



Mayor and Common Council Borough of Flemington

January 4, 2022

Online during COVID-19 Emergency

Call to Order (5:00 PM)

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

Regular Meeting

Flag Salute

I. Oath of Office

Oath of Office for Elizabeth Rosetti

Oath of Office for Caitlin Giles-McCormick

II. Roll Call:

Betsy Driver	Mayor
Caitlin Giles-McCormick	Council Member
Jessica Hand	Council Member
Malik Johnston	Council Member
Jeremy Long	Council Member
Elizabeth Rosetti	Council Member
Kimberly Tilly	Council Member

III. Mayor's Report

IV. OEM Comments

V. Council Members' Reports

VI. Public Comments (up to 3 minutes each, for a maximum of 30 minutes)

VII. Council Election

1. President
2. Vice President
3. Class III Planning Board Member

VIII. Mayor's Council Assignments

IX. Mayor's Nominations for Appointments

Motion To: **Approve the Mayor's Nominations**

X. RESOLUTION 2022-1: APPROVING USE OF A CONSENT AGENDA, 2022

Consent Agenda

1. RESOLUTION 2022-2: OPEN PUBLIC MEETINGS ACT NOTICE 2022
-

2. RESOLUTION 2022-3: ADOPTING RULES OF ORDER FOR 2022
 3. RESOLUTION 2022-4: ADOPTING MEETING DATES FOR 2022
 4. RESOLUTION 2022-5: SCHEDULING THE 2023 REORGANIZATION MEETING
 5. RESOLUTION 2022-6: DESIGNATING THE DEPOSITORIES FOR 2022
 6. RESOLUTION 2022-7: SETTING A FEE OF \$20 FOR ANY RETURNED CHECK IN 2022
 7. RESOLUTION 2022-8: AUTHORIZING THE CHIEF FINANCIAL OFFICER TO INVEST SURPLUS FUNDS, 2022
 8. RESOLUTION 2022-9: DESIGNATING THE AUTHORITY TO SIGN CHECKS, 2022
 9. RESOLUTION 2022-10: AUTHORIZING THE PRE-PAYMENT OF CERTAIN BILLS FOR 2022
 10. RESOLUTION 2022-11: SETTING THE DELINQUENT INTEREST RATE FOR PROPERTY TAXES, 2022
 11. RESOLUTION 2022-12: TEMPORARY BUDGET FOR 2022
 12. RESOLUTION 2022-13: DESIGNATING THE OFFICIAL NEWSPAPERS FOR THE BOROUGH OF FLEMINGTON FOR 2022
 13. RESOLUTION 2022-14: ADOPTING A PUBLIC COMMENTING POLICY FOR REMOTE/ ELECTRONIC BOROUGH COUNCIL MEETINGS, 2022
 14. RESOLUTION 2022-15: ADOPTING A COMMENTING POLICY FOR THE PUBLIC AT 2022 BUDGET WORKSHOP SESSIONS
 15. RESOLUTION 2022-16: RESOLUTION REAFFIRMING THE COMMITMENT AND OBJECTIVES OF THE FLEMINGTON GREEN TEAM, 2022
 16. RESOLUTION 2022-17: AUTHORIZING THE MUNICIPAL ATTORNEY TO FILE CORRECTIVE APPEALS AND COUNTER CLAIMS INSTEAD OF THE MUNICIPAL TAX ASSESSOR
 17. RESOLUTION 2022-18: DESIGNATING THE BOROUGH CLERK AS PUBLIC AGENCY COMPLIANCE OFFICER, 2022
 18. RESOLUTION 2022-19: APPOINTING HYUN J. LEE AND NEIL BRAZER OF MALESKI, EISENHUT AND ZIELINSKI, LLC AS PROSECUTOR AND ALTERNATE PROSECUTOR FOR 2022
 19. RESOLUTION 2022-20: APPOINTING STANLEY TROY, ESQ., TO THE POSITION OF MUNICIPAL PUBLIC DEFENDER THROUGH DECEMBER 31, 2022 AT AN ANNUAL SALARY OF \$9,600.00
 20. RESOLUTION 2022-21: APPOINTING DAVE GIULIANI AS EMERGENCY MANAGEMENT FIRST DEPUTY, 2022
 21. RESOLUTION 2022-22: APPOINTING CHRISTOPHER BOYCE AS EMERGENCY MANAGEMENT SECOND DEPUTY, 2022
-

22. RESOLUTION 2022-23: AUTHORIZING THE HIRING OF MARMIC ASSOCIATES AS A CONSULTANT FOR THE MAINTENANCE AND SECURITY OF THE BOROUGH'S IT INFRASTRUCTURE IN 2022
23. RESOLUTION 2022-24: APPOINTING KENNETH DIEHL AS MUNICIPAL LIAISON TO THE RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, 2022

Appointment of Professionals

1. RESOLUTION 2022-26: APPOINTMENT OF GEBHARDT & KIEFER, PC, AS BOROUGH ATTORNEY FOR 2022
2. RESOLUTION 2022-27: APPOINTING JEROME HARRIS OF CME ASSOCIATES AS BOROUGH ENGINEER FOR 2022
3. RESOLUTION 2022-28: APPOINTMENT OF ELIZABETH MCMANUS OF THE FIRM KYLE + MCMANUS ASSOCIATES AS BOROUGH PLANNER FOR 2022
4. RESOLUTION 2022-29: APPOINTING MARAZITI FALCON LLP AS SPECIAL COUNSEL FOR REDEVELOPMENT, 2022
5. RESOLUTION 2022-30: APPOINTING ARCHER & GREINER, PC, AS BOROUGH BOND COUNSEL FOR 2022
6. RESOLUTION 2022-31: APPOINTMENT OF SCHOLL & WHITTLESEY LLC AS BOROUGH LABOR ATTORNEY FOR 2022
7. RESOLUTION 2022-32: APPOINTING SUPLEE, CLOONEY & COMPANY AS BOROUGH AUDITOR FOR 2022
8. RESOLUTION 2022-33: APPOINTING CME ASSOCIATES AS BOROUGH SEWER ENGINEER FOR 2022
9. RESOLUTION 2022-34: APPOINTING MATT MULHALL OF M2 ASSOCIATES TO PROVIDE BOROUGH HYDROGEOLOGICAL SERVICES IN 2022
10. RESOLUTION 2022-35: APPOINTING SSP ARCHITECTURAL GROUP THE ARCHITECT OF RECORD FOR THE BOROUGH OF FLEMINGTON, 2022
11. RESOLUTION 2022-36: APPOINTING CME ASSOCIATES AS BOROUGH TRAFFIC ENGINEER FOR 2022

Regular Agenda

1. RESOLUTION 2022-25: AUTHORIZING THE HIRING OF NICHOLAS A. SALEEBA TO THE POSITION OF PATROLMAN WITH THE FLEMINGTON POLICE DEPARTMENT

XI. Approval of Minutes

Motion To: **Approve Minutes: Dec. 13, 2021 Regular Council Meeting**

Motion To: **Approve Minutes: Dec. 15, 2021 Joint Council-Plan Bd meeting**

XII. Attorney's Report

XIII. Adjournment

Motion To: **Adjourn**

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-1

DOC ID: 3676

Approving Use of a Consent Agenda, 2022

**BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON**

BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that approval is given for the use of a "Consent Agenda," which may also be noted as "Resolutions" on the Agenda, where matters of a routine nature may be placed.

Adopted: Jan. 4, 2022

Betsy Driver, Mayor

Attest:

Sallie Graziano, RMC, Borough Clerk

CERTIFICATION

I, Sallie Graziano, Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, RMC, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-2

DOC ID: 3657

Open Public Meetings Act Notice 2022

BOROUGH OF FLEMINGTON

COUNTY OF HUNTERDON

WHEREAS, the Senate and General Assembly of the State of New Jersey have enacted an Act concerning meetings of certain public bodies known as "**The Open Public Meetings Act**" approved October 21, 1975, as Chapter 231, P.L. 1975 effective 90 days after enactment, to wit, on or before January 19, 1976; and

WHEREAS, it is deemed appropriate that the Common Council of the Borough of Flemington shall resolve in all respects to implement the provisions thereof, and in particular to adopt resolutions relating to the posting and distribution of a yearly schedule and any revised schedule of any regular meetings of the Common Council, as well as giving of advance notice of at least 48 hours of any regular, special or re-scheduled meeting thereof, designating at least two newspapers to receive such notices, and fixing fees to cover the costs of mailing to any person requesting copies of any regular meeting schedule or revision and any "48 Hours" advance written notice of any regular or re-scheduled meeting of the Common Council.

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

1. The regular meeting of the Mayor and Common Council of the Borough of Flemington shall be held on the **second** and **fourth** Mondays of each month during the calendar year, **2022**, unless otherwise noted. The meetings shall be held at Borough Hall, 38 Park Avenue, Flemington, New Jersey, unless otherwise noted. Meetings will start at 7:30 P.M. prevailing time.

2. A regular work session/ new business session/ executive session of the Mayor and Common Council of the Borough of Flemington shall be held on the **second** and **fourth** Mondays as needed, before the regular scheduled meeting, during the calendar year **2022**. The posted agenda for each meeting will indicate if such session will occur, the timing and the nature of such session. The meetings shall be held at the location of the regular meeting.

