



Mayor and Common Council Borough of Flemington

August 25, 2014

Council Meeting Room

I. Work Session Agenda (7:00 pm)

1. DISCUSSION: TRAFFIC SPEED STUDY AND TRAFFIC CALMING (VELELLA AND EDWARDS)

II. Regular Meeting Agenda (7:30 pm)

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. PROCLAMATION: HONORING DESCENDANTS OF SAMUEL FLEMING
5. RESOLUTION 2014-145: AUTHORIZING A WAIVER OF CERTAIN FEES ASSOCIATED WITH SALSA NIGHT
6. RESOLUTION 2014-146: APPROVING THE CORRECTIVE ACTION PLAN FOR THE AUDIT FINDINGS FOR THE YEAR 2013
7. RESOLUTION 2014-147: APPROVING PARTICIPATION IN THE STATE OF NEW JERSEY SAFE AND SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

8. RESOLUTION 2014-148: MANDATING DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES OF THE BOROUGH OF FLEMINGTON PURSUANT TO 52:14-15F ET. SEQ.
9. RESOLUTION 2014-149: APPROVING A SOCIAL AFFAIR PERMIT FOR HUNTERDON COUNTY CHAMBER OF COMMERCE TO SERVE WINE AND BEER AT LIBERTY VILLAGE ON SEPTEMBER 6TH FOR HUNTERDON FEST
10. RESOLUTION 2014-150: AUTHORIZING THE DISCHARGE OF MORTGAGE FOR 40 BONNELL STREET TO WILLIAM AND KATHLEEN SCHREINER
11. RESOLUTION 2014-151: APPROVING SUBMISSION OF AN APPLICATION FROM TIMOTHY REHL TO THE NJ FIREMAN'S ASSOCIATION
12. RESOLUTION 2014-152: AUTHORIZING THE APPOINTMENT OF YOLANDA CILLO TO THE SAMUEL FLEMING HOUSE BOARD OF TRUSTEES
13. RESOLUTION 2014-153: AUTHORIZING THE CLOSURE OF FULPER ROAD ON AUGUST 28, 2014 FROM 6:00 PM TO 12:00 AM FOR THURSDAY NIGHT LIGHTS
14. RESOLUTION 2014-154: AMENDING RESOLUTION 2014-140 TO CHANGE THE YARD SALE DATES FROM OCTOBER 4TH AND 5TH TO SEPTEMBER 27TH AND 28TH
15. RESOLUTION 2014-155: AUTHORIZING THE MAYOR AND CLERK TO SIGN A UTILITY AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR WATER AND SEWER IMPROVEMENTS WITHIN THE FLEMINGTON CIRCLE PROJECT AREA
16. RESOLUTION 2014-156: AUTHORIZING AN AWARD OF CONTRACT TO REIVAX IN THE AMOUNT OF \$411,962.00 FOR THE WALTERS LANE AND STANGL ROAD WATER AND SEWER IMPROVEMENTS
17. RESOLUTION 2014-157: ACKNOWLEDGING HUNTERDON MEDICAL CENTER FOR THEIR SUPPORT AND GENEROSITY TO THE COMMUNITY IN CONNECTION WITH THE SUMMER HEALTH AND WELLNESS ACTIVITIES
18. RESOLUTION 2014-158: ACKNOWLEDGING HUNTERDON CARDIOLOGY ASSOCIATES FOR THEIR SUPPORT AND GENEROSITY TO THE COMMUNITY IN CONNECTION WITH THE SUMMER HEALTH AND WELLNESS ACTIVITIES
19. RESOLUTION 2014-159: ACKNOWLEDGING WENDY RICHARDSON AND HER VOLUNTEERS FOR THEIR WORK ON THURSDAY NIGHT LIGHTS.
20. ORDINANCE 2014-18: AN ORDINANCE AMENDING AND SUPPLEMENTING THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF FLEMINGTON" SET FORTH IN 7-17.1 SCHEDULE X, 1975 SPECIFICALLY "ACCESS AND EXIT WAYS TO AND FROM PRIVATE PARKING LOTS AND DRIVEWAYS"
21. ORDINANCE 2014-19: AN ORDINANCE AMENDING AND SUPPLEMENTING THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF FLEMINGTON" SET FORTH IN 7-13.1 SCHEDULE X 1975 SPECIFICALLY "NO LEFT TURNS"

22. ORDINANCE 2014-20: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER III POLICE REGULATIONS SECTION 16.13 SPECIAL EVENT PERMIT FEES

23. Public Comments -- Session II (up to approximately 3 minutes each, for a maximum of approximately 30 minutes)

24. Attorney's Report

25. 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: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Appointment
Prepared By: Rebecca Newman
Initiator: Rebecca Newman
Sponsors:
DOC ID: 1627

