

CALL TO ORDER

Council President Brad Myhre called the meeting to order at 7:30 p.m. and stated that in compliance with the “Open Public Meetings Act” this Meeting was duly advertised and published in the Hunterdon County Democrat on January 10, 2013 and the Express Times on January 10, 2013; the Agenda has been posted at Borough Hall and distributed to the Courier News, the Express Times, the Hunterdon County Democrat, and the Star Ledger on April 17, 2013.

FLAG SALUTE

Mayor Cooper asked everyone to stand for the flag salute.

ROLL CALL

Present for the Meeting:

Robb Arent
Seth A. Grossman
Cathy Leach
Michele Liebttag
Brad Myhre
William Sullivan

Absent from Meeting:

Mayor Cooper

Attorney Albert Cruz, and Borough Clerk, Brenda S. Shepherd, were present for the meeting. 4 members of the public were also present.

Brad Myhre asked to take a moment of silence in memory of the victims who lost their lives in the terrorist attack at the Boston Marathon.

PUBLIC COMMENTS

The Common Council approved to open the public comment session by favorable voice vote.

Diane Dalrymple, President of the Frenchtown Business and Professional Association and chairperson for the Frenchtown Farmers Market stated that they are planning a farmers market to be held at Cathy’s General Store parking lot from June through October from 10am to 2pm on Sundays. Jonathon Perlstein who is the property owner has granted us permission to use that facility. We have an appointment scheduled with the Planning Board to approve our banner. We have gotten approval from the town and police department and they have made everyone aware that they are doing this. It has come to their attention that they need a special permit to do a farmers market and that permit is for 15 days. Our farmers market is for 22 days and she would like to request a 7 day amendment to that permit so we can move forward with the farmers market. Attorney Cruz noted that he received an email regarding this and the town has an ordinance regarding temporary uses for fairs, carnivals, circuses and bazaars sponsored by non-profit local organizations permitted as a temporary activity only for a period of not more than 15 days in any calendar year with the permission of the Council and subject to the provisions of adequate off-street parking and control of traffic, noise, glare, dust and sanitary facilities. Apparently, this use of a farmers market is not permitted where it is going to be and you can only give them approval for up to 15 days for the entire year. Attorney Cruz suggested that the Council give them a 15 day permit which would bring

it to September and between now and September, you can amend the ordinance to make it a permitted use or a longer period for a temporary use. This will allow the Business Association to move forward and the Council can fix the technical problem that was not envisioned to go beyond 15 days. The applicant will still have to present to the Council proof that there is adequate off street parking, etc. and that the traffic is being controlled. He suggested that Diane Dalrymple submitted everything to the Council. There are two more Council meetings in May. Chief has copy of the town events form. Michele Liebttag noted that she did receive an email regarding dumpsters and sanitation. She has a call into Raritan Valley and as soon as she hears back from them, she will contact Diane Dalrymple. Seth A. Grossman recommended that Diane Dalrymple draw a map of the area and indicate the parking. Brad Myhre recommended that she work with the Police Chief for the traffic and have him sign off on it.

Skye Van Saun of Eighth Street asked when the recycling center would be open to dump brush and pick up mulch. Robb Arent responded that the goal is to have it open in May. They are finishing the construction of new DPW. They are working on putting in rock and gravel this week. We will put something on the website if it will be open at the end of April. Responding to Skye Van Saun, Micheal Flood stated that he spoke with Mike Reino and there is mulch at Old Frenchtown Field. Skye Van Saun asked what happen to brush days? Brad Myhre stated that the Borough was temporarily collecting brush from the storm. Skye Van Saun commented that there was talk about opening the recycling center more than the last Saturday of the month. Brad Myhre stated that it will be open the last Saturday of the month. Mike Reino is working internally on that.

The Mayor and Common Council approved to close the public comment session by favorable voice vote.

CONSENT AGENDA

All matters listed on the Consent Agenda are considered to be routine by the Governing Body and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

Cathy Leach requested that the minutes be removed from the consent agenda.

On motion by William Sullivan, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Common Council approved the consent agenda approving Resolution #2013-35 and Resolution #2013-36 as follows:

RESOLUTION 2013-35

TONNAGE GRANT APPLICATION RESOLUTION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant 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 to expand existing programs; and

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

WHEREAS, the recycling regulations impose on municipalities 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 for calendar year 2012 will memorialize the commitment of this municipality to recycling and to indicate the asset of the Common Council of the Borough of Frenchtown to the efforts undertaken by the municipality and 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 Common Council of the Borough of Frenchtown that the Borough of Frenchtown hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Alan Dilley, Certified Recycling Coordinator, to ensure that the application is properly filed; and

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

I, Brenda S. Shepherd, Clerk of the Borough of Frenchtown, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on April 17, 2013.

