors.

i. Reimbursement of certain costs. In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the Borough for any lost revenue, such as repairs to public property or other revenues that the Township was prevented from earning because of filming.

j. Waiver of requirements of chapter by Film commission. The Film Commission may authorize a waiver of any of the requirements, provisions or restrictions of this chapter if the Commission determines that a waiver thereof may be granted without endangering the public health, safety and welfare. In determining whether to issue a waiver, the Commission shall consider the following factors:

    1. Potential traffic congestion at the location.

2. The applicant's ability to remove the applicant's vehicles and equipment from the public streets or other public property.

3. The extent to which the applicant is requesting restrictions on the use of public streets or public parking facilities during filming.

4. The nature of the filming, including whether filming will take place indoors or outdoors, and the proposed hours for filming.

5. The extent to which the filming may affect adjoining and nearby property owners and occupants.

6. The Borough's prior experience with the applicant, if any.

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

Introduced: September 29, 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. **D**evelopments, **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 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.

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~~);

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.

C. Conditional Uses Permitted.

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. **Offices.**
14. **Medical offices.**
15. **Funeral homes existing as of the date of this ordinance.**
16. **Single-family detached homes existing as of the adoption of this ordinance.**
17. **Municipal Uses.**
18. **Club facilities.**
19. **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)**	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.

(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 fitnessfacilities.**
5. **Higher educationand 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 II 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
NonMunicipal	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 street

line 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.

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
NonMunicipal 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) – Not more than 30% of the rooflines on the property shall be more than two stories.

(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 street line 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.

D. Conditional Uses Permitted.

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.

D. Conditional Uses Permitted.

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 XI. Effective Date.

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

Introduced: August 11, 2025
Adopted:

ATTEST:

_____
Marcia A. Karrow, Mayor

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-156

RESOLUTION AUTHORIZING THE IMPROVEMENTS FOR THE SAMUEL FLEMING HOUSE, NTE $32,890.00

WHEREAS, the Borough of Flemington has received quotes to make exterior renovations to the Samuel Fleming House Museum at 5 Bonnell Street;

WHEREAS, it has been determined that Royal Improvements Inc. has provided 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 $32,890.00 to Royal Improvements Inc., 602 East Main Street, Bridgewater NJ 08807.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available in accounts G-02-563-298 and G-02-565-301.

Adopted: September 29, 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 29th day of September, 2025.

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-157

RESOLUTION APPROVING A CONTRACT WITH T2 SYSTEMS, INC. OF INDIANAPOLIS, INDIANA FOR PERMIT AND ENFORCEMENT SERVICES IN AN AMOUNT NOT TO EXCEED $11,239.00

WHEREAS, it is the desire of the Borough of Flemington to enter into a contract with T2 Systems, Inc., of Indianapolis, Indiana, for permit and enforcement services pursuant to the contract attached hereto as Schedule A for a term of three years in an amount not to exceed $11,239.00; and

WHEREAS, the Borough's Chief Financial Officer, William Hance, has certified as to the availability of funds which shall be encumbered in Acct. No. 4-01-630-218.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council that the contract attached hereto as Schedule A is hereby approved.

BE IT FURTHER RESOLVED, the Mayor, Borough Clerk, and Chief Financial Officer are hereby authorized to execute any documents related to the foregoing.

Adopted: September 29, 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 29th day of September, 2025.

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-158

RESOLUTION AUTHORIZING THE PURCHASE OF A KUBOTA UTILITY VEHICLE WITH POWERCO UNDER HCESC CONTRACT #HCESC-CAT/SER-23-06, NTE $22,380.39

WHEREAS, the Borough of Flemington has received a quote from Powerco, Inc. under HCESC Contract # HCESC-CAT/SER-23-06 for the purchase of a Kubota Utility Vehicle.

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 $22,380.39 to Powerco, Inc. for the purchase of the Kubota.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available in 5-07-605-203.

Adopted: September 29, 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 29th day of September, 2025.

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-159

RESOLUTION AUTHORIZING THE PURCHASE OF SIX KNOX BOXES FROM THE KNOX COMPANY, NTE $12,079.00

WHEREAS, the Borough of Flemington Fire Marshal has received a quote from The Knox Company for the purchase of six Knox boxes which are proprietary equipment, and

WHEREAS, the equipment is required for the operation of the fire department.

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 $12,079.00 to The Knox Company for the purchase of the equipment.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available in E-03-100-101.

Adopted: September 29, 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 29th day of September, 2025.

_____
Carla Conner, Borough Clerk

RESOLUTION #2025-160

CERTIFYING THAT ALL MEMEBERS OF THE GOVERNING BODY OF FLEMINGTON BOROUGH, HUNTERDON COUNTY, HAVE REVIEWED, AT A MINIMUM, THE SECTIONS OF THE 2024 ANNUAL AUDIT ENTITLED "GENERAL COMMENTS AND RECOMMENDATIONS"

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2024 has been filed by a Registered Municipal Accountant with the Borough Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:2788-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

General Comments and Recommendations;

and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the annual audit entitled:

General Comments and Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:2788-52 - to wit:

> R.S. 52-2788-52 - "A local officer or member of a local governing body, who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provision of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars ($1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED on this 29th day of September 2025, that the Borough Council of the Borough of Flemington hereby states that it has complied with the regulation of the Local Finance Board of the State of New Jersey dated July 30, 1968, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Adopted: September 29, 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 29th day of September, 2025.

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Carla Conner, Borough Clerk

RESOLUTION #2025-161

CORRECTIVE ACTION PLAN FOR AUDIT FOR YEAR 2024

WHEREAS, Suplee and Clooney, the Borough Auditors, complete a thorough audit of Flemington Borough's financial records annually; and

WHEREAS, the Auditors make recommendations to improve certain items; and

WHEREAS, William Hance, the Borough's Chief Financial Officer has reviewed these recommendations and created a corrective action plan to rectify any issues, attached hereto.

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

1. The Borough of Flemington hereby approves the corrective action plan submitted by William Hance.

2. The items/procedures identified in the corrective action plan will be put into effect immediately.

Adopted: September 29, 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 29th day of September, 2025.

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Carla Conner, Borough Clerk

RESOLUTION #2025-162

RESOLUTION AUTHORIZING THE PURCHASE OF TWO SETS OF RRFB CROSSWALK SYSTEMS FROM LANE LIGHT TRAFFIC TECHNOLOGIES, INC., NTE $17,300.00

WHEREAS, the Borough of Flemington has received a quote from Lane Light Traffic Technologies, Inc. for the purchase of two sets of RRFB Crosswalk systems for North Main and Allen Street & Capner Street and Allen Street.

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 $17,300.00 to Lane Light Traffic Technologies, Inc. for the purchase of two sets of RRFB Crosswalk systems for North Main and Allen Street & Capner Street and Allen Street.

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available.

Adopted: September 29, 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 29th day of September, 2025.

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Carla Conner, Borough Clerk