3. If a public health emergency continues to exist, and in an effort to prevent the further spread of COVID-19, Flemington Borough Council meetings will be conducted through an electronic system only until further notice. Council is using the Zoom platform for these meetings.

To access these meetings:

<https://zoom.us/j/99572741338?pwd=S0htSWFsemE4Z3Vld29ONStCeFRwUT09>

Passcode: 945654

Or iPhone one-tap:

US: +16465588656,,99572741338#,,,,,0#,,945654# or
+13017158592,,99572741338#,,,,,0#,,945654#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 995 7274 1338

Passcode: 945654

Members of the public will be able to give public comment during relevant portions of the meeting, by using Zoom's "raise hand" function. If you wish to make a comment during the public meeting, your Zoom display name must accurately identify the meeting participant and cannot contain profanity, language meant to insult or defame governing body members or another Borough employee or representative, or be an attempt to impersonate another person or conceal the participant's identity. The meeting moderator may decline to recognize a participant for public comment if the person's Zoom display name violates these guidelines.

To email a public comment, please limit the email to 450 words and send it by 3:00 p.m. the day of the meeting to: PublicComment@historicflemington.com.

Documents in connection with Council meetings will be posted on the Borough website, www.historicflemington.com, with the agenda.

4. Notice of such annual schedule or regular meetings of the Mayor and Common Council, or any revised schedule thereof, as well as advance written notices of any regular, special or re-scheduled meetings of the Common Council shall be prominently posted at Borough Hall, 38 Park Avenue, Flemington, New Jersey, and shall be mailed, telephoned, telegraphed, faxed, hand-delivered or emailed to the Hunterdon County Democrat or Courier News, both of which are newspapers generally circulating within the Borough of Flemington, and shall be filed with the Borough Clerk.

5. The Hunterdon County Democrat is hereby designated as the official newspaper of the Borough of Flemington, with the Courier News as an alternate. TapInto.net is designated as an official online news source of the Borough of Flemington.

6. Upon prepayment of the sum of \$10.00 by any person requesting that the Clerk mail him/her copies of any annual regular meetings scheduled or revision thereof or requesting that the Clerk mail him/her advanced written notice of any regular, special or re-scheduled meeting of the Mayor and Common Council, the Clerk shall mail to such person so requesting a copy of any such schedule or written notice.

7. Notice requested by news media, other than those specifically enumerated in paragraph 5 above, shall be mailed to any such other news media, upon written request, without charge or fee.

8. Formal action of the Mayor and Common Council is contemplated at the regular meetings, but not at the work sessions.

Adopted: January 4, 2022

Betsy Driver, Mayor

Attest:

Sallie Graziano, RMC, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Rebecca Newman
Sponsors:

SCHEDULED

RESOLUTION 2022-3

DOC ID: 3658

Adopting Rules of Order for 2022

**BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON**

BE IT RESOLVED that the Rules of Order as hereinafter set forth shall be followed during Regular Council Meetings of the Borough of Flemington, which shall be at 7:30 P.M. on the second and fourth Monday of each and every month, unless otherwise noted, at Borough Hall, 38 Park Avenue, Flemington, New Jersey 08822, except as otherwise specified. Special meetings may be called at any time by the Mayor, or by four (4) Council members, on due and timely notice.

SECOND: The Order of Business shall be:

1. Work Session/ New Business/ Executive Session if needed (7:00 PM Start: The posted agenda will indicate if such session will occur, the timing and nature of such session.)
2. Regular Meeting (7:30 PM Start)
3. Pledge and Roll Call
4. Mayor's Report
5. Council Members' Reports
6. Public Comment - Session I
7. Approval of Minutes
8. Council Business (Resolutions & Ordinances)
9. Public Comment - Session II
10. Attorney's Report
11. Payment of Bills
12. Executive Session
13. Adjournment

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

CERTIFICATION

I, Sallie Graziano, Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-4

DOC ID: 3656

Adopting Meeting Dates for 2022

2022 SCHEDULE OF REGULAR MEETINGS

BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington that the following is hereby established as the schedule of the regular meetings of the Governing Body to be held during calendar year 2022 at 7:30 PM prevailing time, on the 2nd and 4th Monday of each month (or as otherwise noted), at Borough Hall, 38 Park Avenue Flemington, NJ (or as otherwise noted on the municipal website), to include the reorganization/regular meeting of 2023:

Jan. 4, 2022, 5 p.m., Reorganization Meeting

Jan. 10, 2022, 2nd Monday

Jan. 24, 2022, 4th Monday

Feb. 14, 2022, 2nd Monday

Feb. 28, 2022, 4th Monday

March 14, 2022, 2nd Monday

March 28, 2022, 4th Monday

April 11, 2022, 2nd Monday

April 25, 2022, 4th Monday

May 9, 2022, 2nd Monday

May 23, 2022, 4th Monday

June 13, 2022, 2nd Monday

June 27, 2022, 4th Monday

July 11, 2022, 2nd Monday

July 25, 2022, 4th Monday

August 8, 2022, 2nd Monday

August 22, 2022, 4th Monday

September 12, 2022, 2nd Monday

September 27, 2022, 4th **Tuesday**

October 11, 2022, 2nd **Tuesday**

October 24, 2022, 4th Monday

November 14, 2022, 2nd Monday

November 28, 2022, 4th Monday

December 12, 2022, 2nd Monday

January 3, 2023, Tuesday, 5 p.m., Reorganization Meeting

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

CERTIFICATION

I, Sallie Graziano, Borough Clerk, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-5

DOC ID: 3659

Scheduling the 2023 Reorganization Meeting

**BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON**

BE IT RESOLVED that the Reorganization Meeting of the Borough of Flemington for the year 2023 shall be held at Borough Hall, 38 Park Avenue, Flemington, New Jersey 08822, on Tuesday, January 3, 2023 at 5:00 PM, or on another date to be scheduled by the Mayor and Common Council.

BE IT FURTHER RESOLVED that if a public health safety concern continues to exist, this meeting will be held online-only through the Zoom platform, with access information posted on the Borough website, www.historicflemington.com.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-6

DOC ID: 3660

Designating the Depositories for 2022

**BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON**

BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that the following be designated as depositories for the year 2022:

Northfield Bank
Provident Bank
Unity Bank

ADOPTED: Jan. 4, 2022

Betsy Driver, Mayor

Attest:

Sallie Graziano, Municipal Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-7

DOC ID: 3661

Setting a Fee of \$20 for Any Returned Check in 2022

**BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON**

BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey to authorize the following action:

To set a fee of **\$20.00** pursuant to N.J.S.A. 40:5-18, payable to the Borough of Flemington, for checks returned for insufficient funds for Taxes and/or other fees due the municipality. (i.e. Clerk's Account, Court, Water/Sewer, Planning Board, Police Department, Construction Official, etc.)

In the event that checks are returned for insufficient funds more than twice annually, payments due to the borough shall be paid only by cash or certified check.

ADOPTED: January 4, 2022

Betsy Driver, Mayor

Attest:

Sallie Graziano, Municipal Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-8

DOC ID: 3662

**Authorizing the Chief Financial Officer to Invest Surplus
Funds, 2022**

BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington that the Chief Financial Officer is hereby authorized to invest surplus funds of the Borough that he/she may deem advisable at rates that are in his/her opinion to be in the best advantage of the Borough in such depositories and securities that are legal instruments for municipalities, and that such investments shall be reported to the Mayor and Common Council at the following public meeting.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-9

DOC ID: 3663

Designating the Authority to Sign Checks, 2022

**BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON**

BE IT RESOLVED, that checks issued by the Borough of Flemington shall be signed by three officers as noted below, except payroll checks, which only require the signature of the Chief Financial Officer.

One signature from Mayor Betsy Driver
The Mayor and

Borough Council: Council President

One signature from Chief Financial Officer William J. Hance
The Finance
Department:

One signature from Borough Clerk Sallie Graziano
The Borough Clerk's
Office:

-OR-

One Signature from Utility Clerk Rebecca Newman
the Utility Clerk's
Office:

ADOPTED: JANUARY 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie Graziano

Initiator: Sallie Graziano

Sponsors:

SCHEDULED

RESOLUTION 2022-10

DOC ID: 3664

Authorizing the Pre-Payment of Certain Bills for 2022

**BOROUGH OF FLEMINGTON
HUNTERDON COUNTY, NEW JERSEY**

WHEREAS, the Borough of Flemington has budgeted funds for payment of obligations including, utilities, payroll, debt service, governmental fees and other statutory payments, insurance, and for the advertising, printing and mailing costs of the Borough; and,

WHEREAS, the payment of these items occasionally arrives out of time for placement on the next available list of bills and claims, thereby inadvertently placing these bills and mailings in arrears because of the schedule of meetings; and

WHEREAS, the Borough's Chief Financial Officer and Borough Attorney have advised that the governing body may provide for the pre-payment of these items, so that they may be paid in a timely manner without penalty.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that the Chief Financial Officer be and is hereby authorized and directed to make pre-payment of the following items prior to the same appearing on the next meeting's list of bills and claims:

1. Utilities (electric, gas, water, sewer and telephone, cellular telephone, gasoline, diesel fuel, internet providers, etc.).
2. Borough payroll and payroll agencies.
3. Debt service as evidenced by pre-authorized bonds and/or notes.
4. Health, dental and other insurance premiums and/or claims.
5. Governmental fees and other statutory payments (school, county, sewage authority, state and county fees).
6. Bills pertaining to the advertising, printing and mailing costs of the Borough.
7. Third party fees collected through pre-authorized credit/debit card processing.
8. Bills where vendor discounts are granted for timely payment. (Example 2% discount for payments made within 10 days.) Maximum dollar amount allowed is \$20,000.
9. Inter-fund Obligations
10. Purchase of Investments

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, hereby certify the foregoing to be a true copy of a resolution adopted by the Flemington Borough Council at its meeting held January 4, 2022.