Brenda S. Shepherd, RMC

**Resolution #2013-36
Establishing a Green Team Advisory Committee**

WHEREAS, the Borough Council of the Borough of Frenchtown strives to save tax dollars,

assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Borough Council of the Borough of Frenchtown wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on “Green” issues, the Borough Council wishes to establish a Green Team Advisory Committee (GTA); and

WHEREAS, the Borough Council of the Borough of Frenchtown wants to begin the process of focusing on “Green” issues by continuing to fulfill Sustainable Jersey Actions and other green initiatives as appropriate and agreed to be Borough Council.

WHEREAS, the Borough Council of the Borough of Frenchtown wishes to make its operations greener, and more environmentally friendly continuing to work on actions towards attaining Sustainable Jersey Bronze Level Certification; and

WHEREAS, solar power, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Borough moves to do their share to lessen the environmental impact of its operations.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Frenchtown that we do hereby establish a Green Team Advisory Committee consisting of 15 members who shall be residents, business owners or employees of the Borough of Frenchtown, appointed annually, but whose term of appointment shall be through December 31, 2013.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Frenchtown that the Mission, Vision, Goals and Objectives for the GTA through December 31, 2013 are established as follows:

Mission

The Borough of Frenchtown Green Team Advisory Committee will advise the borough council on ways to improve municipal operations with “Green” initiatives which are economically and environmentally sound through research and evaluation.

Green Team Vision

Frenchtown is an eclectic river community comprised of innovative thinkers who embrace sustainable “green” practices that improve the quality of life for residents, merchants and visitors. To help our community live a life in balance with nature, the Frenchtown Green Team is committed to responsible environmental stewardship through education and activism. This is who we are; this is what you can count on.

Goals

Submit a report and recommendations to the Borough Council by December 31, 2013 to include:

1. Progress made on Sustainable Jersey Actions, Green Team projects and disbursement of funds
2. An evaluation of recycling center activity
3. A report of suggested best practices for “greener” municipal operations

Objectives

1. Collaborate with borough employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the GTA.
2. Encourage participation of all employees to solicit ideas on green initiatives.
3. Research and analyze green initiatives which make practical environmental and financial sense.
4. Develop strategies for sustainable green initiatives in municipal operations.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Borough Council of the Borough of Frenchtown that the following persons are hereby appointed to the GTA for the remainder of 2013:

#	Green Team Member Name	Affiliation
1	Warren Cooper	Frenchtown Mayor
2	Sara Rupert	Citizen
3	John Gehman	Business Owner
4	Cara Simonetta	Business Owner
5	Brendan Edmonds	Citizen & Community Garden President
6	Jenny Isaacs	Electric vehicle developer and teacher
7	Gerry St Onge	Citizen
8	Adrienne Crombie	Citizen & Environmental Commission
9	John Mizin	Community gardener developer
10	Diane Mallon	Citizen
11	Michael Flood	Citizen
12	Bryan Davison	Citizen
13	Richard Reilly	Citizen, Community Garden & Environmental Commission
14	Dominikija Prostack	Citizen
15	Christopher Zelov	Citizen

Dated: April 17, 2013

Warren E. Cooper, Mayor

ATTEST:

Brenda S. Shepherd, RMC

Borough Clerk

PRESENTATION OF MINUTES

On motion by Michele Liebttag, seconded by Robb Arent and carried by favorable roll call vote, the Common Council approved the minutes of the April 3, 2012 regular council meeting with Cathy Leach abstaining.

RESOLUTIONS

Resolution #2013-37 – Approval of the New Jersey Water Company Extension Deposit Agreement and fee for the water main extension for the Wastewater Treatment Plan

Robb Arent stated that we had to decide whether to put in a new well or run water lines to the new sewer treatment plant. With the level of treatment required for a new well, particularly for the arsenic levels, we decided we were better off to go with New Jersey American Water. They will continue the water line from South Washington Street to River Road and to the plant. It is mostly for bathroom, emergency shows and drinking. This will give the residents on River Road with wells, the opportunity to tap into the New Jersey American Water Company line. Those residents would work separately with the water company. We also will be putting a fire hydrant there. On motion by Robb Arent, seconded by Seth A. Grossman and carried by unanimous favorable roll call vote, the Common Council approved Resolution #2013-37 as follows:

RESOLUTION #2013-37

Approval of the New Jersey American Water Company Extension Deposit Agreement and fee for water main extension

WHEREAS, the Borough of Frenchtown would like to extend the water main from South Washington Street to the Wastewater Treatment Plant on River Road through New Jersey American Water Company; and

