



Mayor and Common Council Borough of Flemington

April 28, 2014

Council Meeting Room

Work Session Agenda (6:45 PM)

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

1. DISCUSSION: 2014 BUDGET UPDATE (ALL)
2. DISCUSSION: MAYOR'S BUSINESS ROUNDTABLE (EDWARDS)

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
Brian Swingle	Council President
Phil Velella	Council Vice President

1. Public Comments -- Session I (up to approximately 3 minutes each, for a maximum of approximately 30 minutes)
2. Mayor's Report (up to approximately 3 minutes)
3. Council Members' Reports (up to approximately 3 minutes each)
 - Councilwoman Fine
 - Councilman Gorman
 - Councilman Greiner
 - Councilman Novick
 - Council President Swingle
 - Council Vice President Velella
4. Approval of Minutes
 - Motion To: **Approve Minutes: Regular Council Meeting**
Monday, March 24, 2014

Wednesday, April 16, 2014

5. RESOLUTION 2014-85: SUPPORTING A NO PASSING ZONE ON ROUTE 31
6. RESOLUTION 2014-87: APPOINTING REBECCA NEWMAN, BOROUGH CLERK, AS THE RISK MANAGEMENT CONSULTANT FOR THE STATEWIDE INSURANCE FUND
7. RESOLUTION 2014-88: AUTHORIZING THE REDEMPTION OF TAX SALE CERTIFICATE # 2013-006 HELD ON BLOCK 2 LOT 45 Q0013 AND INSTRUCTING THE CFO TO ISSUE A CHECK IN THE AMOUNT OF \$20,649.96 PLUS A PREMIUM IN THE AMOUNT OF \$18,100.00 TO US BANK CUST FOR BV001 TRUST
8. RESOLUTION 2014-89: AUTHORIZING THE APPOINTMENT OF REBECCA P. NEWMAN, BOROUGH CLERK, AS THE FUND COMMISSIONER FOR STATEWIDE INSURANCE
9. RESOLUTION 2014-90: AUTHORIZING THE PAYMENT OF ACCUMULATED SICK LEAVE
10. ORDINANCE 2014-9: SECOND READING: REFUNDING BOND ORDINANCE OF THE BOROUGH OF FLEMINGTON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY (THE "BOROUGH") PROVIDING FOR (I) THE REFUNDING OF CERTAIN OUTSTANDING 2002 AND 2004 BONDS OF THE BOROUGH AND (II) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,250,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFORE
11. ORDINANCE 2014-10: FIRST READING: AN ORDINANCE AMENDING CHAPTER III POLICE REGULATIONS BY ADDING SECTION 3-27 ESTABLISHING THE LICENSING OF TOWING OPERATORS IN THE BOROUGH OF FLEMINGTON AND TOWING STORAGE FEES ALONG WITH REQUIREMENTS
12. 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)
13. Attorney's Report
14. 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: 04/28/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman
Initiator: Rebecca Newman
Sponsors:

DOC ID: 1517

TABLED

RESOLUTION 2014-85**Supporting a No Passing Zone on Route 31**

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 31 in the Borough of Flemington; and

WHEREAS, NJDOT revealed the current centerline pavement markings on Route 31 meet and conform to current design standards; and

WHEREAS, NJDOT will update existing records to reflect current NO PASSING ZONE conditions along (US) (NJ) Route 31.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that it supports the use of a NO PASSING ZONE on Route 31 in the Borough of Flemington.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the NJDOT as requested.

Adopted: April 16, 2014

ATTEST:

Rebecca P. Newman, RMC
Borough Clerk

Erica Edwards, Mayor

I, Rebecca Newman, do hereby certify that the foregoing is a true copy of a resolution adopted by the Flemington Borough Mayor and Council at a meeting held on the 16th day of April, 2014.

Rebecca P. Newman, RMC
Borough Clerk

Updated: 4/25/2014 1:43 PM by Rebecca Newman

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Resolution 2014-85

Meeting of April 28, 2014

HISTORY:

04/16/14

Governing Body

TABLED

Next: 04/28/14

Resolution 2014-87

Meeting of April 28, 2014

Rebecca P. Newman
Borough Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 04/28/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman

SCHEDULED

Initiator: Rebecca Newman
Sponsors:

RESOLUTION 2014-88

DOC ID: 1537

Authorizing the Redemption of Tax Sale Certificate # 2013-006 Held on Block 2 Lot 45 Q0013 and Instructing the CFO to Issue a Check in the Amount of \$20,649.96 Plus a Premium in the Amount of \$18,100.00 to US Bank Cust for BV001 Trust

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, fund were received in the amount of \$20,649.96 for the redemption of tax sale certificate # 2013-006; held on Block 2 Lot 45 Q 0013 known as 13 William Martin Way owner D & D Developers, certificate owner, US Bank Custody for BV001 Trust

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 \$20,649.96 plus a premium in the amount of \$18,100.00 for the redemption of tax sale certificate #2013-006, held on Block 2 Lot 45 Q 0013, made payable to US Bank Cust for BV001 Trust.

Attach a copy of this resolution and mail to:

US Bank Cust for BV001
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: April 28, 2014

Erica Edwards, Mayor

Attest:

Rebecca P. Newman, Clerk

Mayor and Common Council38 Park Avenue
Flemington, NJ 08822Meeting: 04/28/14 07:30 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Rebecca Newman
Initiator: Rebecca Newman
Sponsors:**SCHEDULED****RESOLUTION 2014-89**

DOC ID: 1536

**Authorizing the Appointment of Rebecca P. Newman,
Borough Clerk, as the Fund Commissioner for Statewide
Insurance**Borough of Flemington
County of Hunterdon

WHEREAS, the Borough of Flemington has joined the Statewide Insurance Fund, a joint insurance fund as defined in N.J.S.A. 40A:10-36 et seq.; and

WHEREAS, the Bylaws require participating members to appoint a Fund Commissioner.

NOW THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, the Borough of Flemington hereby appoints, Rebecca P. Newman, Borough Clerk, as Fund Commissioner.

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

ATTEST:

Rebecca P. Newman
Borough Clerk

Erica Edwards, Mayor

CERTIFICATION

I, Rebecca P. Newman, Clerk of the Borough of Flemington, County of Hunterdon, State of New Jersey, do hereby certify tge foregoing to be a true and correct copy of a Resolution adopted by the governing body on April 28, 2014.

Rebecca P. Newman
Borough Clerk

Mayor and Common Council38 Park Avenue
Flemington, NJ 08822Meeting: 04/28/14 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Rebecca NewmanInitiator: Rebecca Newman
Sponsors:**SCHEDULED****RESOLUTION 2014-90**

DOC ID: 1535

Authorizing the Payment of Accumulated Sick LeaveBorough of Flemington
County of Hunterdon

Whereas, per the terms of the Collective Bargaining Agreement with the Teamsters, employees with unused sick time are to be compensated; and

Whereas, Robert Godown has accumulated unused sick time as follows:

Maximum payout \$5,000.00

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 payment of unused accumulated sick time for Robert Godown be authorized.

Adopted: April 28, 2014

ATTEST:

Rebecca Newman, RMC
Borough Clerk

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 04/28/14 07:30 PM
Department: Clerk of the Borough
Category: Bond Ordinance
Prepared By: Rebecca Newman

Initiator: Rebecca Newman
Sponsors:

TABLED**ORDINANCE 2014-9**

DOC ID: 1520

**SECOND READING: REFUNDING BOND ORDINANCE OF THE
BOROUGH OF FLEMINGTON, IN THE COUNTY OF
HUNTERDON, STATE OF NEW JERSEY (THE "BOROUGH")
PROVIDING FOR (I) THE REFUNDING OF CERTAIN
OUTSTANDING 2002 AND 2004 BONDS OF THE BOROUGH
AND (II) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED
\$2,250,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL
OBLIGATION REFUNDING BONDS OF THE BOROUGH TO
EFFECT SUCH REFUNDING AND APPROPRIATING THE
PROCEEDS THEREFORE**

HISTORY:

04/16/14

Governing Body

INTRODUCED

Next: 04/28/14

**BOROUGH OF FLEMINGTON
BOND ORDINANCE NUMBER _____**

REFUNDING BOND ORDINANCE OF THE BOROUGH OF FLEMINGTON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY (THE "BOROUGH") PROVIDING FOR (i) THE REFUNDING OF CERTAIN OUTSTANDING 2002 AND 2004 BONDS OF THE BOROUGH AND (ii) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,250,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH TO EFFECT SUCH REFUNDING AND APPROPRIATING THE PROCEEDS THEREFOR

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), the Borough of Flemington, in the County of Hunterdon, State of New Jersey (the "Borough"), had previously issued (i) \$2,870,000 aggregate principal amount of General Obligation Bonds, Series 2002 (the "2002 Bonds") on May 24, 2002 and (ii) \$2,500,000 aggregate principal amount of General Obligation Bonds, consisting of \$1,750,000 General Improvement Bonds, Series 2004 (the "2004 General Improvement Bonds") and \$750,000 aggregate principal amount of Water Utility Bonds, Series 2004 (the "2004 Water Utility Bonds", and together with the 2002 Bonds and the 2004 General Improvement Bonds, the "Original Bonds") on July 14, 2004; and

WHEREAS, a (i) \$605,000 outstanding principal portion of the 2002 Bonds maturing in the years 2015 through 2017 (the "2002 Refunded Bonds"), (ii) \$990,000 principal portion of the outstanding 2004 General Improvement Bonds maturing in the years 2015 through 2024 (the "2004 Refunded General Improvement Bonds") and (iii) \$440,000 outstanding principal portion of the 2004 Water Utility Bonds maturing in the years 2015 through 2023 (the "2004 Refunded Water Utility Bonds" and together with the 2002 Refunded Bonds and the 2004 Refunded General Improvement Bonds, the "Refunded Bonds") are all currently subject to redemption, either in whole or in part, prior to their respective stated maturity dates; and

WHEREAS, the Borough Common Council desires to refund all or a portion of the aforesaid Refunded Bonds through the issuance of its General Obligation Refunding Bonds, consisting of General Improvement Refunding Bonds in an aggregate principal amount not to exceed \$1,760,000 (the "General Improvement Refunding Bonds") and Water Utility Bonds in an aggregate principal amount not to exceed \$490,000 (the "Water Utility Refunding Bonds", and together with the General Improvement Refunding Bonds, the "Refunding Bonds"); and

WHEREAS, the Borough Common Council now desires to adopt this Refunding Bond Ordinance (the "Refunding Bond Ordinance") authorizing the issuance of the Refunding Bonds in an aggregate principal amount not exceeding \$2,250,000, a portion of the sale proceeds of which shall be used to refund the Refunded Bonds.

BE IT ORDAINED AND ENACTED BY THE BOROUGH COMMON COUNCIL OF THE BOROUGH OF FLEMINGTON, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. The refunding of all or a portion of the Refunded Bonds is hereby authorized.

SECTION 2. In order to refund the Refunded Bonds and to pay all related costs associated therewith, the Borough is hereby authorized to issue the Refunding Bonds in an aggregate principal amount not to exceed \$2,250,000, all in accordance with the requirements of N.J.S.A. 40A:2-51 et seq., and appropriate the proceeds of such

Attachment: DOC041414-04142014121451 (2014-9 : Bond Ord)

Refunding Bonds to such purpose described in Section 3 hereof. Such Refunding Bonds shall be designated as "General Improvement Refunding Bonds" and "Water Utility Refunding Bonds" with such series designations as may be necessary to identify such bonds.

SECTION 3. The purpose of the issuance of the Refunding Bonds is to achieve debt service savings and restructuring by refunding all or a portion of the Refunded Bonds.

SECTION 4. An aggregate amount not exceeding \$85,000 may be allocated from the aggregate principal amount of the Refunding Bonds to pay for items of expense listed and permitted under N.J.S.A. 40A:2-51(b), including, but not limited to, the aggregate allocated costs of issuance thereof, including underwriting, printing, credit enhancement or other insurance, advertising, accounting, financial, legal and other expenses in connection therewith, it being understood that any net savings analysis supporting the economic viability of issuing the Refunding Bonds must show the net refinancing savings as net of such expenses.

SECTION 5. A certified copy of this Refunding Bond Ordinance, has been filed with the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs prior to final adoption and enactment hereof.

SECTION 6. The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Borough Clerk and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this Refunding Bond Ordinance and the said bonds and notes authorized by this Refunding Bond Ordinance will be within all debt limitations prescribed by the Local Bond Law.

SECTION 7. This bond ordinance shall take effect and twenty (20) days after the first publication thereof after final adoption, approval by the Mayor and the consent of the Local Finance Board being endorsed upon said ordinance, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: _____, 2014

REBECCA NEWMAN,
Clerk of the Borough of Flemington

ADOPTED ON SECOND READING
DATED: _____, 2014

REBECCA NEWMAN,
Clerk of the Borough of Flemington

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2014

ERICA EDWARDS,
Mayor

Mayor and Common Council38 Park Avenue
Flemington, NJ 08822Meeting: 04/28/14 07:30 PM
Department: Clerk of the Borough
Category: Council Ordinance
Prepared By: Robin Hughes
Initiator: Rebecca Newman
Sponsors:**SCHEDULED****ORDINANCE 2014-10**

DOC ID: 1491

First Reading: An Ordinance Amending Chapter III Police Regulations by Adding Section 3-27 Establishing the Licensing of Towing Operators in the Borough of Flemington and Towing Storage Fees Along with Requirements

Be it ordained by the mayor and council of the Borough of Flemington, in the County Hunterdon County and the State of New Jersey.

Section 1. Title. This section will be known as the “Towing Ordinance of the Borough Of Flemington.”

Section 2. Purpose and Scope.

- . The purpose of the section is to establish towing and storage fees schedules for towing motor vehicles that are Police Impounded, damaged in accident and disabled.
- . This ordinance shall apply to all companies that will be licensed to provide towing and storage for motor vehicles.
- . In order to protect persons who operate motor vehicles inside the Borough, to ensure the proper licensing, storage, availability and other controls over person and companies licensed to provide a rotating towing service.

Section 3. Application for Towing License.

Any company interested in towing for the Borough of Flemington shall pick up an application from Police Headquarters. All companies shall submit the application for a towing license and return it to the Chief of Police or his designee. This application will consist of name of the company or trade name, business owner information such as name, business address, contact phone numbers, size of storage lot, security features and location where customer will come and claim stored vehicles. Also storage lots must be zoned in accordance to the borough for storage of vehicle and equipment. Company will also provide a service twenty-four hours a day basis each day of the year. Photos of all the equipment and storage facilities will be forwarded with the application. Complete listing of the insurance policies, carriers and agents the owner would place into effect upon license approval. A statement that the towing company / owner indemnify and hold harmless the Borough in the event that any claim or recovery is made against the

Borough arising out of the towing and storage of vehicles. Upon completion of the

Application and investigation of the application the Chief of Police or his designee will forward a copy of the application to the Borough of Flemington Council along with a letter of recommendation for approval or disapproval of the license with the reasons if any. Once found to be approved a payment for the towing license for a fee of one-hundred-fifty (\$150.00) dollars will be made to the Borough and a license will be issued to the applicant. Along with that the applicant will placed at the end of the towing list. All licenses shall expire on December 31 annually. The license is nontransferable or assignable.

Section 4. Insurance.

- . Garage keeper's policy. A garage keeper's liability policy in the minimum amount of \$100,00 for each vehicle damaged on a separate claim.
- . Garage liability policy. A garage liability policy covering the applicant's business, equipment and vehicles in the minimum amount of \$ 500,000 for any one person injured or killed, and a minimum of \$ 1,000,000 for more than one person killer or injured in any accident and an additional \$ 100,00 for any damage arising from injury or destruction to property, and/or a combined single limit of \$ 1,000,000. In addition to each policy containing an endorsement showing the Borough as additionally insured, such policy shall also provide an endorsement entitling the Borough to 30 days prior written notice to the Chief of Police or his designee in the event of any change to coverage under the policy, or in the event of the cancellation of the policy.
- . Worker's compensation policy. A workers' compensation policy covering all of the applicant's employees and operators, containing statutory coverage including liability coverage of at least \$ 100,000 for each accident per person, \$ 500,000 policy aggregate limit per disease, and \$ 100,000 for each disease per person.

Section 5. Standards of Operator Performance.

All operators of the licensed towing company who have entered into contracts with the Borough shall be obligated to comply with the following duties.

- . Remove and tow to the designated storage facility all vehicles directed the Borough of Flemington to be removed and towed because such vehicles are designated as abandoned, illegally parked, disabled, involved in an accident, or to be impounded.
- . Store such vehicles in a fenced in lot with motion lights or a lot with security cameras and motion lights and move such vehicles as directed by Borough of Flemington.
- . Provide twenty-four hour, seven-days a week service to the Borough during the terms of the contract

- . Respond promptly to all requests for towing service. In any event, the wrecker shall respond and be present at the location for service in 15 minutes of receipt of notice of the towing requirement between the hours of 7:00am and 7:00pm (daytime), and within 25 minutes of receipt of notice between the hours of 7:01pm and 6:59am (nighttime). In the event a wrecker does not arrive at the call for service within the above time periods, the police officer on scene shall have the right to have the next company on the rotation called to the location who will then have the right to perform the service. The original company contacted shall have no right to payment from any party.
- . Clean up all broken glass, debris and fluid spill at the scene of accidents, which work may be billed to the vehicle owner.
- . Furnish additional towing equipment and services during storm periods of snow emergencies, traffic emergencies and natural disasters.
- . Records of all vehicles towed by the Borough of Flemington along with a report of personal property found with the vehicle and an accounting of all monies received for fees for towing. The Chief of Police or his designee shall have access upon request to any and all invoices and records required.
- . In all of the wrecker's dealings with the public, the wrecker operator/owner shall act in a professional manor, courteous at all times and respectful to the public, as well as representative of the Borough.
- . The wrecker, not driven, must tow all vehicles from their location.
- . The towing company must have a permanent place of business.
- . The towing company shall also accept payment in either cash or a valid major credit card.

Section 6. Towing and Storage rate schedule.

The Chief of Police or his designee shall recommend to the Borough Council rate schedules for storage of vehicles at the wreckers storage location approved by the Borough of Flemington. Each year the towing and storage rates will be provided to the towing company along with the license.

Section 7. Solicitation.

No towing company, whether license or unlicensed by the Borough, shall respond to the scene of an accident or emergency for the purposes of towing a vehicle unless specifically notified by the Borough of Flemington or the individual involved in the accident or emergency. As long as the officer on scene deems it's safe to wait for another company requested by the owner of the

vehicle. The duty wrecker, to allow traffic to continue will only remove vehicles blocking traffic as a result of accidents or emergencies. Vendor will also not assign calls to other towing companies to complete a service call.

Section 8. Light Duty Requirements.

Vendor must present for service one truck, consisting of one flatbed, which meet the following minimum requirements:

- 10,000 lbs. GVWR minimum commercially manufactured
- Dual rear wheels
- 3,000 lbs minimum wheel lift capacity
- 8,000 lbs minimum winch capacity
- Vehicle manufacture serial plate must be legible for inspection
- 3/8" x 100' winch cable
- (2) Safety chains 3/8" x 10" with a minimum of grade 7
- Wheel lift safety straps
- Motorcycle towing equipment
- Amber Emergency lights (with a valid permit from the State of New Jersey)
- Two work lights rear facing
- Jumper box
- Flashlight, Fire extinguisher, first aid kit one box Traffic Triangles
- 5 gallon US dot approved gas can
- Lug wrench / jack
- Broom & shovel speedy dry
- Traffic Vest min class 2 ANSI 1999 or above
- 17' or longer hydraulically operated 8,000 lbs bed
- (2) Tire Skates and (4) point tie down straps
- ~~Must meet Federal DOT requirements under section CFR 392~~
- ~~Meeting Federal DOT inspections under CFR 392~~

Must comply with all laws of the State of New Jersey and all federal laws, including but not limited to the inspection requirements set forth in 49 C.F.R. 396 and other applicable regulations of the United States Department of Transportation ("US DOT") and the Federal Motor Carrier Safety Administration ("FMCSA") set forth at 49 C.F.R. 105, et seq.

Section 9. Heavy Duty Requirements.

Heavy Duty / Service vendors shall tow any vehicle that is over 10,000 lbs GVWR.

- (2) 33,000 lbs. GVWR minimum commercially manufactured chassis, hydraulic with a boom and under reach
- Air brakes
- One truck with a minimum towing capacity of 80,000 lbs
- 5/8" x 200' cable
- (2) Safety chains ½ x 8' alloy
- (4) Winching chains ½ x 8' alloy
- (4) Chain Binders
- (2) Recovery Straps 6" x 20' or longer
- Axle lift safety straps or equivalent retention device
- (2) 12 ton Snatch Blocks
- Amber lights (with a valid permit from the State of New Jersey)
- Two work lights rear facing
- Assortment of wood blocks and boards
- Assortment of tools
- Tow light bar or magnetic tow lights
- Hydraulic bottle jack
- Flashlight, Fire extinguisher and first aid kit
- Broom & Shovel
- (1) Air cushion recovery system with air pump, lifting capacity of 100,000 lbs.
- Semi-tractor with fifth wheel or wrecker with fifth wheel attachment
- ~~Must meet Federal DOT requirements under section CFR 392~~
- ~~Meeting Federal DOT inspections under CFR 392~~

Must comply with all laws of the State of New Jersey and all federal laws, including but not limited to the inspection requirements set forth in 49 C.F.R. 396 and other applicable regulations of the United States Department of Transportation ("US DOT") and the Federal Motor Carrier Safety Administration ("FMCSA") set forth at 49 C.F.R. 105, et seq.

Section 10. Rotation / Limits.

The Chief of Police or his designee is authorized to establish a system of rotation for the assignment of the licensed and contracted towers. The rotation shall be established on a nondiscriminatory and nonexclusionary basis. Only licensed towing companies will be added to the list after the license and the investigation and inspection of vehicles and storage facility are complete. The Chief of Police or his designee will authorize additional towing companies as deemed needed to the rotation.

Section 11. Suspensions / Terminations / Appeals.

The Chief of Police or his designee are empowered to take the following actions:

- Vendors may be removed or suspended from the towing list for three failures to respond in a timely basis, failure to demonstrate the skills necessary to perform towing and recovery in a safe, prompt and efficient manner, or excessive, unresolved customer complaints.
- Termination may occur if the application is fraudulent, the owner's insurance is canceled, or if there is evidence indicating a pattern of consumers fraud or and serious violation as determined by the Borough of Flemington or the Chief of Police or his designee.
- Vendor should be able to appeal any disciplinary actions against them to the Chief of Police or his designee. If not satisfied with the Chief of Police or his designee an appeal will be made with the Borough of Flemington.
- Any equipment violations by State, US DOT or FMCSA will be suspended until all violations are corrected.

Section 12. Inspections.

- Applicant shall submit to inspection of storage facility and vehicles.
- Vendors shall submit to at least one annual inspection
- Inspections shall include records of tows, employees and proof of insurance.
- Random inspections

Section 13. Fees

The regulations and fee schedules of individual towers shall be available to the public during normal business hours of the municipality.

Light Duty Towing Fees

- Light Duty Towing Under 10,000 lbs GVW Monday -Friday 8am-5pm
- \$90.00 hook up and \$4.00 loaded mile.
- Light Duty Towing Under 10,000lbs GVW Nights Weekends and Holidays
- \$105.00 hook up and \$4.00 loaded mile.
- Light Duty Recovery of a vehicle will be \$150.00 per hr minimum of 2 hrs.

Light Duty Storage Fees

- Outside Secured storage \$30.00 per 24 hr period
- Inside Secured storage \$50.00 per 24 hr period

Medium and Heavy Duty Towing Fees

- Medium Duty Towing 10,000-25,999 lbs GVW Monday - Friday 8am-5pm
- \$200.00 hook up and \$7.00 loaded mile.
- Medium Duty Towing 10,000-25,999 lbs GVW Nights Weekends and Holidays
- \$250.00 hook up and \$7.00 loaded mile.
- Heavy Duty Towing 26,000-80,000 lbs GVW Monday - Friday 8am-5pm
- \$250.00 hook up and \$8.00 loaded mile.
- Heavy Duty Towing 26,000-80,000 lbs GVW Nights Weekends and Holidays
- \$300.00 hook up and \$8.00 loaded mile.
- Hourly rate for medium and heavy duty to be set by each towing company and be provided to the Chief of Police or his designee minimum of 2 hrs per recovery
 - Does not include removing axles, drive shafts, air lines or any other required equipment to transport the vehicle, addition charges will apply
-

- **Medium and Heavy Duty Storage Fees**

-
- Tractor or Straight truck Outside Storage \$60.00 per 24 hr period.
- Tractor and trailer Outside Storage \$80.00 per 24 hr period.