WITNESS, my hand and the seal of the Borough of Flemington this ____ day of January, 2022.

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-11

DOC ID: 3665

Setting the Delinquent Interest Rate for Property Taxes, 2022

WHEREAS, N.J.S.A. 54:4-67 indicates that affirmative action is required on the part of the governing body in fixing the rate of interest on delinquent taxes and grace period; and

WHEREAS, taxes are due and payable on the following dates: February 1, May 1, August 1, and November 1;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington that a 10-day grace period be afforded after which date unpaid taxes will be charged interest from the due date;

BE IT FURTHER RESOLVED by the Mayor and Common Council of the Borough of Flemington that the interest rate on delinquent taxes shall be eight (8%) percent per annum on the first \$1,500.00 and eighteen (18%) percent per annum on any amount in excess of \$1,500.00 for the year 2022, and no interest shall be charged if payment of any installment is made by the tenth (10th) calendar day of the month in which due; and

BE IT FURTHER RESOLVED in accordance with N.J.S.A. 54:4-67 that the governing body shall also fix a penalty to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year and that such penalty shall not exceed six (6%) percent of the amount of the delinquency; and

BE IT FURTHER RESOLVED in any case where the taxes are not paid during the respective extended periods, the full interest rate from the due date shall apply.

Adopted: Jan. 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

CERTIFICATION

I, Sallie Graziano, Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

Mayor and Common Council38 Park Avenue
Flemington, NJ 08822Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Sallie GrazianoInitiator: Sallie Graziano
Sponsors:**SCHEDULED****RESOLUTION 2022-12**

DOC ID: 3666

Adopting a Temporary Budget for 2022

BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that the following appropriations shall constitute the temporary budget for the year 2022 with the provisions of NJSA 40A:4-19 of the Local Budget Law, which provides that the total of \$1,674,446.88 shall not exceed the temporary appropriations to provide for the period between January 1, 2022 and the adoption of the budget.

	Salaries & Wages	Other Expenses
Borough Council	\$12,000.00	\$500.00
Administrative & Executive		\$10,000.00
Borough Clerk	\$35,000.00	\$6,000.00
Financial Administration	\$10,000.00	\$5,000.00
Assessment of Taxes	\$9,000.00	\$1,000.00
Collection of Taxes	\$9,000.00	\$4,500.00
Legal Services & Costs		\$15,000.00
Engineering Services & Costs		\$10,000.00
Public Buildings	\$5,000.00	\$5,000.00
Rental Property Expense		\$20,000.00
Planning Board	\$2,200.00	\$5,000.00
Recycling	\$1,100.00	\$14,000.00
Insurance:		
Other Insurance		\$55,000.00
Workers Compensation		\$20,000.00
Employee Group		\$80,000.00
Fire		\$10,000.00
Uniform Fire Safety Act	\$15,000.00	\$3,000.00
Police	\$372,034.35	\$24,000.00
Construction Code		
Building Inspector	\$15,000.00	\$1,000.00

Plumbing Inspector	\$3,000.00	
Electrical Inspector	\$3,000.00	
Fire Subcode Official	\$3,000.00	
Property Maintenance Inspector	\$2,500.00	\$500.00
Emergency Management Services	\$1,000.00	\$1,000.00
Board of Health		\$4,000.00
Dog Regulation	\$1,500.00	\$100.00
Streets & Roads	\$70,000.00	\$20,000.00
Gas & Oil		\$18,000.00
Street Lighting		\$18,000.00
Electricity		\$18,000.00
Fuel Oil		\$10,000.00
Telephone		\$5,912.53
Water		\$2,000.00
Historical Commission		\$3,000.00
Garbage & Trash Removal		\$52,000.00
Prosecutor	\$7,500.00	
Recreation Commission		\$4,000.00
Shade Tree		\$1,000.00
Economic Development Commission		\$5,000.00
Maintenance of Free Public Library		\$44,000.00
Public Defender	\$100.00	
Contribution to Social Security System		\$38,000.00
Municipal Court	\$39,000.00	\$7,000.00
Safe and Secure Communities-Local	\$8,000.00	
Sub Total	\$623,934.35	\$541,278.08

Total		\$1,164,446.88
-------	--	----------------

Bond Principal	\$290,000.00
----------------	--------------

Bond Interest	\$90,000.00
---------------	-------------

BAN Principal	\$60,000.00
---------------	-------------

BAN Interest	\$70,000.00
--------------	-------------

Sub Total	\$510,000.00
-----------	--------------

Grand Total	\$1,674,446.88
-------------	----------------

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Flemington that the following appropriations shall constitute the temporary budget of the dedicated Water Department for the year 2022 with the provisions of NJS 40A:4-19 of the Local Budget Law which provides that the total of \$481,125.00 shall not exceed the temporary appropriations to provide for the period between January 1, 2022 and the adoption of the budget.

	Salaries & Wages	Other Expenses
Water Operating	\$76,000.00	\$190,625.00
Social Security		\$6,000.00
BAN Interest		\$70,000.00
Payment of Loan		\$100,000.00
Bond Principal		\$25,000.00
Bond Interest		\$13,500.00
Sub Total	\$76,000.00	\$405,125.00
Grand Total		\$481,125.00

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Flemington that the following appropriations shall constitute the temporary budget of the Dedicated Sewer Department for the year 2022 with the provisions of NJS 40A:4-19 of the Local Budget Law which provides that the total of \$814,618.44 shall not exceed the temporary appropriations to provide for the period between January 1, 2022 and the adoption of the budget.

	Salaries & Wages	Other Expenses
Sewer Operating	\$72,000.00	\$95,000.00
Social Security		\$16,000.00
Contracted Expenses - R.T.M.U.A.		\$452,700.00
Collector Rehabilitation		\$10,000.00
Payment of Bond Principal		\$52,000.00
Payment of Loans		\$100,000.00
Payment of Bond Interest		\$20,000.00
 Sub Total	 \$72,000.00	 \$745,700.00
 Grand Total		 \$817,700.00

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-13

DOC ID: 3667

**Designating the Official Newspapers for the Borough of
Flemington for 2022**

WHEREAS, N.J.S.A. 10:4-8(d) of the Open Public Meetings Act requires that notice of meetings be transmitted to two (2) newspapers, and

WHEREAS, the Mayor and Common Council of the Borough of Flemington have determined that the Hunterdon County Democrat and The Courier-News have the greatest likelihood of informing the public within the jurisdictional boundaries of the Borough of Flemington of such meetings; and

WHEREAS, the Mayor and Common Council of the Borough of Flemington have determined that the Hunterdon County Democrat will be the primary newspaper and the Courier News the secondary newspaper for transmission; and

WHEREAS, the Mayor and Common Council of the Borough of Flemington have determined that Tap Into Flemington-Raritan is an electronic news source serving the Flemington area;

BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington that the Hunterdon County Democrat and The Courier-News are hereby designated as official newspapers of this body during 2021 as required by N.J.S.A. 10:4-18 and N.J.S.A. 10:4-8(d)(2) of the Open Public Meetings Act; and

BE IT FURTHER RESOLVED that Tap Into Flemington-Raritan be designated as an official online news source for 2022.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-14

DOC ID: 3672

Adopting a Public Commenting Policy for Remote/ Electronic Borough Council Meetings, 2022

WHEREAS, N.J.A.C. 5:39-1.4(h) requires public bodies to “adopt by resolution standard procedures and requirements for public comment made during a remote public meeting as well as for public comments submitted in writing ahead of the remote public meeting;” and,

WHEREAS, attached hereto is a compliant commenting policy for the Council of the Borough of Flemington; and

WHEREAS, such policy reflects the commenting policies already implemented by the Borough Council for remote meetings held during and as a result of the COVID-19 pandemic.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington hereby adopts the attached commenting policy, which shall be applicable to all public comments made at or submitted prior to meetings of the Council of the Borough of Flemington which are held remotely by electronic means.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that such commenting policy may be amended in the future by resolution of the Borough Council.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Borough Clerk shall post such commenting policy on the municipal website and otherwise make such policy available for public inspection.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

ATTACHMENTS:

- Remote Meeting Public Comment Policy 2022 (DOCX)

Public Commenting Policy for Electronic / Remote Public Meetings

The following is an explanation of the procedures and requirements for making public comment during a remote public meeting as required by N.J.A.C. 5:391.4(h).