WHEREAS, New Jersey American Water Company requires an Extension Deposit Agreement and fee of \$126,000.00 from the Borough of Frenchtown for the water main extension; and

WHEREAS, the Chief Financial Officer of the Borough of Frenchtown has certified that the funds in the amount of \$126,00.00 for the deposit fee are available in the Sewer Capital Improvement Fund through Ordinance #696; and

WHEREAS, the Mayor and Clerk of the Borough of Frenchtown are authorized to sign and file the Extension Deposit Agreement with New Jersey American Water Company;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the Borough of Frenchtown, County of Hunterdon and State of New Jersey that the Mayor and Clerk of the Borough of Frenchtown are authorized to sign and file the Extension Deposit Agreement with New Jersey American Water Company for the water main extension as described above.

BE IT FURTHER RESOLVED, by the Common Council of the Borough of Frenchtown, County of Hunterdon and State of New Jersey that the Borough's Chief Financial Officer issue a check for the Extension Deposit fee in the amount of \$126,000.00 from the Sewer Capital Improvement Fund through Ordinance #696.

Warren E. Cooper, Mayor

Attest:
April 17, 2013

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2013-38 - Resolution authorizing the issuance of not exceeding \$2,633,000 bond anticipation notes of the Borough of Frenchtown

Brad Myhre noted that this resolution pertains to the sewer plant project. Robb Arent noted that the Borough has gotten money from both the USRDA and NJEIT. As to the money from NJEIT, the Borough starts paying back interest only when the project is finished. It is 1 ½ years out to repay it. The money from the USRDA gets paid back immediately. Therefore, the Borough is using BANS to put off using the money from USRDA. On motion by Robb Arent, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Common Council approved Resolution #2013-38 as follows:

RESOLUTION #2013-38

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$2,633,000 BOND ANTICIPATION NOTES OF THE BOROUGH OF FRENCHTOWN, IN THE COUNTY OF HUNTERDON, NEW JERSEY.

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FRENCHTOWN, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AS FOLLOWS:

Pursuant to a bond ordinance of the Borough of Frenchtown (herein called "the local unit"), entitled: "Bond ordinance providing for the improvement of the sanitary sewerage system in

and by the Borough of Frenchtown, in the County of Hunterdon, New Jersey, appropriating \$14,475,000 therefor and authorizing the issuance of \$14,475,000 bonds or notes of the Borough for financing such appropriation”, finally adopted on July 6, 2011 (#696), Bond Anticipation Notes of the local unit in a principal amount not exceeding \$2,633,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any Bond Anticipation Notes heretofore issued therefor, and any action heretofore had or taken with respect to said notes is hereby approved, ratified and confirmed.

The following matters in connection with said Bond Anticipation Notes are hereby determined:

All notes issued hereunder shall mature at such times as may be determined by the chief financial officer or treasurer of the local unit (the “chief financial officer”), provided that no note shall mature later than (i) one year from the date of the first note issued hereunder and (ii) three years from the date of the first note issued pursuant to the bond ordinance referred to in Section 1 hereof, unless the local unit shall have been paid and retired amounts of such notes sufficient to allow it, in accordance with provisions of Section 40A:2-8 of the Local Bond Law, to renew a portion thereof beyond the third anniversary date of the first of such notes;

All notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer of the local unit; and

The notes shall be in the form prescribed by resolution heretofore adopted by the governing body of this local unit determining the form of Bond Anticipation Notes issued pursuant to the Local Bond Law, and any such notes may be signed or sealed by officers of the local unit in

any manner permitted by Section 40A:2-25 of said Local Bond Law notwithstanding that said form or resolution may otherwise provide.

The chief financial officer of the local unit is hereby authorized and directed to determine all matters in connection with said notes not determined by this or a subsequent resolution, and the chief financial officer's signature upon said notes shall be conclusive as to such determinations.

The chief financial officer of the local unit is hereby authorized to sell said Bond Anticipation Notes from time to time at public or private sale in such amounts as the chief financial officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Any instrument issued pursuant to this resolution shall be a general obligation of the local unit, and the local unit's faith and credit are hereby pledged to the punctual payment of the principal of and interest on said obligations and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

The chief financial officer of the local unit is authorized and directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the notes sold, the price obtained and the name of the purchaser.

The chief financial officer of the local unit is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of said notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and

dissemination of a Preliminary Official Statement and Final Official Statement with respect to said notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to said notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to said notes in accordance with Rule 15c2-12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the local unit, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on said notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

This resolution shall take effect immediately.