SCHEDULED**AGENDA ITEM (ID # 1627)**

Discussion: Traffic Speed Study and Traffic Calming (Veleva and Edwards)

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Appointment
Prepared By: Rebecca Newman

Initiator: Rebecca Newman
Sponsors:

DOC ID: 1628

SCHEDULED**AGENDA ITEM (ID # 1628)****Proclamation: Honoring Descendants of Samuel Fleming****Proclamation**

Whereas, Samuel Fleming was born in Ireland in 1707 and later emigrated to the new world of America; and

Whereas, in 1746 he became licensed to run a tavern in Ringoes, New Jersey; and

Whereas, in 1756 Samuel Fleming bought 210 acres in present-day Flemington for his house and tavern, which land soon became known as “The Fleming Settlement”, later as “Fleming's” and then in the 1870’s as “Flemington”; and

Whereas, taverns were among the first and most important commercial enterprises in the settlements of colonial America, as they offered food, drink, lodging and stables to travelers and often served as the place where locals conducted business and socialized; and

Whereas, Samuel Fleming’s tavern was a stopping place noted for the warmth tired travelers felt by the welcoming fireplace and good food and drink, and thus became a popular stop; and

Whereas, George Washington, the first President of the United States, mentions in his journal “stopping at Fleming's”; and

Whereas, the Mayor and Council of the Borough of Flemington, the Samuel Fleming House Board of Trustees, the Friends of Samuel Fleming House and indeed the entire town of Flemington are pleased to welcome the descendants of Samuel Fleming back to his home on this day as a tribute to Flemington’s first settler.

Now Therefore Be It Proclaimed on this twenty fifth day of August in the year two thousand fourteen, by Flemington Mayor Erica Edwards, that the descendants of Samuel Fleming are now and forever considered Honorary Residents of Flemington.

Ratified on

August 25, 2014

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman
Initiator: Rebecca Newman
Sponsors:
DOC ID: 1629

SCHEDULED**RESOLUTION 2014-145**

Authorizing a Waiver of Certain Fees Associated with Salsa Night

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS,



Rebecca Newman
Clerk
Flemington Borough
38 Park Avenue
Flemington, NJ 08822

Ms. Newman,

Mayor Edwards asked that I present my request in writing for Hunterdon Helpline to be added to the August 25th Borough Council meeting.

We are asking that a \$6/officer/hour Borough fee attached to the Police Department's Salsa Night invoice be waived.

Thank you,

Susan

Susan R.G. Lax
Executive Director
Hunterdon Helpline

Attachment: DOC082214-08222014115558 (2014-145 : Hunterdon Helpline)

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman

Initiator: Rebecca Newman
Sponsors:

DOC ID: 1638

SCHEDULED**RESOLUTION 2014-146**

Approving the Corrective Action Plan for the Audit Findings for the Year 2013

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

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

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

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

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 Borough of Flemington hereby approves the corrective action plan submitted by William Hance.
2. The items/procedures identified in the corrective action plan will be put into effect immediately.

Adopted: August 25, 2014

ATTEST:

Rebecca Newman, RMC
Borough Clerk

Erica Edwards, Mayor

Flemington Borough		2013 Calendar Year Audit		
Audit Recommendation	Corrective Action Plan	Corrective Action	Staff Responsible	Completion Date
That a complete encumbrance accounting system be maintained in accordance with Technical Accounting Directive #85-1 and that the practice of issuing confirming orders be discontinued.	Purchase orders were not done prior to goods being ordered and services being rendered.	The borough implemented an electronic requisition system where all department heads can enter their orders in advance of needing the goods or services.	All Departments	09/01/14
That the bank error in the payroll account be investigated and corrected.	The State of NJ incorrectly withdrew pension funds for another municipality from Flemington's payroll account.	The CFO has contacted the other affected municipality and is in the process of having the funds credited back to our account.	CFO	12/31/14
That all departmental receipts be deposited or remitted to the Treasurer within 48 hours per N.J.S.A. 40A:5-15.	Departments did not deposit funds received within the required 48 hours.	The CFO has reminded all departments of the requirements of NJSA 40A:5-15	All Departments	09/01/14
That the Borough's use of payroll processing and disbursement services be brought in to compliance with the requirements of N.J.A.C. 5:30-17.	Flemington Borough does not have an up to date contract with the company responsible for providing our payroll services.	The CFO has contacted the payroll company to execute a contract.	CFO	09/01/14

Respectfully Submitted to the Mayor and Council by:

William J. Hance, Chief Financial Officer

August 21, 2014

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman

Initiator: Rebecca Newman
Sponsors:

DOC ID: 1640

SCHEDULED**RESOLUTION 2014-147**

Approving Participation in the State of New Jersey Safe and Secure Communities Program Administered by the Division of Criminal Justice, Department of Law and Public Safety

**STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE**

SAFE AND SECURE COMMUNITIES PROGRAM**RESOLUTION OF PARTICIPATION**

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY
SAFE AND
SECURE COMMUNITIES PROGRAM ADMINISTERED BY THE DIVISION OF
CRIMINAL
JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.