Please keep yourself muted until the meeting moderator requests that you unmute yourself. The Borough reserves the right to mute or remove disruptive meeting participants after an initial warning. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity.

If you wish to make a comment during a remote public meeting, there are two ways to do so: in writing and during the meeting.

Comments from members of the public will be accepted in writing. Written comments must be no more than 450 words and must include your name and address. The Borough reserves the right not to accept written public comments if the commenter does not include such identifying information. Such comments will be read into the record at the appropriate time and made part of the minutes. However, please be advised that the Borough reserves the right to summarize duplicative comments consistent with N.J.A.C. 5:391.4(f). Comments can be emailed by 3:00 p.m. the day of the meeting to: PublicComment@historicflemington.com. Comments emailed to any other address will not be accepted as public comments. Written comments may also be submitted via mail or dropped off at the municipal building by such day and time.

If you are utilizing a computer to participate, click the "Raise Hand" button on the bottom of the screen. If you are dialing in on your phone, to avoid having your phone number displayed on the screen, first dial *67, then the meeting phone number followed by the meeting identification number. Your phone number will not be displayed. To "raise your hand" dial *9 to be placed in the queue. When called on, the system will ask you to confirm being un-muted to proceed. Press *6 to unmute yourself. This will place you in a queue that the moderator can see for when it's time to take public comments. People are sorted in the order they raised their hands. When the moderator calls on you, a message will pop-up asking if you want to unmute yourself. If you choose to move forward and place a public comment or question on the record, choose to unmute, if you have changed your mind then choose deny. Please state your name and address before beginning your comment. Please make sure there is no background noise such as the TV on, music or loud chatter.

In order to prevent "zoom bombing," please be advised that the meeting moderator may not call on you to comment if your Zoom display name contains

profanity, is meant to insult or defame governing body members or another Borough employee or representative, or is an attempt to impersonate another person or conceal the participant's identity. Your Zoom display name can be easily changed during a meeting. Hover over your name in the "participants list" and click on "rename."

As always, comments are limited to three minutes per person, for a total of thirty minutes per session, and there will be two comment sessions during the meeting. Participants cannot "yield" their time to another participant. Participants that have not yet spoken will be given priority.

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-15

DOC ID: 3673

Adopting a Commenting Policy for the Public at 2022 Budget Workshop Sessions

WHEREAS, annual budget workshop sessions held in the Borough are open to the public; and

WHEREAS, due to the COVID-19 public health emergency these workshops are being held online-only through the Zoom platform, with access information indicated on the Borough website, historicflemington.com; and

WHEREAS, the Mayor and Council wish to adopt a policy allowing for public comment at the start of each budget workshop session;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that each member of the public wishing to comment at a budget workshop session be allowed to speak for up to 3 minutes at the start of each workshop held in 2022.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-16

DOC ID: 3671

**Resolution Reaffirming the Commitment and Objectives of
the Flemington Green Team, 2022**

WHEREAS, Flemington adopted Resolution No. 2019-84, "Designating the Environmental Commission as Flemington Borough's Green Team," at a regular meeting conducted on March 27, 2019; and

WHEREAS, Flemington resolved in that resolution that they wished to pursue local initiatives and actions that would lead to Sustainable Jersey Municipal Certification; and

WHEREAS, Flemington further resolved in that resolution to re-establish the Flemington Green Team, to serve as Flemington's agents for the Sustainable Jersey municipal certification process; and

WHEREAS, the Green Team is comprised of members of the Environmental Commission, who are interested in advancing the efforts of Flemington in the Sustainable Jersey municipal certification program; and

WHEREAS, that group has been creating and cataloging significant sustainability actions so that Flemington may obtain Sustainable Jersey certification;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington reaffirm that:

- 1) The Green Team of Flemington is active in the community and advancing sustainable practices and actions included in the Sustainable Jersey municipal certification program;
- 2) The Green Team has been and shall continue to be comprised of individuals who have demonstrated interest in advancing the efforts of Flemington to pursue certification through the Sustainable Jersey municipal certification program;
- 3) The role of the Green Team has been and shall continue to be to lead and coordinate the sustainability activities of the community;

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-17

DOC ID: 3675

**Authorizing the Municipal Attorney to File Corrective Appeals
and Counter Claims Instead of the Municipal Tax Assessor**

**BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON**

WHEREAS, the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, New Jersey have been informed by the Hunterdon County Board of Taxation that from time to time errors are made in computing the tax assessments concerning certain property locations within the Borough of Flemington, and

WHEREAS, the Hunterdon County Board of Taxation has required that the Mayor and Borough Common Council authorize the Municipal Attorney instead of the Municipal Tax Assessor to file corrective appeals of such errors with the Hunterdon County Board of Taxation, memo dated February 11, 1998; and

WHEREAS, the Hunterdon County Board of Taxation has required that the Borough of Flemington Mayor and Common Council authorize the Municipal Attorney instead of the Municipal Tax Assessor to file, in cases of increase, counter claims as the Municipal Attorney deems necessary, with the Hunterdon County Board of Taxation, and

WHEREAS, the Municipal Tax Assessor of the Borough of Flemington is called upon to defend tax appeals filed with the Hunterdon County Board of Taxation and to agree to stipulations of appeals,

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council that the Municipal Attorney of the Borough of Flemington is hereby authorized to file corrective appeals with the Hunterdon County Board of Taxation in defense of appeals filed with said Board and to sign stipulations of appeals filed on behalf of the Borough of Flemington which the Municipal Attorney feels are proper and in the best interest of the municipality; and

BE IT FURTHER RESOLVED by the Mayor and Common Council that the Municipal Attorney of the Borough of Flemington be and is hereby authorized to file counter claims in cases of increase with the Hunterdon County Board of Taxation, as the Municipal Attorney deems necessary.

Adopted: Jan. 4, 2022

Betsy Driver, Mayor

Attest:

Sallie Graziano
Acting Municipal Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-18

DOC ID: 3668

Designating the Borough Clerk as Public Agency Compliance Officer, 2022

WHEREAS, New Jersey Statutes provide that no public work contracts can be awarded nor any money paid until the prospective contractor has agreed to contract performance that complies with an approved affirmative action program; and

WHEREAS, N.J.A.C 17:27-3.5 states that each public agency shall annually designate an officer or employee to serve as its public agency compliance officer (PACO);

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey appoints Borough Clerk Sallie Graziano as the Borough's public agency compliance officer for the year 2021;

BE IT FURTHER RESOLVED that the Borough Clerk be directed to file notice of this designation immediately to the New Jersey Department of the Treasury, State Affirmative Action Office.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, RMC, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-19

DOC ID: 3682

Appointing Hyun J. Lee and Neil Brazer of Maleski, Eisenhut and Zielinski, LLC as Prosecutor and Alternate Prosecutor for 2022

BOROUGH OF FLEMINGTON, COUNTY OF HUNTERDON

WHEREAS, 2B:25-4a, provides that every municipal court must have a Municipal Prosecutor, approved and appointed by the governing body; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of a prosecutor is a professional service as defined in said statute; and

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

WHEREAS, Maleski, Eisenhut and Zielinski, LLC, has indicated it will provide the services of a prosecutor at the rate of \$135 per hour; and

WHEREAS, Hyun J. Lee, Esq., of the firm Maleski, Eisenhut and Zielinski, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that she has not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one (1) year, and that the contract will prohibit Maleski, Eisenhut and Zielinski, LLC, from making any reportable contributions through the term of the contract;

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

- 1) Hyun J. Lee, Esq., of the firm Maleski, Eisenhut and Zielinski, LLC, 169 Main St., Flemington, NJ, be appointed as Municipal Prosecutor for the Borough of Flemington Municipal Court as of January 1, 2022 for a period of one year.
- 2) Neil Brazer, Esq., of the firm Maleski, Eisenhut and Zielinski, LLC, 169 Main St., Flemington, NJ, be appointed as Assistant Municipal Prosecutor/Alternate for the Borough of Flemington Municipal Court as of January 1, 2022 for a period of one year.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-20

DOC ID: 3681

**Appointing Stanley Troy, Esq., to the Position of Municipal
Public Defender through December 31, 2022 at an Annual
Salary of \$9,600.00**

WHEREAS, Stanley Troy, Esq., has been serving as the Borough of Flemington's Municipal Public Defender since 2014; and

WHEREAS, the Mayor and Common Council of the Borough of Flemington desire to continue having Mr. Troy serve as public defender for the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that Stanley Troy, Esq. be appointed municipal public defender for the Borough of Flemington through December 31, 2022 at the current annual salary of \$9,600.00

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-21

DOC ID: 3669

Appointing Dave Giuliani as Emergency Management First Deputy, 2022

BOROUGH OF FLEMINGTON

COUNTY OF HUNTERDON

WHEREAS the Borough of Flemington Office of Emergency Management is in need of an Emergency Management Coordinator First Deputy for the year 2022; and

WHEREAS David Giuliani is qualified for this position and served in this position in 2021;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that David Giuliani be appointed to the position of Emergency Management Coordinator First Deputy for a one-year term beginning January 1, 2022 and ending December 31, 2022.