Warren E. Cooper, Mayor

Attest:
April 17, 2013

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2013-39 – Budget Extension Resolution

Brad Myhre noted that this resolution allows us to extend the budget introduction. It will go to the Department of Community Affairs. We have done extensions in previous years. We are waiting on numbers for the FEMA money, etc. This will let the DCA know we are working on the budget. On motion by Michele Liebttag, seconded by Robb Arent and carried by unanimous favorable roll call vote, the Common Council approved Resolution #2013-39 as follows:

R E S O L U T I O N #2013-39

BE IT RESOLVED that due to the economic uncertainties of the day, the time for accumulating and preparing the necessary information for the 2013 Budget will exceed the time fixed by statute.

BE IT RESOLVED that the Mayor and Common Council of the Borough of Frenchtown is requesting an extension for introduction to May 3, 2013.

BE IT FURTHER RESOLVED that the Borough Clerk be and hereby is authorized and directed to forward two (2) certified copies 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.

I, Brenda S. Shepherd, Clerk of the Borough of Frenchtown, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the governing body on April 17, 2013.

Brenda S. Shepherd, RMC

NEW BUSINESS

Approval of the 2013 River-to-Sea Relay on August 3, 2013

Brad Myhre noted that they do this every year. On motion by William Sullivan, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Common Council approved the 2013 River-to-Sea Relay on August 3, 2013.

Approval of Coin Drive for the Delaware Valley Cheer Boosters for June 8th at the intersection of Route 12 and Route 513.

Brad Myhre noted that there is a copy in your packet. Brad Myhre commented that the Chief of Police did not advise us moving forward with this request. He thought it was a dangerous situation at that intersection and he was not confident that they understood the requirements of the ANSI vests, etc. He offered to reach out to the booster club to see if they could work something else out that would be both beneficial to them for their safety and so that they could raise money for the cheering team. Cathy Leach asked if they could hire a police officer for the duration of the coin toss? Myhre stated that he will go back to the Chief and asked him about an officer. Brad Myhre also noted that he mention that maybe they could set up a table at Bastille Day. Cathy Leach noted that we allow the fire company to do a coin toss. Brad Myhre stated that the Chief's position was that the fire company has done it before, they know what they are doing and they know what the rules are. Brad Myhre commented that he will go back to the Chief and ask him if an officer could be an option.

Approval of Fire Department Membership Application – Shawn Lyon

Brad Myhre stated that everything on the application has been signed off on. On motion by Michele Liebtag, seconded by Robb Arent and carried by unanimous favorable roll call vote, the Common Council approved the Frenchtown Fire Department Membership Application for Shawn Lyon.

2013 Animal Control Contract

Brad Myhre stated that at the last meeting, the Mayor discussed the on going issue of the renewal of the contract. There is a new email from the Mayor that lays out some background on it. That email is in the packet. Our current rate of pay to Hunterdon Humane is about \$2,400.00 annually. There is an alternative proposal that would provide additional services beyond what we get to include rabid animals, the testing of them, and also the Mayor was concerned about cat colonies and that Hunterdon Humane was not doing enough to take those animals in. Although they dispute that saying that half of their shelter cats come from Frenchtown. As it stands right now we have no animal control officer in the Borough. Hunterdon Humane will no longer pick up any animals in Frenchtown unless they have a contract on the books. We will have to make a decision. If we go with the alternative proposal, Traci Fleming from Holland, her cost will be \$5,000.00 per year. That is double what we are paying now although it would include expanded services. We would have to find the addition \$2,500.00. Brad Myhre noted that the Mayor asked him to have the Attorney share the rabies issue.

Attorney Cruz noted that he had a very bad experience in another town that he represents. The town thought they had an animal control officer and they contracted with that person. A little girl was badly mugged by a dog and her face was injured extensively. The town thought that the animal control officer was going to take charge, impound the dog and if necessary go to municipal court to have the dog declared a vicious animal and either take it out of town or have it destroyed. When push came to shove, the animal control officer said they were not doing it. For a period of ten days until he took control of it, it was up in the air. The parents were upsets, the elected officials were upset and finally, he had the police act as the animal control officer. When he saw this contract, he raised the question as he did last year, that was his concern, do you have services that someone will act as the animal control officer in circumstances like this when you have a vicious dog, etc. He can understand the Hunterdon Humane's willingness not to move forward without a contract. You have a gap there even if you renew with Hunterdon Humane. Having had that bad experience, he is sharing it with you. Responding to Michele Liebtag on how to deal with the gap, Attorney Cruz stated that it is the level of coverage. The Borough thought they had an animal control officer and it turned out that it does not. Other municipalities do not have it either. It is very expensive and very few people that do it. It is a difficult situation. Frenchtown is a dog friendly municipality and he is concerned that similar issues were raised with the dog park. He is not saying do not sign the contract. He is concerned with the gap of coverage. Maybe you should sign this contract and move forward with it and then try to supplement this contract in some way. Brad Myhre stated that he feels we need to have something in place because right now we have nothing. He does not know if Traci Fleming would be willing to deal with that specific item or if she was looking for a broader agreement. She is currently providing services to Holland Township. Cathy Leach asked if she deals with rabid animals. Brad Myhre responded that he does not know if the Mayor talked to her about dogs and cats or all animals. He did note that T. Carlson has informed the Borough that they

