



Mayor and Common Council Borough of Flemington

March 24, 2014

Council Meeting Room

Work Session Agenda (6:45 PM)

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

DISCUSSION: OPEN SPACE FUNDING REQUESTS (HISTORIC PRESERVATION COMMISSION AND HUNTERDON LAND TRUST)

Regular Meeting Agenda (7:30 PM)

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

Flag Salute

Roll Call:

Erica Edwards	Mayor
Dorothy Fine	Councilwoman
John Gorman	Councilman
Phil Greiner	Councilman
Joey Novick	Councilman
Phil Velella	Council Vice President
Brian Swingle	Council President

1. Presentation: "Things to Help Flemington" (Helena Shore- age 8)
2. Presentation and Discussion: Flemington-Raritan Regional School District 2014 Budget, Plus Update on School Security and Health Insurance for Teachers' Aides (up to approximately 60 minutes)
3. Mayor's Report (up to approximately 3 minutes)
4. Council Members' Reports (up to approximately 3 minutes each)
 - Councilwoman Fine
 - Councilman Gorman
 - Councilman Greiner
 - Councilman Novick
 - Council President Swingle
 - Council Vice President Velella
5. Public Comments -- Session I (up to approximately 3 minutes each for a maximum of approximately 30 minutes)
6. RESOLUTION 2014-62: RESOLUTION CALLING ON THE LEGISLATURE TO MAKE PERMANENT THE 2% CAP ON INTEREST ARBITRATION AWARDS

7. RESOLUTION 2014-63: AUTHORIZING HARRY HAULSHALTER, ESQ TO REPRESENT THE BOROUGH OF FLEMINGTON IN THE TAX APPEAL FILED BY TD BANK ON BLOCK 49 LOT 8, AT A RATE OF \$160.00 PER HOUR
8. RESOLUTION 2014-64: REQUESTING AN EXTENSION OF TIME TO INTRODUCE THE 2014 BUDGET
9. RESOLUTION 2014-65: APPROVING AN ON PREMISE RAFFLE FOR SAFE IN HUNTERDON TO BE HELD ON MAY 17, 2014
10. RESOLUTION 2014-66: AUTHORIZING THE CLOSING OF MAIN STREET FROM CAPNER TO MINE STREET FROM 2:00 PM TO 11:00 PM ON JULY 19 TH, 2014 FOR SALSA NIGHT AND AUTHORIZING AN APPLICATION FOR A SOCIAL AFFAIRS PERMIT TO THE DIVISION OF A.B.C FOR A BEER AND WINE GARDEN AT THE EVENT
11. RESOLUTION 2014-67: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE # 2012-011 HELD ON BLOCK 16 LOT 11.01, KNOWN AS 41 COURT STREET
12. RESOLUTION 2014-68: AUTHORIZING SUBMISSION OF THE RECYCLING TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
13. RESOLUTION 2014-69: EXTENDING THE PROFESSIONAL SERVICES CONTRACTS THROUGH MAY 31, 2014
14. RESOLUTION 2014-70: AUTHORIZING A TRANSFER OF FUNDS
15. ORDINANCE 2014-3: FIRST READING: AN ORDINANCE AMENDING CHAPTER VII TRAFFIC, SCHEDULE XII PARKING RESTRICTED USE FOR HANDICAPPED PERSONS BY ADDING A SPOT AT 25 SPRING STREET
16. Attorney's Report
17. Public Comments -- Session II (up to approximately 3 minutes each for a maximum of approximately 30 minutes, or until 10:00 PM, whichever earlier occurs)
18. Payment of the Bills

Motion To: **Pay The Bills**

Executive Session For Any Other Applicable Matter Identified During the Regular Meeting (Action May Be Taken)

Adjournment

Motion To: **Adjourn**

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 03/24/14 07:30 PM
Department: Clerk of the Borough
Category: Contract
Prepared By: Robin Hughes
Initiator: Rebecca Newman
Sponsors:

SCHEDULED

AGENDA ITEM 2014-7

DOC ID: 1493

**Discussion: Open Space Funding Requests (Historic
Preservation Commission and Hunterdon Land Trust)**

Mayor and Common Council38 Park Avenue
Flemington, NJ 08822Meeting: 03/24/14 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Rebecca Newman

Initiator: Rebecca Newman

Sponsors:

SCHEDULED**RESOLUTION 2014-62**

DOC ID: 1499

Resolution Calling on the Legislature to Make Permanent the 2% Cap on Interest Arbitration Awards

WHEREAS, on December 21, 2010, Governor Christie signed into law reforms to the Arbitration process that took effect January 1, 2011; and

WHEREAS, the reforms capped arbitration awards on economic factors to no more than 2%, provided for random selection of arbitrators, expedited the determination of awards, required the arbitrator to provide a written report detailing the weight accorded to each of the required considerations and expedited the appeal process; and

WHEREAS, these reforms marked a dramatic change to the arbitration process and have helped municipalities to control the never-ending rise in public safety personnel costs; and

WHEREAS, a key element of the reforms, capping arbitration awards on economic factors to no more than 2% of the property tax levy will expire on April 1, 2014; and

WHEREAS, while municipalities are statutorily limited to raise their property tax levy by no more than 2%, with very limited exceptions, failure to extend the 2% cap on interest arbitration awards will force municipalities throughout the State to further reduce or even eliminate crucial services, personnel, and long-overdue infrastructure improvement projects in order to fund an arbitration award; and

WHEREAS, the 2% Interest Arbitration cap has controlled one of the largest municipal expense, public safety salaries, not only through arbitration awards but through contract negotiations; and

WHEREAS, absent further action by the Legislature, any contract that expires on or after April 1, 2014, will be subject to all new procedures and requirements, EXCEPT the 2% awards cap; and

WHEREAS, without those limits, arbitrators will be able to impose awards that do not account for the 2% limit on the property tax levy, which would immediately threaten funding for all other municipal services; and

WHEREAS, without the 2% cap on Interest Arbitration Awards but with the 2% cap on property tax levy local budget makers could be forced to reduce other essential municipal services to fund an arbitration award;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, strongly urges the Legislature to permanently extend the 2% cap on interest arbitration awards prior to the April 1, 2014 sunset; and

BE IT FURTHER RESOLVED, that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Vincent Prieto, the Borough of Flemington's State Legislative representatives, Governor Chris Christie, and the New Jersey State League of Municipalities, Assemblyman Jack Ciattarelli, Senator Kip Bateman and Assemblywoman Donna Simon.

Erica Edwards, Mayor

ATTEST:

Rebecca P. Newman, Municipal Clerk, RMC

CERTIFICATION

I, Rebecca P. Newman, Municipal Clerk, hereby certify that this resolution was duly adopted by the Borough of Flemington at a meeting duly held on the 24th day of March, 2014; that this resolution has not been amended or repealed; and that it remains in full force and effect as of the date I have subscribed my signature.

Date

Rebecca Newman, Municipal Clerk, RMC

Distribution List

Governor Chris Christie
Office of the Governor
PO Box 001
Trenton, New Jersey 08625-0001

Stephen Sweeney
Senate President
Kingsway Commons
935 Kings Highway
Suite 400
West Deptford, New Jersey 08086

Vincent Prieto
Assembly Speaker
1249 Paterson Plank Road
Secaucus, New Jersey 07094

New Jersey League of Municipalities
222 West State Street
Trenton, New Jersey 08608

Senator Kip Bateman
36 East Main Street
Somerville, NJ 08876

Assemblyman Jack Ciattarelli
50 Division Street, Suite 200
Somerville, NJ 08876

Assemblywoman Donna Simon
57 Main Street
Flemington, NJ 08822

Mayor and Common Council38 Park Avenue
Flemington, NJ 08822Meeting: 03/24/14 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Robin Hughes
Initiator: Rebecca Newman
Sponsors:**SCHEDULED****RESOLUTION 2014-63**

DOC ID: 1489

**Authorizing Harry Haulshalter, Esq to Represent the Borough
of Flemington in the Tax Appeal Filed by TD Bank on Block
49 Lot 8, at a Rate of \$160.00 Per Hour**Borough of Flemington
County of Hunterdon

WHEREAS, TD Bank has filed a tax appeal on Block 49 Lot 8; and

WHEREAS, Thomas Denitzio, of Greenbaum, Rowe, Smith and Davis, LLP, was appointed as Legal Counsel to represent the Borough of Flemington on tax appeals; and

WHEREAS, the firm of Greenbaum, Rowe, Smith and Davis, LLP has a pre-existing business relationship with TD Bank; and

WHEREAS, Harry Haushalter, Esq has submitted a proposal to represent the Borough for a fee of \$160.00 per hour.

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that Harry Haushalter, Esq is appointed to represent the Borough in the tax appeal for TD bank filed on Block 49 Lot 8, at a rate of \$160.00 per hour.

Adopted: March 24, 2014

ATTEST:

Rebecca P. Newman, RMC
Borough Clerk

Erica Edwards, Mayor

Mayor and Common Council38 Park Avenue
Flemington, NJ 08822Meeting: 03/24/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Robin Hughes
Initiator: Rebecca Newman
Sponsors:**SCHEDULED****RESOLUTION 2014-64**

DOC ID: 1490

**Requesting an Extension of Time to Introduce the 2014
Budget**Borough of Flemington
County of Hunterdon

WHEREAS, due to the economic uncertainties of the day, the time for accumulating and preparing the necessary information for the 2014 budget has exceeded the time fixed by statute.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Flemington, County of Hunterdon, State of New Jersey herewith authorize the introduction of the 2014 budget past the time established by statute and, authorize the Borough Clerk to forward a certified copy of this resolution to the Office of the Director of Local Government Services and furnish said director with any further information required to act upon this matter.

Adopted: March 24, 2014

ATTEST:

Rebecca Newman, RMC

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 03/24/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman
Initiator: Rebecca Newman
Sponsors:
DOC ID: 1495

SCHEDULED

RESOLUTION 2014-65

**Approving an on Premise Raffle for Safe in Hunterdon to be
Held on May 17, 2014**

BOROUGH OF FLEMINGTON

COUNTY OF HUNTERDON

WHEREAS application has been received by the Borough of Flemington to grant an On-Premise Raffle License; and

WHEREAS no objection has been received by the Borough Clerk; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that an On-Premise Raffle License be granted:

TO: Safe In Hunterdon

BENEFIT: Education

DATE: May 17, 2014

LOCATION: 47 East Main Street, Flemington, N.J.

TIME: 10:00 AM-12:00 PM

Adopted: March 24, 2014

Erica Edwards, Mayor

Attest:

Rebecca P. Newman
Municipal Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 03/24/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman
Initiator: Rebecca Newman

Sponsors:

SCHEDULED**RESOLUTION 2014-66**

DOC ID: 1496

Authorizing the Closing of Main Street from Capner to Mine Street from 2:00 PM to 11:00 PM on July 19 Th, 2014 for Salsa Night and Authorizing an Application for a Social Affairs Permit to the Division of A.B.C for a Beer and Wine Garden at the Event

Borough of Flemington
County of Hunterdon

WHEREAS, Hunterdon Helpline has requested that Main Street be closed from Capner to Mine Street on July 19, 2014 from 2:00 PM to 11:00 PM for Salsa Night; and

WHEREAS, the Flemington Borough Police Department has reviewed this request and has approved the road closure as requested; and

WHEREAS, Hunterdon Helpline has requested permission to apply for a social affairs permit through the State of New Jersey Division of A.B.C. to utilize the Borough Street to have a beer and wine garden during Salsa Night; and

WHEREAS, the Flemington Borough Police Department has reviewed this request and has approved the request for alcohol consumption.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that the requested road closure as outlined above is approved for the Hunterdon Helpline Salsa Night being held on July 19, 2014.

BE IT FURTHER RESOLVED, that permission is granted to have a beer and wine garden on Main Street for the Salsa Night, and Hunterdon Helpline has permission to apply for a social affairs permit through the State of New Jersey Division of A.B.C.

Adopted: March 24, 2014

ATTEST:

Rebecca P. Newman, RMC
Borough Clerk

Erica Edwards, Mayor

Mayor and Common Council38 Park Avenue
Flemington, NJ 08822Meeting: 03/24/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman
Initiator: Rebecca Newman
Sponsors:**SCHEDULED****RESOLUTION 2014-67**

DOC ID: 1497

Authorizing the Redemption of Tax Sale Certificate # 2012-011 Held on Block 16 Lot 11.01, Known as 41 Court StreetBOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, funds were received in the amount of \$16,341.81 for the redemption of tax sale certificate # 2012-011 held on Block 16 Lot 11.01 known as 41 Court Street, property owner Charles Sherman, certificate owner, US Bank Cust for Pro Capital.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey to instruct the Treasurer to issue a check in the amount of \$16,341.81 plus a premium in the amount of \$6,400.00 for the redemption of tax sale certificate #2012-011, held on Block 16 Lot 11.01, made payable to US Bank Cust for Pro Capital.

Attach a copy of this resolution and mail to:

US Bank Cust for Pro Capital
2 Liberty Place
50 South 16th Street, STE 1950
Philadelphia, PA 19102

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to the Tax Collector.

Adopted: March 24, 2014

Erica Edwards, Mayor

Attest:

Rebecca P. Newman, Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 03/24/14 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Rebecca Newman
Initiator: Rebecca Newman
Sponsors:

SCHEDULED**RESOLUTION 2014-68**

DOC ID: 1494

Authorizing Submission of the Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, C.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations imposed on municipalities contain certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycle and to express the efforts undertaken by the Borough of Flemington to comply with the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that the Borough hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Michael Campion to oversee that the application is properly filed, and

NOW THEREFORE BE IT FURTHER RESOLVED that any monies received from the recycling tonnage grant be deposited in a trust fund to be used solely for the purposes of recycling.

Adopted: March 24, 2014

Erica Edwards, Mayor

Attest:

Rebecca P. Newman, RMC

Mayor and Common Council38 Park Avenue
Flemington, NJ 08822Meeting: 03/24/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca NewmanInitiator: Rebecca Newman
Sponsors:**SCHEDULED****RESOLUTION 2014-69**

DOC ID: 1498

**Extending the Professional Services Contracts through May
31, 2014**

WHEREAS the governing body may desire to issue an RFP for professional services for 2014 pending a discussion among members; and

WHEREAS, the following professional services contracts will be extended through May 31, 2014 until a final decision is made by the governing body:

General Legal Services- Greenbaum, Rowe, Smith & Davis LLP

Engineering Services- Van Cleef Engineering Associates

Auditing Services- Suplee, Clooney & Company

Planning Services- Clarke-Caton-Hintz

Bond Attorney- Wilentz, Goldman & Spitzer

Labor Attorney- Ruderman & Glickman

Sewer Engineering Services- CME Associates

Traffic & Transportation- Rocciola Engineering

Hydrogeological Services- M2 Associates

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that the appointments of all professionals for 2014 are hereby extended through May 31, 2014 to permit the governing body to thoroughly discuss at an upcoming meeting the RFP process and whether it wishes to undertake it in connection with 2014 appointments.

Adopted: March 24, 2014

ATTEST:

Rebecca P. Newman, RMC

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 03/24/14 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Rebecca Newman
Initiator: Rebecca Newman

Sponsors:

SCHEDULED

RESOLUTION 2014-70

DOC ID: 1500

Authorizing a Transfer of Funds

RESOLUTION

WHEREAS, N.J.S.A. 40A:4-59 provides for budget appropriation transfers during the first three months of the succeeding fiscal year (excluding appropriations for Contingent Expenses, Deferred Charges, Reserve for Uncollected Taxes, Capital Improvement Fund, and Interest and Debt Redemption Charges); and

WHEREAS, a need has arisen to expend amounts in excess of the original amounts appropriated therefore;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Chief Financial Officer be, and is hereby authorized to make the following transfers:

<u>From:</u>	<u>Amount</u>	<u>To:</u>	<u>Amount</u>
Medical Insurance	\$6,100.00	Legal OE	\$9,100.00
Dog Regulation OE	\$1,000.00		
Economic Development OE	\$2,000.00		
Total:	<u>\$9,100.00</u>	Total:	<u>\$9,100.00</u>

Erica Edwards, Mayor

Attest:

Rebecca Newman, Clerk

Date:

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 03/24/14 07:30 PM
Department: Clerk of the Borough
Category: Council Ordinance
Prepared By: Robin Hughes

Initiator: Rebecca Newman

Sponsors:

SCHEDULED

ORDINANCE 2014-3

DOC ID: 1492

**First Reading: an Ordinance Amending Chapter VII Traffic,
Schedule XII Parking Restricted Use for Handicapped
Persons by Adding a Spot at 25 Spring Street**

County of Hunterdon
Borough of Flemington

Parking Space Added:

Name of Street: 25 Spring Street

Sides: West

Location: From the West Southerly curb of Spring St and Maple Avenue heading North
on Spring Street to a point of 108 feet

ATTEST:

Rebecca Newman, RMC

Erica Edwards, Mayor