WHEREAS, the Borough of Flemington wishes to apply for funding for a project under the Safe and Secure Communities Program, and

WHEREAS, the Mayor & Council has reviewed the accompanying application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and Flemington Borough for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Mayor & Council that:

1. As a matter of public policy Flemington Borough wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.

- 4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

**STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CRIMINAL JUSTICE**

SAFE AND SECURE COMMUNITIES PROGRAM

CERTIFICATION OF RECORDING OFFICER

This is to certify that the foregoing Resolution is a true and correct copy of a resolution which was duly and regularly introduced and finally adopted at the meeting of the Flemington Borough Mayor & Council held on the 25th day of August, 2014 and duly recorded in my office; that all requirements of law pertaining to the conduct of said meeting and the passage of this resolution were observed; and that I am duly authorized to execute this certificate.

DATED this _____ day of _____, 2014

SEAL

Signature of Certifying Officer

Title of Certifying Officer

Name of Certifying Officer

Grant # P- 5445-14

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman

Initiator: Rebecca Newman

Sponsors:

DOC ID: 1639

SCHEDULED**RESOLUTION 2014-148**

**MANDATING DIRECT DEPOSIT FOR MUNICIPAL
EMPLOYEES OF THE BOROUGH OF FLEMINGTON
PURSUANT TO 52:14-15F Et. Seq.**

**Borough of Flemington
Resolution**

**A RESOLUTION TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL
EMPLOYEES OF THE
BOROUGH OF FLEMINGTON PURSUANT TO C. 52:14-15f et. seq.**

WHEREAS, P.L 2013c.28, authorizes local governments to mandate direct deposit for certain governmental employees effective after July, 2014; and

WHEREAS, P.L 2013c.28, permits governing bodies to grant exemptions on such terms and conditions as they deem necessary.

NOW THEREFORE, BE IT RESOLVED, by the Borough of Flemington located in Hunterdon County, State of New Jersey according to the following:

- Section 1. All full time employees and elected public officials who receive compensation from the Borough of Flemington are mandated to have direct deposit of their compensation effective immediately, after final passage, adoption and publication of this resolution, in accordance with Chapter 28 P.L. 2013, as defined under C.52:14-15f (b).
- Section 2. Seasonal and temporary employees who are employed by the Borough of Flemington are exempt from the direct deposit mandate.
- Section 3. Municipal employees may request, in writing, an exemption from the direct deposit mandate to the Borough of Flemington's Chief Financial Officer. Such requests will be presented to the Mayor & Council within 15 days. The Mayor & Council may grant such an exemption by resolution and only for good cause.
- Section 4. If any section, paragraph, subdivision, clause or provision of this Resolution shall be adjudged, invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remained of the Resolution shall be deemed valid and effective.
- Section 5. All Resolutions or parts of Resolutions inconsistent with or in conflict with the

Resolutions are hereby repealed to the extent of such inconsistency.

Section 6. This Resolution shall take effect immediately, after final passage, adoption and publication according to law.

Mayor

Clerk

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Rebecca Newman

Initiator: Rebecca Newman
Sponsors:

DOC ID: 1637

SCHEDULED**RESOLUTION 2014-149**

Approving a Social Affair Permit for Hunterdon County Chamber of Commerce to Serve Wine and Beer at Liberty Village on September 6th for Hunterdon Fest

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, The Hunterdon County Chamber of Commerce has requested permission to obtain a social affair permit through the State of New Jersey Division of ABC; and

WHEREAS, the application must be approved and signed by the local municipality; and

WHEREAS, Hunterdon County Chamber of Commerce has requested permission to serve beer and wine at Liberty Village, located at One Church Street, for an event to be held on September 6, 2014.

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 application requesting permission for Hunterdon County Chamber of Commerce to serve beer and wine at Liberty Village on Septemeber 6, 2014 is approved.

BE IT FURTHER RESOLVED that the Municipal Clerk is authorized to sign the application granting permission and forward the signed application to the State of New Jersey Division of ABC.

Adopted: August 25, 2014

ATTEST:

Rebecca Newman, RMC
Borough Clerk

Erica Edwards, Mayor

Mayor and Common Council38 Park Avenue
Flemington, NJ 08822Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca NewmanInitiator: Rebecca Newman
Sponsors:

DOC ID: 1636

SCHEDULED**RESOLUTION 2014-150****Authorizing the Discharge of Mortgage for 40 Bonnell Street
to William and Kathleen Schreiner**BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, A mortgage was issued to William and Kathleen Schreiner for improvements made to 40 Bonnell Street; and

WHEREAS, the mortgage was paid in full in the amount of \$16,290.00 on July 30, 2012.