will not pick up any more animals from Frenchtown until there is an agreement in place with Hunterdon Humane. They have been providing the service without a contract but they stopped. They were under the expectation that we were going to sign the agreement. Responding to Seth A. Grossman, Brad Myhre stated that we knew the contract was up for renewal. His understanding from Mayor Cooper was that when the health department gave us their presentation, this was one of the issues that was an exposure to the town. William Sullivan stated that it was a common issue among municipalities. William Sullivan noted that we are aware of it and recommended signing the contract because we have been using them and then diligently search for better coverage. Michele Liebttag commented that we can see if Traci Fleming is willing to supplement the coverage through the calendar year 2013. Brad Myhre stated that we would have to find money for her to supplement coverage. He personally feels that we should have something in place. Robb Arent commented that it has come up every year when we renew the contract with Hunterdon Humane. He has heard a number of complaints from residents. He always thought their services were deficient for what we pay them. Brad Myhre stated that they do not deal with feral cat colonies. There are no other services in the area that addresses this issue. They do a good job. It is mostly volunteers that operate the place. It is through private donations that they house and feed the animals. William Sullivan stated that we need to address the other issues. We are aware of it and should address it. It was the consensus of the Council to sign the agreement and look for alternatives. Seth A. Grossman stated that we are not prepared to do something new. If there is a gap in service, we need to look at it. He agrees with William Sullivan to maintain the current service and work on the issues. Seth A. Grossman added that we are looking for services in New Jersey. Can we get services in Pennsylvania. Attorney Cruz responded in the affirmative as long as they are licensed. On motion by William Sullivan, seconded by Seth A. Grossman and carried by favorable roll call vote, the Common Council approved to renew the 2013 Animal Control Contract with the Hunterdon Humane Society.

Vote on the motion:

Ayes: Grossman, Leach, Liebttag, Myhre and Sullivan

Nays: Arent

OLD BUSINESS

Dog Park

Brad Myhre stated that he understands there was a request from the Frenchtown Board of Education through a resolution requesting written answers to their questions. He turned the floor over the Cathy Leach. Cathy Leach noted that the School board referred to two letters which were sent previously, one dated September 15, 2011 from Gerry St. Onge to Dave Bailey and the second dated September 22, 2011 from Dave Bailey raising issues regarding the use of the dog park while the children were using the field for school athletics. There is a memo from Kate Nugent dated October 20, 2011 addressed to the Frenchtown Riverdogs reiterating that Dave Bailey's letter represents the concerns of the school board. We had a public meeting last year and at that time Kate Nugent shared a letter that she wrote to the Council dated June 11, 2012 reiterating concerns about the interaction between the dogs and the children. There was correspondence between Dave Bailey and Michel Flood of the Riverdogs on July 3, 2012. The Riverdogs proposed that the dog park would be closed during the hours of physical education and Dave Bailey's response was that a schedule could be worked out.