Adopted: January 4, 2022

Betsy Driver, Mayor

Attest:

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-22

DOC ID: 3670

**Appointing Christopher Boyce as Emergency Management
Second Deputy, 2022**

BOROUGH OF FLEMINGTON

COUNTY OF HUNTERDON

WHEREAS the Borough of Flemington Office of Emergency Management is in need of an Emergency Management Coordinator Second Deputy for the year 2022; and

WHEREAS Christopher Boyce is qualified for this position;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that Christopher Boyce be appointed to the position of Emergency Management Coordinator Second Deputy for a 1-year term beginning January 1, 2022 and ending December 31, 2022.

Adopted: January 4, 2022

Betsy Driver, Mayor

Attest:

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-23

DOC ID: 3683

**Authorizing the Hiring of Marmic Associates as a Consultant
for the Maintenance and Security of the Borough's IT
Infrastructure in 2022**

WHEREAS, the Borough of Flemington has the need to hire a consultant for the maintenance and security of the Borough IT infrastructure in 2022; and

WHEREAS, three proposals were received and reviewed for these services; and

WHEREAS, it has been determined that the proposal provided by Marmic Associates was the most advantageous to the Borough.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington enter into a contract with Marmic Associates effective January 1, 2022 - December 31, 2022 for IT consultant services at a rate of \$2,125 per month to include all regular scheduled upgrades, troubleshooting, and maintenance and an hourly rate of \$110.00 for any project work beyond this, with a not-to-exceed amount of \$35,000.00

BE IT FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available in the Municipal, Sewer and Water Department Budgets.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-24

DOC ID: 3674

Appointing Kenneth Diehl as Municipal Liaison to the Raritan Township Municipal Utilities Authority, 2022

Borough of Flemington, County of Hunterdon

WHEREAS, The Borough of Flemington has an agreement with Raritan Township Municipal Utilities Authority (RTMUA) to receive and treat sanitary sewage from the Borough; and

WHEREAS, The Borough of Flemington has ongoing obligations and negotiations with the RTMUA and has stated a need for Municipal participation in the RTMUA Executive Board Meetings; and

WHEREAS, The Borough of Flemington and RTMUA agree that the Borough should have a Municipal Liaison present at all RTMUA Board Meetings and that this liaison will be allowed to participate in said meetings; and

WHEREAS, The Borough's Licensed Sewer Operator and Collections Superintendent, Kenneth Diehl is the person most qualified to be the Municipal Liaison at the RTMUA Board Meetings.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Flemington formally appoints Kenneth Diehl to attend RTMUA Board Meetings as Municipal Liaison for the Borough of Flemington

BE IT FURTHER RESOLVED that Mr. Diehl will be compensated in accordance with current Union Agreements or a subsequent agreement thereto.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

CLERK'S CERTIFICATION

Certified as a true copy of the Resolution adopted by the Council on this 4th day of January 2022. My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Sallie Graziano, RMC

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-25

DOC ID: 3695

**Authorizing the Hiring of Nicholas A. Saleeba to the Position
of Patrolman with the Flemington Police Department**

**BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON**

WHEREAS, Council has determined that an additional position of Patrolman within the Borough Police Department should be filled, and

WHEREAS, a rigorous interview process was undertaken by Chief Jerry Rotella with the assistance of all squad leaders within the Department and the Police Commissioner; and

WHEREAS, Nicholas A. Saleeba was the top candidate among a number of qualified candidates for this position, as determined by the Chief, squad leaders and Police Commissioner Long; and

WHEREAS, the candidate has successfully undertaken all prerequisite measures for employment with the Borough.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that Nicholas A. Saleeba be hired to the position of Patrolman within the Flemington Police Department, effective immediately.

BE IT FURTHER RESOLVED that Patrolman Saleeba's annual salary will be \$57,462.00.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-26

DOC ID: 3684

**Appointment of Gebhardt & Kiefer, PC, as Borough Attorney
for 2022**

WHEREAS, N.J.S.A. 40A:9-139 requires that every municipality shall have an attorney; and

WHEREAS, proposals were received through a fair and open process; and

WHEREAS, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

WHEREAS, the term of this contract is one (1) year; and

WHEREAS, the firm Gebhardt & Kiefer, PC, has submitted a proposal indicating the firm will provide legal services at the rate of \$165 per hour;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retain Gebhardt & Kiefer, PC, as Attorney for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by an attorney of the State of New Jersey and receive such compensation as may be reasonable for such services; and

BE IT FURTHER RESOLVED that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Gebhardt & Kiefer, PC, for an amount not to exceed \$100,000; and

IT IS FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2022 budget and various escrow accounts.

Adopted: Jan. 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-27

DOC ID: 3685

Appointing Jerome Harris of CME Associates as Borough Engineer for 2022

WHEREAS, N.J.S.A. 40A:9-140 requires that every municipality shall have a Municipal Engineer; and

WHEREAS, proposals were received through a fair and open process; and

WHEREAS, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

WHEREAS, the term of this contract is one (1) year; and

WHEREAS, CME Associates has submitted a rate schedule with its proposal indicating Jerome Harris will provide municipal engineering services at a rate of \$140 per hour;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retain Jerome Harris of CME Associates as Municipal Engineer for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by a professional engineer of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$500,000; and

IT IS FURTHER RESOLVED that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with CME Associates; and

IT IS FURTHER RESOLVED that notice of this Resolution shall be published as required by law; and

IT IS FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2022 budget, various capital ordinances, and various escrow accounts.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

ATTACHMENTS:

- cme rates 2022 {PDF}



**MUNICIPAL ENGINEERING SERVICES
GENERAL CONDITIONS AND HOURLY RATE SCHEDULE TO JANUARY 1, 2023**

Senior Project Manager	\$182.00 Per Hour
Project Manager	\$181.00 Per Hour
Municipal Engineer	\$140.00 Per Hour
Project Leader	\$180.00 Per Hour
Professional Engineer	\$179.00 Per Hour
Senior Project Engineer	\$174.00 Per Hour
Project Engineer	\$153.00 Per Hour
Senior Design Engineer	\$140.00 Per Hour
Design Engineer	\$133.00 Per Hour
Drone Pilot	\$139.00 Per Hour
Senior Engineering Technician	\$125.00 Per Hour
Engineering Technician/Management Information Systems Technician	\$118.00 Per Hour
Drone Technician	\$ 77.00 Per Hour
Professional Land Surveyor	\$176.00 Per Hour
Land Surveyor	\$157.00 Per Hour
Robotic Total Station	\$ 77.00 Per Hour
Party Chief	\$133.00 Per Hour
Survey Technician	\$103.00 Per Hour
Resident Engineer	\$159.00 Per Hour
Chief Construction Engineer	\$150.00 Per Hour
Senior Construction Engineer	\$125.00 Per Hour
Construction Engineer	\$119.00 Per Hour
Chief Construction Technician	\$103.00 Per Hour
Senior Construction Technician	\$ 92.00 Per Hour
Construction Technician	\$ 86.00 Per Hour
Technical Assistant	\$ 99.00 Per Hour
Senior CAD Technician	\$131.00 Per Hour
Licensed Landscape Architect	\$177.00 Per Hour
Senior Landscape Designer	\$159.00 Per Hour
Certified Tree Expert	\$141.00 Per Hour
Landscape Designer	\$126.00 Per Hour
Director of Planning	\$182.00 Per Hour
Professional Planner	\$181.00 Per Hour
Project Planner	\$151.00 Per Hour
Planning Technician	\$129.00 Per Hour
Partner	\$185.00 Per Hour
Principal	\$184.00 Per Hour
Managing Partner/Administrative Partner	\$195.00 Per Hour

Environmental services will be billed in accordance with CME's Environmental Rate Schedule

Invoices - CME Associates (CME) will submit invoices to Client monthly and a final invoice upon completion of services. Payment is due upon presentation of invoice and is past due thirty days from invoice date. Client agrees to pay a finance charge of one and one-half percent per month, or the maximum rate allowed by law, on past due accounts. In the event that the invoice is not paid voluntarily and promptly, and must therefore be referred to an attorney or agency for collection, the Client agrees to pay a collection fee equal to the actual attorney or agency collection fee incurred by CME. Overtime rates are applicable after eight hours Monday through Friday, and all day Saturday and Sunday, and charged at one and one-half times the quoted rate. Holidays are charged at two times the quoted rate. Expenses incurred for reproduction, postage handling, photographs and for services including subconsultants equipment and facilities not furnished by CME are charged to the Client at cost plus fifteen percent. Automobile travel may be charged at the current rate per mile allowed by the Internal Revenue Service.

Standard of Care - Services performed by CME under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. NO OTHER WARRANTY, EXPRESSED OR IMPLIED, IS MADE.

Contaminated Material - It is understood that CME is not, and has no responsibility as a handler, generator, operator, treaser or storer, transporter or disposer of hazardous or toxic substances found or identified at any site. Client shall undertake or arrange for, either directly or indirectly through other contractors, the handling, removal, treatment, storage, transportation and disposal of hazardous substances or constituents found or identified at any site.