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 mortgage held on 40 Bonnell Street can be discharged and removed from the record effective immediately.

Adopted: August 25, 2014

ATTEST:

Rebecca Newman, RMC

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Rebecca Newman

SCHEDULED

Initiator: Rebecca Newman
Sponsors:

RESOLUTION 2014-151

DOC ID: 1635

Approving Submission of an Application from Timothy Rehl to the NJ Fireman's Association

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, Timothy Rehl has met the necessary qualifications to make an application to the New Jersey Fireman's Association; and

WHEREAS, the application requires that the Governing Body approve the application and authorize the Municipal Clerk to sign the application to the New Jersey Fireman's Association.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that approval is granted for the Clerk to sign the application for Timothy Rehl to apply to the New Jersey Fireman's Association.

Approved: August 25, 2014

ATTEST:

Rebecca P. Newman, RMC
Borough Clerk

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman

Initiator: Rebecca Newman
Sponsors:

DOC ID: 1633

SCHEDULED**RESOLUTION 2014-152**

Authorizing the Appointment of Yolanda Cillo to the Samuel Fleming House Board of Trustees

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, Yolanda Cillo has expressed interest in becoming a board member of the Samuel Fleming House Board of Trustees; and

WHEREAS, Yolanda Cillo possesses the necessary skills to be a board member.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that Yolanda Cillo is appointed to the Samuel Fleming House Board of Trustees.

Adopted: 8/25/14

ATTEST:

Rebecca Newman, RMC
Borough Clerk

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman

Initiator: Rebecca Newman

Sponsors:

DOC ID: 1632

SCHEDULED**RESOLUTION 2014-153**

Authorizing the Closure of Fulper Road on August 28, 2014 from 6:00 PM to 12:00 AM for Thursday Night Lights

Borough of Flemington
County of Hunterdon

WHEREAS, the Flemington BID requested the closure of Fulper Road on Thursday August 28, 2014 from 6:00 PM to 12:00 AM for Thursday Night Lights; and

WHEREAS, the Flemington Borough Police Department has reviewed this request and has approved the closures as requested.

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 closures as outlined above are approved for Thursday Night Lights to be held on August 28, 2014

Adopted: August 25, 2014

ATTEST:

Rebecca P. Newman, RMC
Borough Clerk

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman

Initiator: Rebecca Newman

Sponsors:

DOC ID: 1634

SCHEDULED**RESOLUTION 2014-154**

**Amending Resolution 2014-140 to Change the Yard Sale
Dates from October 4Th and 5Th to September 27Th and
28Th**

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, on August 11, 2014 resolution 2014-140 setting the dates for the town-wide yard sale for October 4th and 5th, 2014 was adopted.

WHEREAS, upon further review of the dates the Borough noticed that the dates conflict with Yom Kippur.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council, of the Borough of Flemington, County of Hunterdon, State of New Jersey, that Resolution 2014-140 is amended to schedule the town wide yard sale for September 27th and 28th of 2014.

ADOPTED: August 25, 2014

ATTEST:

Rebecca Newman, RMC
Borough Clerk

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Appointments
Prepared By: Rebecca Newman

Initiator: Rebecca Newman

Sponsors:

DOC ID: 1631

SCHEDULED**RESOLUTION 2014-155**

Authorizing the Mayor and Clerk to Sign a Utility Agreement with the New Jersey Department of Transportation for Water and Sewer Improvements Within the Flemington Circle Project Area

BOROUGH OF FLEMINGTON

RESOLUTION: Approval to sign a Utility Agreement with the New Jersey Department of Transportation for Water and Sewer improvements within the project area.

WHEREAS, Route 31 and Flemington Circle will be improved by the New Jersey Department of Transportation.

WHEREAS, The Borough is in receipt of an "Agreement" between the Borough and New Jersey Department of Transportation in order to complete the work.

WHEREAS, The New Jersey Department of Transportation requires a resolution approving the agreement as well as delegating authority for signing the agreement.

WHEREAS, The Borough Engineer has reviewed the agreement documents and recommends signature of same.

NOW, THEREFORE, BE IT RESOLVED that Mayor and Council of the Borough of Flemington formally approve the signing of the agreement for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the agreement on behalf of the Borough of Flemington.

Certified as a true copy of the Resolution adopted by the Council
On this 25th day of August, 2014.

Rebecca Newman, RMC/CMC

Erica Edwards, Mayor

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the agreement and approve the execution of the agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Rebecca Newman, RMC/CMC

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman

Initiator: Rebecca Newman
Sponsors:

DOC ID: 1630

SCHEDULED**RESOLUTION 2014-156**

**Authorizing an Award of Contract to Reivax in the Amount of
\$411,962.00 for the Walters Lane and Stangl Road Water and
Sewer Improvements**

RESOLUTION

WHEREAS, the Borough of Flemington advertised, and subsequently received bids, for the Water and Sewer Improvements for Walters Lane and Stangl Road on August 5, 2014, as shown on the attached bid summary and;

WHEREAS, four (4) bids were received as follows:

Contractor	Base Bid	Base plus Alternate Bid	Supplemental Bid
Reivax Contracting, Harrison, NJ	\$ 361,962.00	\$400,962.00	\$50,000.00
MSP Construction Newark, NJ	\$ 431,550.00	\$456,550.00	\$60,000.00
P.M. Construction Hillside, NJ	\$464,599.00	\$521,399.00	\$94,250.00
Mountain View Development, Califon, NJ	\$526,540.00	\$540,780.00	\$60,500.00

WHEREAS, bids have been reviewed by the Borough Engineer, Robert Martucci, and by the Borough Attorney's representative, Steven Firkser, and they have determined that the bid submitted by Reivax Contracting of Newark, New Jersey is the lowest responsive bid for the contract work in the amount of \$411,962.00 for the Base Plus Supplemental Bid, and;

WHEREAS, the Borough of Flemington has sufficient funds and will receive partial funding from USDA for the contract work.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Flemington that the bid for Water and Sewer Improvements for Walters Lane and Stangl be awarded to Reivax Contracting of Newark, NJ for the bid in the amount of \$411,962.00 subject to the following conditions:

1. The Contract is awarded as a unit price bid Contract and final payment will be based upon the actual quantities installed at the unit price bid, as outlined in the Plans and Specifications prepared by Robert Martucci, P.E., Borough Engineer.
2. The Contract is subject to review and approval by the USDA.

Erica Edwards, Mayor

ATTEST:

Rebecca Newman, Clerk

Attachment: DOC082214-08222014115536 (2014-156 : Walters Lane and Stangl Road Water and Sewer)

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Financial Approval
Prepared By: Rebecca Newman

Initiator: Rebecca Newman
Sponsors:

DOC ID: 1641

SCHEDULED**RESOLUTION 2014-157**

Acknowledging Hunterdon Medical Center for Their Support and Generosity to the Community in Connection with the Summer Health and Wellness Activities

Whereas, the Hunterdon Medical Center has always been a strong supporter of health and wellness in Flemington community; and

Whereas, the Hunterdon Medical Center provided generous support so that Flemington was able to provide a Wellness Program offering free yoga and free tai chi this past summer in our borough park; and

Whereas, these programs provided an opportunity for many residents of all ages to experience the health benefits of yoga and tai chi which include developing flexibility and strength, stress reduction and relaxation, improved muscle tone, and the value of slowness of breath and meditation;

Now Therefore be it Resolved, that the Flemington Mayor and Council thanks the Hunterdon Medical Center for their outstanding generosity and dedicated commitment, and looks forward to a long and productive partnership in providing programs for the community

Adopted: August 25, 2014

ATTEST:

Rebecca Newman, RMC
Borough Clerk

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman

Initiator: Rebecca Newman

Sponsors:

DOC ID: 1642

SCHEDULED**RESOLUTION 2014-158**

Acknowledging Hunterdon Cardiology Associates for Their Support and Generosity to the Community in Connection with the Summer Health and Wellness Activities

Whereas, Hunterdon cardiology Associates has always been a strong supporter of health and wellness in the Flemington community; and

Whereas, Hunterdon Cardiology Associates provided generous support so that Flemington was able to provide a Wellness Program offering free yoga and free tai chi this past summer in our borough park; and

Whereas, these programs provided an opportunity for many residents of all ages to experience the health benefits of yoga and tai chi which include developing flexibility and strength, stress reduction and relaxation, improved muscle tone, and the value of slowness of breath and meditation;

Therefore be it Resolved, that the Flemington Mayor and Council thanks Hunterdon Cardiology Associates for their outstanding generosity and dedicated commitment, and looks forward to a long and productive partnership in providing programs for the community.

Adopted: August 25, 2014

ATTEST:

Rebecca Newman, RMC
Borough Clerk

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Board Policy
Prepared By: Rebecca Newman

Initiator: Rebecca Newman

Sponsors:

DOC ID: 1643

SCHEDULED**RESOLUTION 2014-159**

Acknowledging Wendy Richardson and Her Volunteers for Their Work on Thursday Night Lights.

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Flemington values community volunteers who are committed to increasing quality of life for all residents; and

WHEREAS, the Borough of Flemington recognizes the value of arts and entertainment in creating a sustainable community with regard to environmental, economic and social objectives; and

WHEREAS, the Borough of Flemington hereby acknowledges the success and positive impact that Thursday Night Lights has had on downtown Flemington with regard to foot traffic, shopping, and restaurant crowds; and

WHEREAS, the Borough of Flemington wishes to the knowledge and officially thank Wendy Richardson, Christy Lewis and all of the other volunteers of Flemington Rocks and the Flemington Business Improvement District ("BID") who have made Thursday Night Lights possible; and

WHEREAS, the Borough of Flemington wishes to acknowledge the financial support

provided for the event by the BID; and

WHEREAS, the Borough of Flemington encourages the BID to provide in its 2015 budget sufficient funding to grow the Thursday Night Lights event.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey, that Wendy Richardson and the Flemington Rocks and Flemington BID volunteers are commended for the insight, energy and commitment they have dedicated to making Thursday Night Lights successful.

Adopted: August 25, 2014

Attest:

Rebecca Newman, RMC
Municipal Clerk

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Council Ordinance
Prepared By: Rebecca Newman

Initiator: Rebecca Newman

Sponsors:

DOC ID: 1644

SCHEDULED**ORDINANCE 2014-18**

An Ordinance Amending and Supplementing the “Revised General Ordinances of the Borough of Flemington” Set Forth in 7-17.1 Schedule X, 1975 Specifically “Access and Exit Ways to and from Private Parking Lots and Driveways”

**BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON**

AN ORDINANCE AMENDING AND SUPPLEMENTING THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF FLEMINGTON” SET FORTH IN 7-17.1 SCHEDULE X, 1975 SPECIFICALLY “ACCESS AND EXIT WAYS TO AND FROM PRIVATE PARKING LOTS AND DRIVEWAYS”

BE IT ORDAINED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey that an Ordinance Amending and Supplementing “The Revised General Ordinances of the Borough of Flemington, 1975” as follows:

- **SCHEDULE X--- ACCESS AND EXIT WAYS TO AND FROM PRIVATE PARKING LOTS AND DRIVEWAYS - be amended to read as follows:**

In accordance with the provisions of subsection 17-17.1, the following locations shall be established as a one-way entrance and a one-way exit from Block 5 Lot 1 and Block 14 Lot 1 from a municipal road entering or exiting a private parking lot from the additional following locations:

c. Right Turn Only Entrance and Exit onto North Main Street from Block 14 Lot 1 parking lot 100 feet West of Walter Foran Boulevard and Walter Foran Boulevard Extension intersection.

d. Entrance and Exit onto Walter Foran Blvd. from Block 5 Lot 1 parking lot 340 feet North of Walter Foran Boulevard and Walter Foran Boulevard Extension intersection.

- **Effective Date**

This Ordinance shall take effect immediately after final passage and publication according to law.

Introduced: August 25, 2014

Adopted:

Attest:

Rebecca Newman, RMC/CMC
Municipal Clerk

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Council Ordinance
Prepared By: Rebecca Newman

Initiator: Rebecca Newman
Sponsors:

DOC ID: 1645

SCHEDULED**ORDINANCE 2014-19**

An Ordinance Amending and Supplementing the “Revised General Ordinances of the Borough of Flemington” Set Forth in 7-13.1 Schedule X 1975 Specifically “No Left Turns”

BOROUGH OF FLEMINGTON
COUNTY OF HUNTERDON

AN ORDINANCE AMENDING AND SUPPLEMENTING THE “REVISED GENERAL ORDINANCES OF THE BOROUGH OF FLEMINGTON” SET FORTH IN 7-13.1 SCHEDULE XIV, 1975 SPECIFICALLY “NO LEFT TURNS”

BE IT ORDAINED by the Mayor and Common Council of the Borough of Flemington, County of Hunterdon, State of New Jersey an Ordinance Amending and Supplementing “The Revised General Ordinances of the Borough of Flemington, 1975” as follows:

- SCHEDULE XIV--- NO LEFT TURNS - be amended to read as follows:

In accordance with the provisions of subsection 17-13.1, no person shall make a left turn from the additional following locations:

g. Entrance North Main Street onto Block 4 Lot 1: No left turn from North Main Street onto Block 4 Lot 1 driveway 100 feet west of Walter Foran Boulevard and Walter Foran Boulevard Extension intersection.

h. Exit Block 4 Lot 1 driveway: No left turn from Block 4 Lot 1 driveway 230 feet south of Walter Foran Boulevard and Walter Foran Boulevard Extension intersection onto Walter Foran Boulevard Extension.

i. Exit North Main Street and Park Avenue: No left turn from North Main Street and Park Avenue intersection onto North Main Street.

· Effective Date

This Ordinance shall take effect immediately after final passage and publication according to law.

Introduced: August 25, 2014

Adopted:

Attest:

Rebecca Newman, RMC/CMC
Municipal Clerk

Erica Edwards, Mayor

Mayor and Common Council

38 Park Avenue
Flemington, NJ 08822

Meeting: 08/25/14 07:30 PM
Department: Clerk of the Borough
Category: Council Ordinance
Prepared By: Rebecca Newman

Initiator: Rebecca Newman
Sponsors:

DOC ID: 1646

SCHEDULED**ORDINANCE 2014-20**

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER III POLICE REGULATIONS SECTION 16.13
SPECIAL EVENT PERMIT FEES**

**Borough of Flemington
County of Hunterdon**

3-16 Special Events.*

***Editor's Note:** Prior ordinance history includes portions of Ordinance No. 17-1980, 15-1990 and 2005-31.

3-16.1 Definitions.

- a. "Chief of police" shall mean the chief of police of the Borough of Flemington.
- b. "Special event" shall mean any parade, march, ceremony, show, demonstration, rally, vigil, exhibition, pageant or procession of any kind, or any similar display, in or upon any street, sidewalk, park or other public place in the Borough of Flemington.
- c. "Special event permit" shall mean a permit as required by this section.
- d. "Person" shall mean any person, firm, partnership, association, group of two or more people, corporation, company or organization of any kind.

3-16.2 Permit Required; Exceptions.

No person shall engage in, participate in, aid, form or start any special event, unless a special event permit shall have been obtained from the chief of police.

- a. This section shall not apply to the following:
 - 1. A governmental agency acting with the scope of its functions; or
 - 2. Any person acting under regulatory or statutory authority.

3-16.3 *Application for Permit.*

A person seeking issuance of a special event permit shall file an application with the chief of police on forms approved by such officer.

a. An application for a special event permit shall be filed with the chief of police not less than six nor more than 30 days before the date on which it is proposed to conduct the special event.

b. The application for a special event permit shall set forth the following information:

1. The name, address and telephone number of the person seeking to conduct the special event;

2. If the special event is proposed to be conducted for, on behalf of, or by an organization of any kind, the name of the organization and of the authorized and responsible heads of such organization;

3. The name, address and telephone number of the person who will be the special event chairman or organizer and, if different, who will be responsible for the conduct of the special event;

4. The date when the special event is to be conducted;

5. The route to be traveled, the starting point and the termination point or, if the special event is going to be in a fixed location and not moving, the location where the special event will be held;

6. The approximate number of persons who will constitute or partake in the special event;

7. If animals will be included in the special event, the specific type of each animal and whether each is domestic or wild;

8. The number and description of the motor vehicles or any other type vehicle expected to be used in the special event;

9. The specific times when such special event will start and terminate;

10. A statement as to whether the specific event will occupy all or only a portion of the width of the sidewalk(s) or street(s) proposed to be traversed or on which it will be located;

11. The location of the street(s) or any assembly area(s) to be used for the

special event;

12. The time at which units of the special event will begin to assemble at each such assembly area;

13. The interval of space to be maintained between units of the special event if the event will be moving;

14. If the special event is designed to be held by, or on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the chief of police a communication in writing from the person proposing to hold the special event, authorizing the applicant to apply for the permit on its behalf;

15. A statement of the purpose of the special event; and

16. Any additional information which the chief of police shall find reasonably necessary to a fair determination as to whether a permit should be issued.

17. The application shall contain a map indicating the location of the nonsmoking area as required under section 3-26. An applicant reserves the right to request a waiver from designating a nonsmoking area in a written request stating why the applicant cannot comply that must accompany the application. Based upon the review of the written request in light of the other information in the application and the factors for issuing a permit set forth in subsection 3-16.4 of this section, the chief of police shall have the authority to waive the nonsmoking area designation based on compelling logistic reasons.

c. If the special event will use or traverse any State or county road or highway or be located on any Federal, State or county property within the Borough of Flemington, the application shall be accompanied by a written consent or other written authorization to hold such special event on the date and at the time requested, issued by the public agency or body having jurisdiction and control over said road, highway or property.

d. When it reasonably appears that the applicant for a special event permit could not have complied with subsection 3-16.3 by filing the application for the special event permit not less than six days before the date on which it is proposed to conduct the special event, the chief of police shall have the authority to consider any application hereunder which is filed within such six-day period in the same manner as if it had been timely filed,

provided the applicant sets forth the good faith reasons it could not timely comply in its written application for the permit.

3-16.4 *Issuance of Permit.*

The chief of police shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that it is either (1) for any special event involving expressive activity protected by the New Jersey Constitution or United States Constitution and includes less than 25 people, provided the applicant signs a verified statement that he in good faith believes the event's purpose involves such expressive activity and will not require the closure of or substantially block or interfere with the use of a sidewalk, street, alley or other public right-of-way or other property owned or controlled by the Borough of Flemington or (2) that:

a. The conduct of the special event will not substantially interrupt the safe and orderly movement of other vehicular or pedestrian traffic contiguous to its route or location;

b. The conduct of the special event will not require the diversion of so great a number of police or fire officers of the Borough of Flemington to properly police or protect the location or line of movement and the areas contiguous thereto, as to prevent normal police or fire protection for the borough;

c. The conduct of such special event will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the Borough of Flemington, other than that to be occupied by the location or line of movement and areas contiguous thereto;

d. The concentration of persons, animals and/or vehicles at the location or assembly points of the special event will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such location or assembly area(s);

e. The conduct of the special event will not interfere with the movement of firefighting equipment enroute to a fire;

f. The special event either will not move or is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays enroute; and

g. The special event is not to be held for the sole purpose of advertising any product, goods or event, and is not designed to be held purely for private profit.

3-16.5 *Denial of Permit.*

If the application is disapproved, the chief of police shall give written notice thereof to the Borough Clerk and applicant setting forth the reasons for the denial of the permit.

3-16.6 *Notice of Decision.*

The chief of police shall notify the applicant for a special event permit of his decision on such application within 72 hours of the time that the application was filed.

3-16.7 *Permit Conditions.*

The chief of police also may condition the issuance of a special event permit by imposing reasonable requirements concerning the time, place, and manner of the event and such requirements as are necessary to protect the safety of persons and property and the control of traffic, provided such conditions shall not unreasonably restrict the right of free speech. Such conditions include the following:

- a. Alteration of the date, time, route or location of the event proposed in the event application;
- b. Conditions concerning the area of assembly and disbanding of parade or other events occurring along a route;
- c. Conditions concerning accommodation of pedestrian or vehicular traffic, including restricting the event to only a portion of a street;
- d. Requirements for the use of traffic cones or barricades;
- e. Requirements for provision of first aid or sanitary facilities;
- f. Requirements for the use of event monitors and providing notice of permit conditions to event participants;
- g. Restrictions on the number and type of vehicles, animals, or structures at the event and inspection and approval of floats, structures, and decorated

vehicles for fire safety by the Borough of Flemington Fire Department;

- h. Compliance with animal protection ordinances and laws;
- i. Requirements for use of garbage containers and the cleanup and restoration of Borough of Flemington and/or any other affected property;
- j. Restrictions on use of amplified sound;
- k. An application for a special event permit to conduct a block party may be conditioned on notice and obtaining written approval of 50 percent of the dwellings along the affected street(s);
- l. Compliance with any relevant ordinance or law and obtaining any legally required permit or license.

3-16.8 *Notice of Permit.*

Immediately upon the issuance of a special event permit, notice thereof shall be forwarded by the chief of police to the following:

- a. The mayor;
- b. The clerk of the borough;
- c. The fire chief; and
- d. The director of the department of public works.

3-16.9 *Information Required.*

Each permit shall state the following information:

- a. The starting time and ending time;
- b. The minimum speed, if applicable;
- c. The maximum speed, if applicable;
- d. The maximum interval of space to be maintained between the units of the special event, if applicable;
- e. The location of the special event or the portions of the street(s) to be traversed that may be occupied by the special event;
- f. The maximum length of the special event in miles or fractions thereof, if applicable;

g. Such other information as the chief of police reasonably shall find necessary to the enforcement of this special events ordinance.

3-16.10 *Compliance.*

A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The special event chairman, organizer or other person heading or leading such activity shall carry the special event permit upon his person during the conduct of the special event.

3-16.11 *Prohibited Acts.*

a. No person shall unreasonably hamper, obstruct or impede, or interfere with any lawful special event or with any person, vehicle or animal participating or used in a special event.

b. No driver of a vehicle, streetcar or trackless trolley shall drive between the vehicles or persons comprising a lawful special event when such vehicles or persons are in motion and are conspicuously designated as a special event.

3-16.12 *Violation; Penalty.*

Any person who violates any provisions of this section shall, upon conviction thereof, be punished by a fine not exceeding \$500.00 or by imprisonment in the county jail for a term not exceeding 90 days, or both.

3-16.13 *Fees.*

At the time an application for a special event permit is filed, the applicant shall pay to the Borough of Flemington a nonrefundable administrative fee of \$35.00, which fees shall be waived if:

a. The applicant is a United States military organization or United States veterans' organization; or

b. The applicant is the Borough of Flemington, any of its departments or the Flemington-Raritan Rescue Squad; or

c. The applicant is a charitable organization located in the Borough, or a 501(c)(3) not-for-profit corporation located in the Borough which shall include the Flemington Business Improvement District; or

d. The chief of police finds that the special event involves expressive authority protected by the New Jersey Constitution or United States Constitution, provided the applicant signs a verified statement that he in good faith believes the event's purpose involves such expressive activity.

Introduced: August 25, 2015

Adopted:

Rebecca Newman, RMC
Municipal

Erica Edwards, Mayor