She thinks that the board is looking for something in writing, a formal response from the Council that their issues are being addressed. She believes that the agreement for use of times of the field and the dog park would be part of the lease agreement which is in draft version currently. She is not sure if a letter should be sent or if we include it in the lease agreement and let them know there is something in there. Attorney Cruz responded that he thinks that there should be some communication with the board of education on how you are addressing it so they know it will be formally addressed. Brad Myhre stated that he agrees with Attorney Cruz. He requested that the Council send them a letter and answer these questions. He would like to hear back from them that it adequately addresses their questions. Attorney Cruz noted that they raise 6 points. Do you want all six points addressed or a general statement that their concerns are being addressed? Brad Myhre stated that he believes that they want to specifically address the issue of the times the dog park, if it was created, would be closed so it did not conflict with the school schedule. That was a major concern for them. Seth A. Grossman noted that as to the June 11, 2012 letter, four of those items were addressed under one point. The fence design will be addressed by the fence design and sanitation is addressed in the Riverdogs lease. Cathy Leach stated that these points as far as sanitation, management of the park, etc. are addressed in the lease agreement by Riverdogs. There may need to be amendments made. Brad Myhre commented that to the school board's questions, we can send them a letter indicating that the hours are being addressed and send them the draft proposal along with the Riverdogs membership application, their fence particulars, etc. and at the end of the letter, ask if it adequately addresses their remaining concerns. We know what is going on and it will stop misinformation. We can publicize this response so that people can see that the questions are being answered. Cathy Leach will write the letter and it will be reviewed by Attorney Cruz. Seth A. Grossman commented that the letter should indicate that we have addressed the issues, that we are in agreement with the principles of the communication between Riverdogs and them and that the other items will be addressed in the lease agreement. Brad Myhre added that we should also request as response as to whether it adequately addresses their concerns. Robb Arent commented that you can not respond to the six questions the way they are written for example we have concerns that soccer players and coaches will have to retrieve balls. If someone kicks a ball into the road, they have to go into the road to get the ball. Brad Myhre noted that what we are trying to address is the overall hours which is the big issue and sanitation. Seth A. Grossman stated that just because they pass a resolution saying we have to respond does not obligate us to respond to them especially if it is improbable or impossible to answer. He does believe we can answer some things in the spirit of cooperation and we should support that. Robb Arent stated that he sees this as so vague to the point that they never have to make a decision. Brad Myhre stated that we will respond to them addressing hours and after Cathy Leach lays out everything, ask them if it addresses their concerns and if it does not, please specifically tell us what is not addressed. We promised the school we would work cooperatively with them given the sensitivity of it. Seth A. Grossman stated that there will be a lot of talk about the lease and how it functions. Albert Cruz stated that his suggestion was not a legal suggestion, it was a suggestion of two governmental entities communicating with each other. William Sullivan commented that we talked about an animal control officer with number of dogs we have now. This will increase the number of dogs coming into town and we ought to seek diligently to find an animal control officer. We will have kids and dogs down there and we need to be prepared for any situation now that we are aware of our shortcomings.

Kingwood Avenue Sewer Pipe project

Brad Myhre reported that there is nothing new other than when we get a budget adopted, we can move forward on an ordinance to address that issue.

Creek Road Repair

Brad Myhre reported that he finished the paperwork with FEMA. Engineer William Burr and Mike Reino did a great job working with him. FEMA is writing the project for us to repair Creek Road. The estimate came in at \$146,000.00. Frenchtown will qualify for 75% so long as it continues to be approved up the chain of command. He also completed the Fire Departments reimbursement request today. There were a total of 5 projects completed for Hurricane Sandy. They are all completed and handed in. We are just waiting for approval and funding from that.

2013 Budget

Brad Myhre noted that at the last meeting Robb Arent brought up an excellent point about the amount of sewer dollars that were being used to fund the general operations of the Borough and we agreed as a Council that we would come back and propose ways to find savings that would offset the amount of money that was taken out of sewer to fund general operations. We will see what others have identified. Brad Myhre added that he has one item that Brenda Shepherd brought to our attention and that is the reserve that Robb Arent requested be held in escrow for the gas line for the Fire Department in the amount \$5,000.00. The gas company did not have to cut into the road for that so the \$5,000.00 is sitting there so we can reduce that to offset. Robb Arent stated that he wants to see us get to a minimum of 10% reduction or \$6,500.00. You could probably use part of that money for animal control officer. Robb Arent provided the Council with page 11 of the employee handbook for eye care and dental coverage which reads: The Borough of Frenchtown will reimburse eligible employees for dental care up to \$1,000.00 per calendar year. Essentially if the employee does not spend the \$1,000.00 to get reimbursed for it, they are given the balance at the end of the year. However, contrary to what the handbook says we have been paying the full dental coverage. If you look at the second sheet provided to Council, for 2013 we will be spending \$16,284.00 as opposed to the \$1,000.00 allowance per employee which means we are making an excess contribution of \$7,868.00 which could come out of the sewer by following the employee handbook. There are some employees where instead of paying the \$1,000.00, we are paying over \$2,800.00 for an employee for dental coverage in a family plan. Michele Liebttag asked what the past practice has been and how many years has it been exceeding? Brad Myhre stated that the handbook is dated January 5, 2007 and for the past 6 years the plan has been exceeding \$1,000.00 he would guess unless the plan is under \$1,000.00. It is a valid point. He does not know if that number was adjusted for inflation. He asked if Robb Arent was proposing to enact that this year? Robb Arent responded in the affirmative. He does not think that through the month of March that any employee has exceeded \$1,000.00. Responding to Cathy Leach, Brad Myhre noted that we pay the premium so if you got a \$1,000.00 allotment and the plan is \$1,500.00, you would be responsible for \$500.00. We have not been doing that. Seth A. Grossman noted that we have the right to change the policy. Brad Myhre stated that he does not know whether part of the reason for not implementing it was because two of the past 4 years we never granted COLA. He believes the Council needs more time to study it. Seth A. Grossman stated that there are ways to address it. It is not all or nothing. Exceeding the policy has been a permissible policy. You could bring it back to \$1,000.00 or you could make it \$1,500.00, etc. Council is looking for \$6,500.00 reduction. Brad Myhre noted that we found \$5,000.00 so we need another \$1,500.00. Seth A. Grossman stated that we have room to work with that but thinks we can satisfy Council's interests and concerns. Robb Arent stated that he is