Liability - In the execution of the work, CME will take all reasonable precautions to avoid damage or injury to subterranean structures or utilities. The Client agrees to hold CME



Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-28

DOC ID: 3686

Appointment of Elizabeth McManus of the Firm Kyle + McManus Associates as Borough Planner for 2022

WHEREAS, proposals were received through a fair and open process for Planning Services in 2022; and

WHEREAS, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

WHEREAS, the term of this contract is one (1) year; and

WHEREAS, the firm of Kyle + McManus Associates has submitted a rate schedule which is attached to this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retain Elizabeth McManus of the firm Kyle + McManus Associates as Planner for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by a professional planner of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$50,000.00; and

IT IS FURTHER RESOLVED that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Elizabeth McManus of Kyle + McManus Associates; and

IT IS FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2022 budget and various escrow accounts.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon,

do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

ATTACHMENTS:

- kma rates 2022 (PDF)



2 East Broad Street, 2nd Floor
Hopewell, NJ 08525
609-257-6705 (v)
609-374-9939 (f)
info@kylemcmanus.com

2022 Public Client Rate Schedule

Principal Planner	\$142/hour
Associate Planner	\$130/hour
Senior Project Manager Planner	\$125/hour
Project Manager Planner	\$120/hour
Assistant Planner	\$90/hour
GIS Technician	\$80/hour
Assistant Professional	\$75/hour
Administrative Assistant	\$60/hour
Outside (pass-thru) Services	Cost +10%
Postage, Federal Express, UPS, DHL	Cost
Paper Black/White Copy/Prints (8.5"x11")	\$0.10/Sheet
Paper Black/White Copy/Prints (11"x17")	\$0.20/Sheet
Paper Color Copy/Prints (8.5"x11")	\$0.50/Sheet
Paper Color Copy/Prints (11"x17")	\$2.50/Sheet
Large format Color Copy/Prints (24"x36")	\$40/Sheet
Travel for Regularly Scheduled Meetings	No Charge
Travel for All Other Meetings and Other Municipal Business	At Rates Noted Above

2022 Public Client Litigation Rate Schedule

Principal Planner	\$190/hour
Associate Planner	\$175/hour
Senior Project Manager Planner	\$170/hour
Project Manager Planner	\$165/hour
Assistant Planner	\$135/hour
GIS Technician	\$125/hour
Assistant Professional	\$75/hour
Administrative Assistant	\$60/hour
Outside (pass-thru) Services	Cost +10%
Postage, Federal Express, UPS, DHL	Cost
Paper Black/White Copy/Prints (8.5"x11")	\$0.10/Sheet
Paper Black/White Copy/Prints (11"x17")	\$0.20/Sheet
Paper Color Copy/Prints (8.5"x11")	\$0.50/Sheet
Paper Color Copy/Prints (11"x17")	\$2.50/Sheet
Large format Color Copy/Prints (24"x36")	\$40/Sheet
Travel for Regularly Scheduled Meetings	No Charge
Travel for All Other Meetings and Other Municipal Business	At Rates Noted Above

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-29

DOC ID: 3694

**Appointing Maraziti Falcon LLP as Special Counsel for
Redevelopment, 2022**

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a Resolution authorizing the award of a contract for professional services without competitive bidding must be publicly advertised and an agreement to retain the services of special legal counsel is a professional service as defined in said statute; and

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

WHEREAS, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

WHEREAS, the term of this contract is one (1) year; and

WHEREAS, Joseph Maraziti of Maraziti Falcon LLP, 240 Cedar Knolls Rd, Suite 301, Cedar Knolls, NJ 07927 has submitted a proposal indicating he will provide legal services at the rate of \$195 per hour when billed to the Borough, (\$295 per hour for attorneys when such fees are paid solely by private parties through reimbursement agreements); and

WHEREAS, Maraziti Falcon LLP has completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one (1) year, and that the contract will prohibit Maraziti Falcon LLP from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains Joseph Maraziti of Maraziti Falcon LLP as Special Counsel for Redevelopment for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by legal counsel of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$100,000.00; and

IT IS FURTHER RESOLVED that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Maraziti Falcon LLP; and

IT IS FURTHER RESOLVED that notice of this Resolution shall be published in the Hunterdon County Democrat as required by law; and

IT IS FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and

IT IS FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2022 budget and various escrow accounts.

ADOPTED: JANUARY 4, 2022

ATTEST:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-30

DOC ID: 3687

**Appointing Archer & Greiner, PC, as Borough Bond Counsel
for 2022**

WHEREAS, proposals were received through a fair and open process for Bond Attorney services; and

WHEREAS, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

WHEREAS, the term of this contract is effective Jan. 1, 2022, continuing through December 31, 2022; and

WHEREAS, Archer & Greiner, has submitted a rate schedule as follows: \$350 for preparation of a single-purpose ordinance; \$450 for preparing a multi-purpose ordinance; \$2,500 per bond sale plus 95 cents per thousand dollars of bonds issued; plus additional fees as listed in the attached rate proposal;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains John Cantalupo, Esq., of Archer & Greiner, as Bond Attorney for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by an attorney of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$25,000; and

IT IS FURTHER RESOLVED that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Archer & Greiner; and

IT IS FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2022 budget and various capital ordinances.

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

ATTACHMENTS:

- archer sked 2022 (PDF)

V. FEE PROPOSAL

Please see our proposed Bond Counsel Services Agreement appended under Tab 2 for a complete description of our fees and scope of services. We have incorporated the fee only section of the agreement immediately below for your convenience.

A. For services rendered or in connection with each bond sale, a fee of \$2,500, plus \$0.95 per thousand dollars of bonds issued. Time relating to the review of the Official Statement, the continuing disclosure document or other disclosure document will be billed at the hourly rates described in Section 3F below.

B. For services rendered in connection with the preparation of each bond ordinance, a fee of \$350 for each single purpose ordinance and \$450 for each multipurpose ordinance. If the preparation of the ordinance involves consultations, meetings or discussions that are out of the ordinary, that is, services that are not described in Section 2 hereof such as attendance at meetings, attention to litigation or other matters described in Section 3F, there will be additional fees to be charged at the hourly rates of the attorneys in effect at the time of providing the services. The fees for services in connection with the ordinances will be charged periodically during the course of the year.

C. The fee for any temporary financing involving a private placement and not involving numerous notes, preparation of an Official Statement, complicated arbitrage analysis, investment yield restrictions or attendance at the closing shall be \$1,000.00 for Bond Counsel's approving legal opinion in connection with such a financing and \$0.50 per thousand dollars of bond or tax anticipation notes or emergency notes issued. If additional services are required, such as with issues involving refundings or the combination of numerous ordinances, the additional time required will be billed at the hourly rates in effect when the services are performed.

D. In the event that a Letter of Credit or similar credit enhancement facility is used in connection with either a bond or note issue, an additional fee based on the responsibility assumed and time involved will be billed at the hourly rates described in Section 3F below.

E. In the event of a refunding bond issue providing for the payment of a prior issue of bonds, there will be a fee of \$3,000 in addition to the fees described herein.

F. Services rendered beyond the scope of those described above will be billed at the hourly rates in effect when the services are rendered. The present hourly rates range from \$75 to \$150 per hour depending on the paralegal or attorney involved. Such services include, but are not limited to, attendance at meetings, work involved in the preparation or review of the Official Statement and a continuing disclosure agreement, if applicable, for a bond sale or the review or the preparation of an Official Statement and a continuing disclosure agreement, if applicable, for a bond anticipation note sale, diligence for a bond ordinance, review of authorization proceedings for a bond ordinance, preparation of prequalification packages for bond insurance, preparation of a rating agency package, analysis of any credit enhancement facility, the preparation or review of a Local Finance Board application, attention to or services rendered with regard to any

litigation that may occur or any legal question posed by the Borough, tax work, complicated arbitrage analysis or applications to the Federal Reserve Bank for investments of bond or note proceeds in State and Local Government Series federal obligations and legal services, the preparation of the necessary documentation and reviewing and commenting upon all documentation in connection with any capital equipment lease financing or pooled loan financing undertaken by the Borough.

G. In the event that a bond sale is held but all bids are rejected or the sale is cancelled, or this Agreement is terminated prior to the sale of bonds, the fee to be charged shall be a reasonable one, based on the services performed.

H. Customary at-cost disbursements shall be added to the fees referred to in this Agreement. These may include photocopying, express or overnight delivery charges and postage costs, telecommunications, filing fees, book binding, messenger service or other costs advanced on behalf of the Borough.

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-31

DOC ID: 3688

Appointment of Scholl & Whittlesey LLC as Borough Labor Attorney for 2022

WHEREAS, proposals were received through a fair and open process for Labor Attorney services in 2022; and

WHEREAS, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

WHEREAS, the term of this contract is one (1) year; and

WHEREAS, Franklin G. Whittlesey, Esq., of Scholl & Whittlesey LLC has submitted a proposal indicating they will provide labor counsel services at a rate not to exceed \$150.00 per hour;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains Franklin G. Whittlesey, Esq., of Scholl & Whittlesey LLC as Labor Attorney for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by an attorney of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$50,000.00.

IT IS FURTHER RESOLVED that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Scholl & Whittlesey LLC.

IT IS FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2022 budget, water budget, and sewer budget.

ATTEST:

BOROUGH OF FLEMINGTON

Sallie Graziano
Borough Clerk

BY: _____
Betsy Driver, Mayor

Dated: January 4, 2022

CERTIFICATION

I, Sallie Graziano, Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-32

DOC ID: 3689

**Appointing Suplee, Clooney & Company as Borough Auditor
for 2022**

WHEREAS, N.J.S.A. 40A:5-4 requires that every municipality shall have an annual audit of its books and financial transactions by a Registered Municipal Accountant of New Jersey; and

WHEREAS, proposals were received through a fair and open process; and

WHEREAS, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

WHEREAS, the term of this contract is one (1) year; and

WHEREAS, Suplee, Clooney & Company has submitted a rate schedule which is attached to this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retain Suplee, Clooney & Company as Municipal Auditor for the Borough of Flemington for the year 2019, to perform the professional services ordinarily provided by a Registered Municipal Accountant of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$38,450.00; and

IT IS FURTHER RESOLVED that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with Suplee and Clooney, Inc, and

IT IS FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available in the 2022 budget, sewer budget and water budget.

Adopted: January 4, 2022

ATTEST:

BOROUGH OF FLEMINGTON

Sallie Graziano
Borough Clerk

BY: _____
Betsy Driver, Mayor

CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

ATTACHMENTS:

- suplee rates 2022 (PDF)

SUPLEE, CLOONEY & COMPANY

The Honorable Mayor and Members
of the Borough Council

We propose the following schedule of services and fees:

- | | | |
|----|--|--------------------|
| A. | <u>2022 Statutory Audit</u> - Audit of Current Fund, Trust Fund, Capital Fund, General Fixed Assets Account Group, and various other offices as prescribed by the Division of Local Government Services including Federal and State programs in accordance with the Single Audit Act of 1996, Federal Uniform Guidance, and State of New Jersey OMB Circular 15-08 | \$27,900.00 |
| B. | Assistance with the preparation of the 2022 Annual Financial Statement, 2022 Annual Debt Statement, and assistance with the 2023 Annual Municipal Budget including preparation of the budget document and budget amendments, and if required, the attendance at any budget meetings or public hearings | 4,350.00 |
| C. | Audit of the financial activities of the Borough's Water Utility Operating and Capital Funds | 3,100.00 |
| D. | Audit of the financial activities of the Borough's Sewer Utility Utility Operating and Capital Funds | 3,100.00 |
| E. | Preparation of Supplemental Debt Statements in accordance with the requirements of the Local Bond Law 40A:2-42 | 425.00 Per |
| F. | Telephone consultation as needed with any administrative or elected officials | <u>No Charge</u> |
| | | <u>\$38,450.00</u> |

Any additional services requested by the Borough would be mutually agreed upon before the commencement of any work and billed at the following rates:

Partner	-	\$155.00 - \$175.00
Manager	-	\$115.00
Senior Staff	-	\$ 90.00 - \$105.00
Staff Accountant	-	\$ 75.00 - \$ 85.00

Yours very truly,

SUPLEE, CLOONEY & COMPANY


Warren M. Korecky, Partner

October 8, 2021

WMK:tc

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:
DOC ID: 3690

SCHEDULED

RESOLUTION 2022-33

**Appointing CME Associates as Borough Sewer Engineer for
2022**

WHEREAS, the Borough of Flemington has a need to acquire sewer engineering services; and

WHEREAS, proposals were received through a fair and open process; and

WHEREAS, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

WHEREAS, the term of this contract is one (1) year; and

WHEREAS, CME Associates, has submitted a rate schedule which is attached to this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains CME Associates as Sewer Engineer for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by a professional engineer of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$100,000.00; and

IT IS FURTHER RESOLVED that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with CME Associates; and

IT IS FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2022 sewer budget, various capital accounts, and various escrow accounts.

Adopted: January 4, 2022

Attest:

BOROUGH OF FLEMINGTON

Sallie Graziano
Borough Clerk

BY: _____
Betsy Driver, Mayor

CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

ATTACHMENTS:

- cme rates 2022 (PDF)



MUNICIPAL ENGINEERING SERVICES
GENERAL CONDITIONS AND HOURLY RATE SCHEDULE TO JANUARY 1, 2023

Senior Project Manager.....	\$182.00 Per Hour
Project Manager.....	\$181.00 Per Hour
Municipal Engineer.....	\$140.00 Per Hour
Project Leader.....	\$180.00 Per Hour
Professional Engineer.....	\$179.00 Per Hour
Senior Project Engineer.....	\$174.00 Per Hour
Project Engineer.....	\$153.00 Per Hour
Senior Design Engineer.....	\$140.00 Per Hour
Design Engineer.....	\$133.00 Per Hour
Drone Pilot.....	\$139.00 Per Hour
Senior Engineering Technician.....	\$125.00 Per Hour
Engineering Technician/Management Information Systems Technician.....	\$118.00 Per Hour
Drone Technician.....	\$ 77.00 Per Hour
Professional Land Surveyor.....	\$176.00 Per Hour
Land Surveyor.....	\$157.00 Per Hour
Robotic Total Station.....	\$ 77.00 Per Hour
Party Chief.....	\$133.00 Per Hour
Survey Technician.....	\$103.00 Per Hour
Resident Engineer.....	\$159.00 Per Hour
Chief Construction Engineer.....	\$150.00 Per Hour
Senior Construction Engineer.....	\$125.00 Per Hour
Construction Engineer.....	\$119.00 Per Hour
Chief Construction Technician.....	\$103.00 Per Hour
Senior Construction Technician.....	\$ 92.00 Per Hour
Construction Technician.....	\$ 86.00 Per Hour
Technical Assistant.....	\$ 99.00 Per Hour
Senior CAD Technician.....	\$131.00 Per Hour
Licensed Landscape Architect.....	\$177.00 Per Hour
Senior Landscape Designer.....	\$159.00 Per Hour
Certified Tree Expert.....	\$141.00 Per Hour
Landscape Designer.....	\$126.00 Per Hour
Director of Planning.....	\$182.00 Per Hour
Professional Planner.....	\$181.00 Per Hour
Project Planner.....	\$151.00 Per Hour
Planning Technician.....	\$129.00 Per Hour
Partner.....	\$185.00 Per Hour
Principal.....	\$184.00 Per Hour
Managing Partner/Administrative Partner.....	\$195.00 Per Hour

Environmental services will be billed in accordance with CME's Environmental Rate Schedule

Invoices - CME Associates (CME) will submit invoices to Client monthly and a final invoice upon completion of services. Payment is due upon presentation of invoice and is past due thirty days from invoice date. Client agrees to pay a finance charge of one and one-half percent per month, or the maximum rate allowed by law, on past due accounts. In the event that the invoice is not paid voluntarily and promptly, and must therefore be referred to an attorney or agency for collection, the Client agrees to pay a collection fee equal to the actual attorney or agency collection fee incurred by CME. Overtime rates are applicable after eight hours Monday through Friday, and all day Saturday and Sunday, and charged at one and one-half times the quoted rate. Holidays are charged at two times the quoted rate. Expenses incurred for reproduction, postage handling, photographs and for services including subconsultants equipment and facilities not furnished by CME are charged to the Client at cost plus fifteen percent. Automobile travel may be charged at the current rate per mile allowed by the Internal Revenue Service.

Standard of Care - Services performed by CME under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. NO OTHER WARRANTY, EXPRESSED OR IMPLIED, IS MADE.

Contaminated Material - It is understood that CME is not, and has no responsibility as a handler, generator, operator, treator or storer, transporter or disposer of hazardous or toxic substances found or identified at any site. Client shall undertake or arrange for, either directly or indirectly through other contractors, the handling, removal, treatment, storage, transportation and disposal of hazardous substances or constituents found or identified at any site.

Utilities - In the execution of the work, CME will take all reasonable precautions to avoid damage or injury to subterranean structures or utilities. The Client agrees to hold CME



Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-34

DOC ID: 3691

**Appointing Matt Mulhall of M2 Associates to Provide
Borough Hydrogeological Services in 2022**

WHEREAS, the Borough of Flemington has a need to acquire professional Hydrogeological consulting services; and

WHEREAS, proposals were received through a fair and open process; and

WHEREAS, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

WHEREAS, the term of this contract is one (1) year; and

WHEREAS, M² Associates Inc., has submitted a proposal indicating they will provide Hydrogeological consulting services at a rate not to exceed \$140.00 per hour;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains Matt Mulhall of M² Associates Inc., as the Hydrogeologist for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by a Hydrogeologist of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$50,000.00; and

IT IS FURTHER RESOLVED that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with M² Associates, Inc.; and

IT IS FURTHER RESOLVED that the Chief Financial Officer certifies that funds are available in the 2022 budget and various capital ordinances.

Adopted: January 4, 2022

Attest:

BY: _____
Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

Dated: January 2, 2022

CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on January 4, 2022.

Sallie Graziano, Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano
Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-35

DOC ID: 3693

**Appointing SSP Architectural Group the Architect of Record
for the Borough of Flemington, 2022**

WHEREAS, there exists a need for Professional Architectural Services in 2022 for various projects in the Borough of Flemington; and

WHEREAS, the Borough of Flemington has a need to acquire such professional services as a Non-Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, SSP Architectural Group ("SSP"), 50 Division St., Suite 503, Somerville, New Jersey 08876, has submitted a proposal indicating that SSP will provide various professional services including but not limited to helping the Borough maintain, update and potentially expand Borough facilities as its buildings age and as needs change; and

WHEREAS, the Council of the Borough of Flemington has determined to appoint SSP, due to the firm's record of providing significant architectural services with public buildings, police headquarters, and SSP's extensive skill and experience as a full-service architectural firm in general; and

WHEREAS, SSP has completed and submitted a Business Entity Disclosure Certification for Non-Fair and Open Contract which certifies that SSP has not made any reportable contributions to a political or candidate committee in the Borough of Flemington in the previous one year and that the contract will prohibit SSP from making any reportable contributions through the term of the contract to a political or candidate committee in the Borough of Flemington; and

WHEREAS, SSP has submitted a schedule of hourly rates which is attached to this resolution; and

WHEREAS, the Mayor of Flemington has determined and certified in writing that the value of these Professional Services will not exceed \$50,000.00 annually; and

WHEREAS, the availability of sufficient funds for said Professional Services Contract to be awarded herein has been certified by the Borough's Chief Financial Officer; and

WHEREAS, the New Jersey Local Public Contract Law (N.J.S.A. 40A:11-1, et seq.) requires that the Resolution authorizing the award of the contract for Professional Services without competitive bidding and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Flemington Borough Council:

1. That the Mayor and Clerk are hereby authorized and directed to execute a Non-Fair and Open Agreement pursuant to N.J.S.A. 19:44A-20.5, with SSP

Architectural Group, 1011 Route 22, Suite 203, Bridgewater, New Jersey 08876, for Professional Architectural Services;

2. That this Agreement is awarded without competitive bidding as a Professional Services Contract in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction, distinguished from general academic instruction or apprenticeship and training;

3. That the Business Entity Disclosure Certification, the Political Contribution Disclosure Form and the Determination of Value be placed on file with the Resolution; and

4. That a Notice of this action shall be printed once in the *Hunterdon County Democrat*.

This being submitted at the Council meeting held on Tuesday, January 4, 2022.

Attest:

Betsy Driver, Mayor

Sallie Graziano, RMC
Municipal Clerk

CERTIFICATION

I, Sallie Graziano, Municipal Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey do hereby certify that the foregoing Resolution to be a true and exact copy of the Resolution adopted by the Flemington Borough Council at the Council meeting held on Tuesday, January 4, 2022.

Sallie Graziano, RMC
Municipal Clerk

Date of Certification

HOURLY RATES & FEES

Effective: January 1, 2022 through December 31, 2022

Principal	\$165.00
Associate	\$150.00
Project Manager	\$135.00
Architect	\$115.00
Project Coordinator	\$105.00
Designer	\$75.00
Administrative Support	\$55.00

Reimbursable Expense Policy

Reimbursable expenses are in addition to our fees for Basic Services and shall include any and all fees paid for securing reviews, inspections and/or approval of projects by authorities having jurisdiction over the project. Reimbursable expenses shall also include copy work, prints, photographic or digital copies, printing, reproductions, plots, standard form master documents, bid documents, postage, handling and delivery services related to the distribution of design and bidding documents.

Any other expenses not specifically listed but intended to be handled as a reimbursable charge shall be submitted to and authorized by the client in advance of incurring the charge.

All reimbursable expenses will be subject to an 8% mark-up that will be added to the direct invoiced costs for all products and services.

For Additional Services for consultants a 15% mark-up will be added to the direct invoiced costs.

**Rates are amended annually in January*



908.725.7800

50 Division Street, Suite 503
Somerville, NJ 08876

ssparchitects.com

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 01/04/22 05:00 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Sallie Graziano

Initiator: Sallie Graziano
Sponsors:

SCHEDULED

RESOLUTION 2022-36

DOC ID: 3692

**Appointing CME Associates as Borough Traffic Engineer for
2022**

WHEREAS, The Borough of Flemington desires to have a traffic engineer; and

WHEREAS, proposals were received through a fair and open process; and

WHEREAS, the Clerk of the Borough of Flemington has determined and certified in writing that the value of the contract may exceed \$17,500.00; and

WHEREAS, the term of this contract is one (1) year; and

WHEREAS, CME Associates has submitted a rate schedule which is attached to this resolution;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Flemington in the County of Hunterdon, State of New Jersey, hereby retains CME Associates for the Borough of Flemington for the year 2022, to perform the professional services ordinarily provided by a professional traffic engineer of the State of New Jersey and receive such compensation as may be reasonable for such services, not to exceed \$50,000.00; and

IT IS FURTHER RESOLVED that the Mayor of the Borough of Flemington is hereby authorized to enter into said agreement with CME Associates; and

IT IS FURTHER RESOLVED that the Chief Financial Officer has certified that funds are available in the 2018 budget, various escrow accounts, and various capital ordinances; and

Adopted: January 4, 2022

Attest:

Betsy Driver, Mayor

Sallie Graziano, Borough Clerk

CERTIFICATION

I, Sallie Graziano, Borough Clerk of the Borough of Flemington, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted

by the governing body on January 4, 2022.

Sallie Graziano, RMC, Borough Clerk

ATTACHMENTS:

- cme rates 2022 (PDF)



MUNICIPAL ENGINEERING SERVICES
GENERAL CONDITIONS AND HOURLY RATE SCHEDULE TO JANUARY 1, 2023

Senior Project Manager.....	\$182.00 Per Hour
Project Manager.....	\$181.00 Per Hour
Municipal Engineer.....	\$140.00 Per Hour
Project Leader.....	\$180.00 Per Hour
Professional Engineer.....	\$179.00 Per Hour
Senior Project Engineer.....	\$174.00 Per Hour
Project Engineer.....	\$153.00 Per Hour
Senior Design Engineer.....	\$140.00 Per Hour
Design Engineer.....	\$133.00 Per Hour
Drone Pilot.....	\$139.00 Per Hour
Senior Engineering Technician.....	\$125.00 Per Hour
Engineering Technician/Management Information Systems Technician.....	\$118.00 Per Hour
Drone Technician.....	\$ 77.00 Per Hour
Professional Land Surveyor.....	\$176.00 Per Hour
Land Surveyor.....	\$157.00 Per Hour
Robotic Total Station.....	\$ 77.00 Per Hour
Party Chief.....	\$133.00 Per Hour
Survey Technician.....	\$103.00 Per Hour
Resident Engineer.....	\$159.00 Per Hour
Chief Construction Engineer.....	\$150.00 Per Hour
Senior Construction Engineer.....	\$125.00 Per Hour
Construction Engineer.....	\$119.00 Per Hour
Chief Construction Technician.....	\$103.00 Per Hour
Senior Construction Technician.....	\$ 92.00 Per Hour
Construction Technician.....	\$ 85.00 Per Hour
Technical Assistant.....	\$ 99.00 Per Hour
Senior CAD Technician.....	\$131.00 Per Hour
Licensed Landscape Architect.....	\$177.00 Per Hour
Senior Landscape Designer.....	\$159.00 Per Hour
Certified Tree Expert.....	\$141.00 Per Hour
Landscape Designer.....	\$128.00 Per Hour
Director of Planning.....	\$182.00 Per Hour
Professional Planner.....	\$181.00 Per Hour
Project Planner.....	\$151.00 Per Hour
Planning Technician.....	\$129.00 Per Hour
Partner.....	\$185.00 Per Hour
Principal.....	\$184.00 Per Hour
Managing Partner/Administrative Partner.....	\$195.00 Per Hour

Environmental services will be billed in accordance with CME's Environmental Rate Schedule

Invoices - CME Associates (CME) will submit invoices to Client monthly and a final invoice upon completion of services. Payment is due upon presentation of invoice and is past due thirty days from invoice date. Client agrees to pay a finance charge of one and one-half percent per month, or the maximum rate allowed by law, on past due accounts. In the event that the invoice is not paid voluntarily and promptly, and must therefore be referred to an attorney or agency for collection, the Client agrees to pay a collection fee equal to the actual attorney or agency collection fee incurred by CME. Overtime rates are applicable after eight hours Monday through Friday, and all day Saturday and Sunday, and charged at one and one-half times the quoted rate. Holidays are charged at two times the quoted rate. Expenses incurred for reproduction, postage handling, photographs and for services including subsurface equipment and facilities not furnished by CME are charged to the Client at cost plus fifteen percent. Automobile travel may be charged at the current rate per mile allowed by the Internal Revenue Service.

Standard of Care - Services performed by CME under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. NO OTHER WARRANTY, EXPRESSED OR IMPLIED, IS MADE.

Contaminated Material - It is understood that CME is not, and has no responsibility as a handler, generator, operator, treator or storer, transporter or disposer of hazardous or toxic substances found or identified at any site. Client shall undertake or arrange for, either directly or indirectly through other contractors, the handling, removal, treatment, storage, transportation and disposal of hazardous substances or constituents found or identified at any site.

Utilities - In the execution of the work, CME will take all reasonable precautions to avoid damage or injury to subterranean structures or utilities. The Client agrees to hold CME