not throwing this out there to go after our employees. He is just trying to find \$6,500.00 to take out of sewer. Subsequent to that he learned that the sewer department is paying 34% of the copier. Brad Myhre noted that sewer does use the copier. Robb Arent responded that it does not use 34% of the copier. Michele Liebtag asked if the dental coverage is supplied through the State Health Benefits Plan? Brad Myhre responded in the negative. Michele Liebtag asked if they have the ability to shop around for more competitive rates for dental. Brad Myhre responded in the affirmative. He added that we have several options, one is to shop around for plans and one is to change the contribution rate. If we are going to change the allotment, he would like go back and figure out if there is any history on this and at least try to come up with a balanced approach on how we address it with individuals versus families. Seth A. Grossman stated that he does not think that Council is asking to go back to the \$1,000.00 allotment. Several Council members stated that they believe that is what Robb Arent is asking. Seth A. Grossman responded that he does not think that is Robb Arent's primary request. He thought it was to reduce the sewer allotment and he gave us a reasonable figure. If you could achieve that he believes that is the primary goal. Looking at what you are paying for dental is a secondary thing. Brad Myhre stated that if Robb Arent is comfortable with it, he would like to take it back to the Administrative Committee. Maybe we can shop around for a dental plan to save money and to come up with an approach that saves \$1,500.00. Robb Arent agreed and comments "however we come up with \$6,500.00 to reduce". William Sullivan noted that he thinks that we also have to come up with the money for additional animal control support. We have a dog park coming to town and we must be covered. Brad Myhre stated that getting back to Robb Arent's request to reduce the budget by \$6,500.00, he noted that he found the \$5,000.00 and asked if anyone else found anything in their budget to cut back? We are going to want to introduce the budget May 1st and now is the chance to make the changes. Our auditor is not here tonight so we will have to communicate it back to him. William Sullivan stated that you could take something out of streets and roads but you never know. We could take \$1,000.00 out of salt if we do not have a snowy year. Seth A. Grossman asked what the cost of the second Council meeting a month is? William Sullivan stated that there is the cost of the attorney's fees and Brenda Shepherd's fees. Brad Myhre stated that one of the areas we could look at although he does not like this way of budgeting is the anticipated money in ticket revenue. We estimate that conservatively. Our tract record exceeds what we anticipate in the budget. It is fair to say that the number could be addressed upwards and we had that communication with the auditor. We under estimated by \$10,000.00. The auditor does not suggest going way up but there is room that we could get the \$1,500.00 there. William Sullivan asked what the extra meeting a month cost us? That is a valid question. Brad Myhre stated that the goal this year was the Mayor and himself were trying to eliminate unnecessary meetings. Until we get this budget accomplished, that will impact the schedule. We will continue to try to do that. William Sullivan stated that you can look at streets and roads but you never know. Brad Myhre stated that streets and roads has bared the brunt of the cuts for year and we are getting that back up but not up to full restoration. The Council agreed to the \$5,000.00 adjustment and the \$1,500.00 ticket revenue adjustment as long as the auditor supports it. Attorney Cruz noted that it has impact on your surplus at the end of the year. As long as you know you are trading one for the other. Michele Liebtag stated that you are also not putting the full \$10,000.00 in there. Brad Myhre stated that we can also address the dental plan. Responding to Brad Myhre as to the replacement of the doors, Seth A. Grossman stated that he thought he signed off on that and gave it to the Mayor. Brad Myhre will let the auditor know about the adjustments.

Robb Arent commented that he is disappointed that the auditor was not here. Attorney Cruz reminded the Council about the COLA ordinance. Brad Myhre stated that it will be introduced at the same time as the budget. Brenda Shepherd will prepare the COLA ordinance based on the information provided by the auditor. Seth A. Grossman stated that we talk about the expenditure side of the budget but he recommended that we look at the revenue side of things as well. He would like to look at an approach that would go beyond our property tax base. Brad Myhre asked the Council to feel free to make suggestions.

Vultures on Kingwood Avenue

Brad Myhre noted that the Borough had a meeting here at Borough Hall with local residents and the USDA. Robb Arent added that the meeting was well attended. Prior to tonight's meeting, he met with Kim from the USDA and did a tour and went up Ward Street and talked to a number of residents. One of the main ways to get rid of vultures is to hang a dead vulture upside down in effigy. It scares them off. Because they are protected species, you have to have a permit to do that and it is \$400 per bird or you would pay the \$400 to USDA and they will hang it for you. She figures we would need 3. Some of the people at the meeting said they would be willing to pay for a bird. Traditionally, in the winter, they congregate closer together and roost closer together to stay warm. When warmer weather comes, they disperse and find places to roost to lay their eggs. The number of vultures in the area has dropped significantly now that the weather is getting warmer. If we will spend the money to do the effigies, the USDA recommended waiting until fall when they start to come back. There is a group of residents that routinely get together and bang metal and yell to get rid of the birds. It has had some impact. You are not allowed to possess a vulture feather, etc. from the endangered species. One resident offered to provide a 180 decibel fire alarm siren to be used only to scare away the birds. We will have another meeting. Generally, when the vultures move, they move miles once they get scared off. They have come back for six or seven years. While we were walking around, we did see 15 today and not the 50 to 100.

COMMITTEE REPORTS

Brad Myhre stated that in the packet you will see a flyer for National Night Out. The date is scheduled for August 17th with a raindate of August 18th. We are working on fireworks. Funds are in budget for a portion of it. The cost of fire works is \$5,000.00.

Brad Myhre reported that we are having on going issues with vandalism in the park which is costing us money and repairs. Responding to William Sullivan in reference to cameras, Brad Myhre stated that people got up in arms about privacy issues. We will look at a couple of proposals. We want to find out who is doing it. The vandals were stuffing the toilets, etc. and damaging things. Cathy Leach commented that the bathrooms are suppose to be closed at night but police were not on duty some nights. Attorney Cruz commented that there is no expectation of privacy in public. Seth A. Grossman recommended asking citizens to pay attention and if they know anything or see anything, to say something. Cathy Leach recommended putting up surveillance camera. William Sullivan stated that we can get a mobile camera to hang and asked if it will be monitored. Attorney Cruz stated that you would have to have a monitor and determine how long the tape will be, etc. Brad Myhre stated that we will have options for the next meeting.

Michele Liebtag reported that she had a meeting with Mike Reino and members of the Green Team to talk about the recycling center, what types of materials they will take and if there could be an expansion of materials. We are waiting for the building to progress and then, we will go for a site visit. We talked about electronics, motor oil and maybe make money off materials like a shred day. Mike Reino is happy to work with the group.

William Sullivan reported that they met with the resident who had issues with drainage on Ridge Road. We were able to come up with a plan. She was agreeable. It is a can of worms whatever you touch up there.

Robb Arent reported that the Public Works buildings look like a building now. JCP&L has brought power to the property. Very shortly, Mike Reino and Mike Roden will be able to move equipment to the new building. Robb Arent added that the two clarifiers at the sewer plant have been tested and they are working on the cat walks. It is progressing.

As to buildings and grounds, Seth A. Grossman reported that the pictures were hung. He added that he is under the understanding that Bonnie Pariser has agreed to make the curtains for Borough Hall if we pay for the materials. We will look at different materials. William Sullivan commented that he had ideas for that but we had no money. He will assist in choosing the materials. William Sullivan recommended the colors of burgundy or gold with certain designs. Robb Arent recommended checking with the borough employees as well.

As to the Downtown Revitalization Committee, Seth A. Grossman reported that the Frenchtown Business Association raised their portion of the money for the design plan. They will be contracting with Engineer William Burr. William Burr will take on the risk since we have not adopted our budget yet. Next Thursday we will be looking at designs and presenting them to William Burr. He reassured the Borough that once the design is made, William Burr will have to have a meeting with the community so people have input. This will take all summer long. We are hoping to be done by Labor Day. Michele Liebtag added that they talked in their meeting about coordinating with the Revitalization Committee about recycling receptacles, etc. We want it to be somewhat uniformed.

Cathy Leach reported that the Park Clean Up day is scheduled for Saturday, May 4th from 9 am to 1 pm. Sarah Ruppert is leading the clean up and getting notice to the public.

CORRESPONDENCE

Brad Myhre noted that we received correspondence from the County in reference to the 300th Anniversary Celebration. William Sullivan offered to be the liaison for the Borough. Cathy Leach added that she will help. Brad Myhre asked Clerk Shepherd to send a letter to Cynthia Yard with the liaison information.

Brad Myhre noted that the other correspondence includes seminars and classes offered through the League of Municipalities.

ADJOURNMENT

Being no further business to come before the Mayor and Council, a motion was made by Robb Arent, and second by Michele Liebtag to adjourn the meeting at 8:52 pm. Motion carried by favorable voice vote.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk