

CALL TO ORDER

Mayor Warren Cooper 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 June 5, 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:

Attorney Paul Rizzo, and Borough Clerk, Brenda S. Shepherd, were present for the meeting. 8 members of the public were also present.

PUBLIC HEARING

2013 Municipal Budget

The Mayor and Common Council approved to open the public hearing on the 2013 Municipal Budget by favorable voice vote. Having no public comments, the Mayor and Common Council approved to close the public hearing on the 2013 Municipal Budget by favorable voice vote.

Ordinance #724 – Cap Index Ordinance

The Mayor and Common Council approved to open the public hearing on Ordinance #724 by favorable voice vote. Having no public comments, the Mayor and Common Council approved to close the public hearing on Ordinance #724 by favorable voice vote.

Ordinance #725 – An ordinance regulating the salary & wage of the officials and employees of the Borough of Frenchtown for the year 2013

The Mayor and Common Council approved to open the public hearing on Ordinance #725 by favorable voice vote. Having no public comments, the Mayor and Common Council approved to close the public hearing on Ordinance #725 by favorable voice vote.

Ordinance #726 – An ordinance regulating the salary & wage of the officials and employees of the joint municipal court of the Delaware Valley for the year 2013

The Mayor and Common Council approved to open the public hearing on Ordinance #726 by favorable voice vote. Having no public comments, the Mayor and Common Council approved to close the public hearing on Ordinance #726 by favorable voice vote.

Ordinance #727 – An ordinance amending article III, titled “general regulations”, section 301, subsection “O”, titled “temporary uses” of the land use ordinance of the Borough of Frenchtown, County of Hunterdon and State of New Jersey

The Mayor and Common Council approved to open the public hearing on Ordinance #727 by favorable voice vote. Having no public comments, the Mayor and Common Council approved to close the public hearing on Ordinance #727 by favorable voice vote.

PUBLIC COMMENTS

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

Mayor Cooper stated that County Planner Ken Bogen is here this evening to help us understand communications from the NJDEP regarding Block 17 Lot 2, Block 16 Lot 9 and Block 16 Lot 13, properties that the DEP would like us to remove from our proposed future sewer service area. Mayor Cooper thanked Ken Bogen for attending.

County Planner Ken Bogen stated that he has been in correspondence with the Borough on this issue. He provided copies of maps this evening. Looking at the second page of the maps entitled “Adopted Sewer Service Area, Frenchtown Borough”, he noted that this shows the three lots as previously mentioned. The orange area is the adopted sewer service area which is part of the Hunterdon County’s adopted sewer service area which was adopted in April of this year. The Counties Future Wastewater Service Area – Phase I. There was a law passed in January of 2012 that bifurcated the County’s Wastewater Management process. The County had to submit a future services area map within 6 months. Hunterdon County did that and had a public hearing and was adopted in April of this year. This map reflects the adopted county map. Those 3 parcels or portions of them are in the adopted sewer service area. Looking at the first page of the maps, you will see that the sewer service areas have been removed quite a bit as a results of the NJDEP requesting the removal of these sewer service areas because they are now considered to be in environmentally sensitive areas. Looking at the third page, you will see that there are wood turtle habitats for those three parcels and that is the explanation of why they are requesting removal of those lots. Mayor Cooper stated that if you look at their overlay, it does not completely eliminate the sewer service area. Planner Bogen noted that you will see remnants of Block 16 Lot 9 and Block 16 Lot 13 that still have small area remaining in the sewer service areas and they are areas currently hooked up. Most of block 17 lot 2 has been removed. There is a small area along Kingwood Avenue that remains. The area that we were looking at for development runs along Ward Street which has been removed from the sewer service area. If you look at the Chestnut Avenue and Ward Street areas, you will see that area has been removed because of the wood turtle habitat that NJDEP says exists. The proposed sewer service area that he will be submitting has removed that portion of Block 17 lot 2 that touches Ward Street. The NJDEP has the final authorization and they make the decisions to adopt the plan. They are the entity that wrote the WQMP rules back in 2008. What he submits has to be consistent with those rules. He did have an issue because our County adopted Wastewater Management plans which does include the sewer service area. He questioned NJDEP why they are now using the Landscape version 3.1, the layer used in the GIS software that determines if an area is environmentally sensitive. They did a landscape project last year call the Landscape version 3.1 which includes the wood turtle habitat. That is why they are requiring that it be removed. What was

used before was Landscape version 2.1. NJDEP insisted that the newer version had to be used for Frenchtown's Wastewater Management Plan that will be submitted. Mayor Cooper stated that it sounds like because you do not have a choice in the matter, we do not have a choice in the matter. Planner Bogen stated that he did invite the NJDEP representative to meet tonight to discuss this issue but they were unable to make it. A lot of times the NJDEP goes to their deputy attorney general for legal interpretations, then it goes to us. They have their hands tied. He thinks that they will be fairly insistent on this. As he mentioned by correspondence, the way you can put that sewer service area back in is to do something called a "habitat suitability determination", where you hire someone to go out there to determine if that actually is a wood turtle habitat. Once that suitability study is complete, the NJDEP will determine if that sewer service area can go back in. Robb Arent noted that the land owner has said he would like to do that study. Is there an opportunity for him to do that? Ken Bogen stated that the land owner can do that now and there is something called a sight specific amendment. If it was to be adopted it now, and the habitat suitability determination was submitted after that would have to submit a site specific amendment. If the habitat suitability determination were submitted prior to the sewer service area being adopted, he believes they would not have to submit a site specific amendment. William Sullivan asked if the property owner gets notified that the area is now considered environmentally sensitive? All of a sudden the value of their property will be taken away and they have to prove otherwise. Planner Bogen stated that unfortunately, that is the way the system is set up and it has been an item of controversy over the last five years. There is one county that sent out letters to land owners whose sewer service areas had been removed. Hunterdon County did not do that. We did meet with all municipalities on the details of the sewer service areas. It has always been an issue and the impact to the land owners and how they are notified when the sewer service area is removed and the way the DEP removes land. Mayor Cooper asked what the time line is for acting on this? Ken Bogen responded that the new treatment plant will be submitting an application for a new NJDEP to operate at a higher capacity. Right now your permit is for .19 million gallons and the new permit for the new sewer plant will be for .26 million gallons per day of flow. He is hoping to complete the chapter by the end of the month and will submit that to the Borough for their review before he gives it to the Freeholders for adoption. After it is submitted, there will be a request from his office for a Resolution of Consent from the Borough. William Sullivan asked that if we do not approve this request, will the NJDEP not approve our request. Ken Bogen responded that it is probable. The NJDEP will probably not accept it if you submit what the sewer service area is now. Ken Bogen stated that it may be helpful to have a meeting with the NJDEP. Mayor Cooper stated that the Borough would not consider a resolution on this matter until we have an opportunity to talk to the NJDEP officials who are responsible for it.

Ken Bogen mentioned that Raritan Township is submitting an amendment to the County WWMP because they want to remove a portion along Route 202 that was requested to be put in previously. They met with the NJDEP officials and it was helpful. The landscape project that determines the endangered species has held up in court even though it has been controversial. Unless there is an approved site plan with certain permits approved, you have to go through the suitability study. Robb Arent noted that the land owner was willing to undertake the habitat suitability study before any resolution is made. Responding to Michele Liebttag, Ken Bogen stated that the section of the DEP that he is working with is the Coastal and Land Use planning. He has been working with Rebecca Foster and Manager, Nick Angelo. Mayor Cooper asked that Ken Bogen give Brenda Shepherd the contact information as well and we can discuss who will be there, etc.

Archie Read, Land Use Counsel for Thompson Land, noted that he has been their Council for about 30 years. He commented that they bought the land about 25 years ago. Generally, we take a long time to develop them, purchase the land, hold them and put some property into open space. He asked what the Borough's role was in the April 11th plan which took 2/3rds of my client's property out of the sewer service area? Ken Bogen stated that the map of county sewer service area was approved by the County Freeholders. The Borough did not have input into that. The Borough's resolution of approval was for the earlier version. Responding to Attorney Reed, Mayor Cooper noted that the first time that we heard about this change was a month or so ago. We did not agree to anything at all. Ken Bogen noted that this change is fairly recent which came down from the NJDEP that we have to use the new landscape version which will impact lots in the Borough. Attorney Reed stated that they are prepared to do the landscape analysis within the next two week. We would like that analysis applied to both the April 11th adoption and the new area that is coming out. If we can hold off until we can supply that, we would not have to make heavy recovery action after it has been adopted. Ken Bogen stated that you would have to submit a site specific amendment which is not that much and there are new rules that the DEP has to review it for completeness within 30 days. Then, they would review it to determine if it is good and that has to be within 180 days. If you are able to get your habitat suitability determination in before he submits the plan, they can review that. Hopefully, you can get that sewer service area back in before they adopt Frenchtown's. Randy Kertes, Engineer for Thompson Land, noted that they will be provided that determination in the next few weeks. He would appreciate that opportunity before the plan gets submitted. It will be on the entire property. Mayor Cooper stated that if you want it to be part of the discussion that would ensue with the NJDEP, we would like to have it in hand prior to that. Attorney Reed stated that the turtle guy has been up to the property and thinks the turtles would need ropes to get to the property. We will look at the entire property. Lauri Names asked how we got to the April adoption when their records show the entire property in the sewer service area and are we going to try to amend the April 11th adoption or did the Borough already approve it? Ken Bogen noted that he sent out copies of the County sewer service maps, a request for a consent resolution which he believes he got from the Borough a year or so ago which would have reflected map 2. The entire Borough was in the sewer service area for years. Then, the NJDEP removed all the environmentally constrained areas which include your lot per the WQMP rules adopted in 2008. It allowed us to do it without consultation. There were challenges and the rules were held up in court. Responding to Attorney Reed, Ken Bogen noted that they use the Landscape 2.1 version for most of Hunterdon. Now, we have Landscape version 3.1. Lauri Names asked that if Frenchtown Borough will work with Hunterdon County to speak to the NJDEP before adoption of the consent resolution, can the owner of the property be involved in that meeting? They would like to be invited to that meeting. Mayor Cooper stated that before we agree to that, he would like to feel out the Council, the County Planning Board office and possibly the NJDEP. Mayor Cooper asked the Borough Attorney if this is a matter that should be brought to the planning board prior to our governing body meeting discussing it with NJDEP? Attorney Rizzo responded that the Governing Body has the ability to refer it to the Planning Board but he does not know if the planning board has expertise on it. You certainly can get their input. Mayor Cooper stated that he brought it up because the Borough Planner brought it to our attention. She said the Governing Body had to take action. He did not want to cut them out of the process if it is appropriate. Ken Bogen responded that it is the Council's call. He would be happy to be there. Mayor Cooper asked if he had permission from Council to set up a meeting with the NJDEP. Council consented. Mayor Cooper asked that if anyone wants to be a part

of that meeting, please let Brenda Shepherd know. William Sullivan asked if more than three Council members could attend? Attorney Rizzo responded that you can do that because it is not a meeting where you are planning to take action. It is an informational meeting.

Mayor Cooper pointed out that this property was identified more than a decade ago by the planning board as property that would be desirous of becoming open space if and when that would be possible. The first discussions were back in 2000 and that was adopted as part of the periodic reexamination report of 2009. Randi Eckel, Chairman of the Planning Board, stated that it was put out in 2009 because there were changes that actually went to public hearing before its adoption and this parcel along with others were specifically identified as property to look to possibly acquiring not necessarily through the Borough but through the Hunterdon Land Trust for preservation. Mayor Cooper stated that it was important to make public reference too at this time. Attorney Reed stated that Thompson Land Trust has sold over 3000 acres into open space. This is the first he has heard about interest in open space from the Borough.

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.

On motion by Seth A. Grossman, seconded by Robb Arent and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the consent agenda approving the minutes of the May 1, 2013 regular meeting, the bills list dated 6/5/13 as attached to this set of minutes and Resolution #2013-44, Resolution #2013-45, Resolution #2013-46 and Resolution #2013-47 as follows:

Resolution no. 2013 - 44
Tax sale redemption

Whereas, the Tax Collector has been paid by Cortes and has to redeem Tax Sale Certificate No. 10-001 the amount of \$63,517.25 on Block 11, Lot 1 and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Borough of Frenchtown, County of Hunterdon and State of New Jersey, that the Chief Financial Officer be authorized to issue a check payable to US Bank Custodian For Empire Tax Fund, II, Inc, 2 Liberty Place TSSG/50 South 16th Street, Philadelphia, PA, 19102-2513 in the amount of \$63,517.25.

Warren E. Cooper, Mayor

Attest

June 5, 2013

Brenda S. Shepherd, RMC
Borough Clerk

BOROUGH OF FRENCHTOWN

Resolution 2013-45

WHEREAS, the Plenary Retail Consumption Application of the Frenchtown Inn is complete in all respects; and

WHEREAS, the Applicant is qualified to be licensed according to all Statutory Regulations and Local Government ABC laws and Regulations; and

WHEREAS, the Applicant has disclosed, and the issuing authority has reviewed, the source of any additional financing obtained in the previous license term for use in licensed business.

NOW, THEREFORE BE IT RESOLVED that the Application of the Frenchtown Inn for renewal of Plenary Retail Consumption License #1011-33-002-007 for the year 2013-2014 be granted.

Dated: June 5, 2013

Warren E. Cooper, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

BOROUGH OF FRENCHTOWN

Resolution 2013-46

WHEREAS, the Club License Application of the Fidelity Post 113 of the American

Legion is complete in all respects, including submission of the Club Membership list; and

WHEREAS, the officers and directors are qualified to be licensed according to all Statutory Regulations and Local Government ABC laws and Regulations; and

WHEREAS, the Club maintains all records required by NJAC 13:2-88 "Special Events Open to Non-Club Members" and NJAC 13:8-12 "True Book of Accounts for Receipts and Disbursements".

NOW, THEREFORE BE IT RESOLVED that the Application of the Fidelity Post 113 of the American Legion for renewal of Club License #1011-31-004-001 for the year 2013-2014 be granted.

Dated: June 5, 2013

Warren E. Cooper, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

BOROUGH OF FRENCHTOWN

Resolution 2013-47

WHEREAS, the Plenary Retail Consumption, Broad Package Privilege Application of the National Hotel, LLC is complete in all respects; and

WHEREAS, the Applicant is qualified to be licensed according to all Statutory Regulations and Local Government ABC laws and Regulations; and

WHEREAS, the Applicant has disclosed, and the issuing authority has reviewed, the source of any additional financing obtained in the previous license term for use in licensed business.

NOW, THEREFORE BE IT RESOLVED that the Application of the Frenchtown National Hotel, Inc. for renewal of Plenary Retail Consumption, Broad Package Privilege License #1011-32-003-011 for the year 2013-2014 be granted.

Dated: June 5, 2013

Warren E. Cooper, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

ORDINANCES

Ordinance #724 – Cap Index Ordinance (Adoption)

On motion by Seth A. Grossman, seconded by Robb Arent and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the adoption of Ordinance #724 as follows:

ORDINANCE #724

CALENDAR YEAR 2013

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Frenchtown, in the County of Hunterdon, finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$18,786.54 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Frenchtown, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Borough of Frenchtown shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$43,835.28 and that the CY 2013 municipal budget for the 3.5% be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: 5/1/13

I, Brenda S Shepherd, Municipal Clerk, hereby certify that the above ordinance was introduced on May 1, 2013 at the regular Council meeting of the Frenchtown Borough Common Council.

Brenda S. Shepherd, RMC
Borough Clerk

Ordinance #725 – An ordinance regulating the salary & wage of the officials and employees (Adoption)

On motion by Brad Myhre, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the adoption of Ordinance #725 as follows:

ORDINANCE #725

**AN ORDINANCE
REGULATING THE SALARY & WAGE
OF THE OFFICIALS AND EMPLOYEES
OF THE BOROUGH OF FRENCHTOWN
FOR THE YEAR 2013**

BE IT ORDAINED by the Mayor and Common Council of the Borough of Frenchtown as follows:

1. All prior Salary Ordinances of the Borough of Frenchtown are hereby repealed.
2. The following salaries for the year 2013 are hereby established for the following designated officials and employees of the Borough of Frenchtown:

Borough Clerk/Licensing Official/ Assessment Search Officer Certified	\$ 55,723.62
Registrar-----	\$ 2,411.28
Deputy Registrar -----	\$ 204.00
Deputy Registrar (Certified) -----	\$ 605.88
Tax Assessor-----	\$ 8,573.10
Collector of Taxes -----	\$ 13,243.68
Tax Search Officer-----	\$ 711.96
Collector of Sewer Rents-----	\$ 6,125.10
Chief Financial Officer-----	\$ 9,465.60
Asst to Collector of Taxes/Sewer----	\$ 520.20
Chief of Police-----	\$ 73,868.40
Police Patrolman-salaried -----	\$ 58,579.62
Mayor -----	\$ 6,000.00
Zoning Officer-----	\$ 3,215.04
Secretary Planning/Zoning-----	\$ 10,115.34
Code Enforcement Officer-----	\$ 1,607.52
Library Clerk -----	\$ 8,792.40
Fire Marshall-----	\$ 5,000.00
Board of Health Secretary -----	\$ 1.00
Shade Tree Secretary -----	\$ 348.84
Sewer Treatment Operator-----	\$ 66,444.84
CPWM Stipend-----	\$ 1,020.00

The following hourly rates are hereby established:

Deputy Borough Clerk-----	\$ 18.87
Full-time Police Patrolman OT Rate	\$ 42.24
Full-time Police Patrolman (COPS) -	\$ 19.04
Full-time Police Patrolman(COPS)OT	\$ 28.56
Police Patrolman (Part-time Senior)	\$ 20.63
Police Patrolman (Part-time 1 yr exp)	\$ 19.29
Police Patrolman (Part-time new)----	\$ 18.00
Public Works Mgr-----	\$ 27.60
Public Works Senior-----	\$ 19.98
Sewer Dept. Maint. A -----	\$ 37.74
Sewer Dept. Maint. B-----	\$ 21.00

Sewer Dept. Maint. C-----	\$ 27.49
DPW Class A -----	\$ 15.30
DPW Class B -----	\$ 13.00
DPW Class C- CDL -----	\$ 11.75
DPW Class D – non-CDL-----	\$ 9.00
Deputy Fire Inspector -----	\$ 8.00
School Crossing Guard-----	\$ 10.00
Police Assistant -----	\$ 12.86
Clerical Class A -----	\$ 15.00
Clerical Class B -----	\$ 12.00
Clerical Class C -----	\$ 8.00
Recycling Coordinator -----	\$ 9.00

This Ordinance shall take effect immediately upon Final Passage and action as required by law.

Warren E. Cooper, Mayor

Dated: _____

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

Ordinance #726 – A n ordinance regulating the salary & wage of the officials and employees of the joint municipal court of the Delaware Valley for the year 2013 (Adoption)

On motion by Michele Liebttag, seconded by Robb Arent and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the adoption of Ordinance #726 as follows:

ORDINANCE #726

**AN ORDINANCE
REGULATING THE SALARY & WAGE
OF THE OFFICIALS AND EMPLOYEES
OF THE JOINT MUNICIPAL COURT OF THE DELAWARE VALLEY
FOR THE YEAR 2013**

BE IT ORDAINED by the Mayor and Common Council of the Borough of Frenchtown as follows:

1. All prior Salary Ordinances of the Joint Municipal Court are hereby repealed.
2. The following salaries for the year 2013 are hereby established for the following designated officials and employees of the Joint Municipal Court:

Municipal Judge-----	\$	22,945.44
Court Administrator -----	\$	34,122.45
Deputy Court Administrator -----	\$	10,732.78
Prosecutor -----	\$	7,105.00
Public Defender -----	\$	1,333.34

The following hourly rates are hereby established:

Violations Clerk-----	\$	57.20 per court session
Bench Log and Recording -----	\$	57.20 per court session
Clerical Assistant-----	\$	6.51 per hour

This Ordinance shall take effect immediately upon Final Passage and action as required by law.

Warren E. Cooper, Mayor

Dated: _____

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

Ordinance #727 – An ordinance amending article III, titled “general regulations”, section 301, subsection “O”, titled “temporary uses” of the land use ordinance of the Borough of Frenchtown, County of Hunterdon and State of New Jersey (Adoption)
On motion by Michele Liebttag, seconded by Seth A. Grossman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the adoption of Ordinance #727 as follows:

ORDINANCE #727

AN ORDINANCE AMENDING ARTICLE III, TITLED “GENERAL

**REGULATIONS”, SECTION 301, SUBSECTION “O”, TITLED
“TEMPORARY USES” OF THE LAND USE ORDINANCE OF THE
BOROUGH OF FRENCHTOWN, COUNTY OF HUNTERDON AND
STATE OF NEW JERSEY**

BE IT ORDAINED, by the Borough of Frenchtown Common Council, in the County of Hunterdon and State of New Jersey, as follows:

Section 1. Article III, titled “General Regulations”, Section 301, Subsection “O” titled “Temporary Uses” is hereby amended as follows:

Item 1 - Fairs, carnivals, circuses, bazaars and farmers markets sponsored by non-profit organizations shall be permitted as temporary activities only for a period of no more than fifteen (15) days (provided; however, that farmers markets may be permitted 25 days) in any calendar year with the permission of the Council and subject to the provision of adequate off-street parking and control of traffic, noise, glare, dust and sanitary facilities.

Section 2. Severability. If any portion, paragraph, clause, sentence or phrase of this Ordinance is determined to be invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining portions of this Ordinance.

Section 3. Effective Date. This Ordinance shall take effect immediately upon publication of Notice of Final Passage in the manner provided by law.

Warren E. Cooper, Mayor

ATTEST:

Brenda S. Shepherd, RMC, Borough Clerk

Ordinance #728 – An ordinance to provide for the purchase of five replacement doors for the Police Department and Municipal Building for the Borough of Frenchtown (Introduction)

Mayor Cooper noted that this ordinance will be the subject of a public hearing next month’s meeting. Seth A. Grossman noted that we have a number of doors at the police station and borough hall, five doors, that need to be replaced. They are fire doors and metal doors. We have been working on this for about six month. This ordinance will set aside \$9,700.00 for the project. William Sullivan noted that this project started under him. On motion by Brad Myhre, seconded by Seth A. Grossman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the introduction of Ordinance #728 as follows:

BOROUGH OF FRENCHTOWN

ORDINANCE 728

AN ORDINANCE TO PROVIDE FOR THE PURCHASE OF FIVE REPLACEMENT DOORS FOR THE POLICE DEPARTMENT AND MUNICIPAL BUILDING FOR THE BOROUGH OF FRENCHTOWN, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND APPROPRIATING \$9,700.00 FROM THE CAPITAL IMPROVEMENT FUND.

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

Section 1. The improvement described in Section 2 of the ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Frenchtown, New Jersey. For the said improvement or purposes described in Section 2, there is hereby appropriated the sum of \$9,700.00, said sum being inclusive of all appropriations heretofore made therefore.

Section 2. The Borough of Frenchtown hereby authorizes the replacement of the doors for the Police Department and the Borough Hall building for the Borough of Frenchtown.

Section 3. It is hereby determined and stated that the undertaking of the aforesaid work, acquisition or improvement is not a current expense of the Borough of Frenchtown, but rather a capital expense and the Borough of Frenchtown's estimated cost of said work, acquisition or improvement is \$9,700.00.

Section 4. The sum of \$9,700.00 is hereby appropriated for said purpose. The funding is provided by appropriating \$9,700.00 from the Capital Improvement Fund of the Borough of Frenchtown for said purpose as required by law and now available therefore in one or more previously adopted budgets.

Section 5. No debt of any kind is authorized for this undertaking.

Section 6. This ordinance shall take effect immediately upon adoption according to law.

Warren E. Cooper, Mayor

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

RESOLUTIONS

Resolution #2013-54 – to defer local district school taxes

Mayor Cooper noted that the Borough submitted the proposed budget to the State for review and the State came back with a number of things to do before we could adopt the budget. We should have adopted this resolution last year when we changed the amount of school tax we were going to defer. Brad Myhre noted that the school still gets paid. It does not change the payment time. It is a matter of an accounting adjustment to reduce the liability to the State. It impacts the overall tax levy. On motion by Brad Myhre, seconded by Robb Arent and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2013-54 as follows:

RESOLUTION #2013-54 - TO DEFER LOCAL DISTRICT SCHOOL TAXES

WHEREAS, the Local District School Tax for the year July 1, 2012 to June 30, 2013 was raised in the 2012 Tax Levy in the sum of \$1,812,078.00, and

WHEREAS, the statutes permit the deferral of such School Tax up to 50% of the School Tax Levy or \$ 906,039.00,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Frenchtown, County of Hunterdon, that the Deferred School Tax for Local District School purpose be the sum of \$ 543,624.00 or 30% of the School Tax Levy as of December 31, 2012.

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed in the Office of the Director of the Division of Local Government Services.

CERTIFICATION

I HEREBY CERTIFY THE ABOVE TO BE A
TRUE COPY OF A RESOLUTION ADOPTED BY THE
BOROUGH COUNCIL OF THE Borough OF Frenchtown
AT A MEETING HELD ON JUNE 5, 2013

BOROUGH CLERK

Resolution #2013-55 – 2013 Budget adoption

On motion by Seth A. Grossman, seconded by Brad Myhre and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2013-55 as follows:

***RESOLUTION 2013-55
MUNICIPAL BUDGET NOTICE
MUNICIPAL BUDGET OF THE***

**BOROUGH OF FRENCHTOWN,
COUNTY OF HUNTERDON
FOR THE FISCAL YEAR 2013**

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2013;

BE IT FURTHER RESOLVED, that said Budget be published in the Hunterdon County Democrat in the issue of May 23, 2013;

The Governing Body of the Borough of Frenchtown does hereby approves the following as the Budget for the year 2013.

RECORDED VOTE:

AYES: (Robb Arent
(Seth A. Grossman NAYS (
(Cathy Leach
(Michele Liebtag
(Brad Myhre
(William Sullivan

ABSTAIN (
(ABSENT (
(

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Frenchtown, County of Hunterdon, on the 1st of May, 2013.

A hearing of the Budget and Tax Resolution will be held at The Borough Hall on the 5th of June, 2013 at 7:30 pm at which time and place objections to said Budget and Tax Resolution for the year 2013 may be presented by taxpayers or other interested persons.

**EXPLANATORY STATEMENT
SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET
Year 2013**

General Appropriations for:

1. *Appropriations within "CAPS"*
 - (a) *Municipal Purposes (Item H-1, Sheet 19)(N.J.S.A 40A:4-45.2)* 1,326,348.00
2. *Appropriations excluded from "CAPS"*
 - (a) *Municipal Purposes (Item H-2, Sheet 28) (N.J.S.A. 40A:4-45.3 as amended)* 208,164.99
 - (b) *Local District School Purposes in Municipal Budget (Item K, Sheet 29)*
 - Total General Appropriations excluded from "CAPS" (Item O, Sheet 29)* 208,164.99
3. *Reserve for Uncollected Taxes (Item M, Sheet 29) - Based on Estimated 94.72 Percent of Tax Collections* 236,000.00
4. *Total General Appropriations (Item 9, Sheet 29) Building Aid Allowance 2012 for Schools- State Aid 2012* 1,770,512.99
5. *Less: Anticipated Revenues Other Than Current Property Tax (item 5, Sheet 11) (i.e. surplus, miscellaneous revenues and receipts from*

<i>delinquent taxes)</i>	764,575.27
6. <i>Difference: Amount To Be Raised by Taxes for Support of Municipal Budget (as follows)</i>	
<i>(a) Local Tax for Municipal Purposes including Reserve for Uncollected Taxes (Item 6(a), Sheet 11)</i>	1,005,937.72
<i>(b) Addition to Local District School Tax (Item 6(b) Sheet 11)</i>	

BUDGET MESSAGE

**LOCAL UNIT HEALTH BENEFITS PROGRAM IMPACT –
CHAPTER 2,P.L.2010**

Effective May 21, 2010 or on the expiration of any applicable labor agreement in force on that date, all employees must contribute a minimum of 1.5% of their current base salary towards their health benefits costs. This contribution is required of all employees who are members of any state or locally administered retirement system.

Projected Group Health Insurance Costs – 2013	101,000.00
Projected 2013 Employee Contributions	(12,000.00)
Net Group Health Benefits Appropriated – 2013	89,000.00

1977 APPROPRIATIONS “CAPS” CALCULATION

N.J.S.40A:4-45.1 et. seq. “The Local Government Cap Law” places limits on municipal expenditures. Commonly referred to as the “CAPS”, it is actually calculated by a method established by the law.

In general the actual calculation works as follows. Starting with the figure in the 2012 budget for Total General Appropriations certain 2012 budget figures are subtracted; including the reserve for uncollected taxes, debt service, State and Federal aid, etc. Take the resulting figure and multiply it by 2.0% and this gives you the basic “CAP” or the amount of appropriations increase allowed over the 2012 Total General Appropriations. The Total General Appropriations may also be increased by 3.5%, if prior, to the introduction of the 2013 budget an index rate ordinance is approved by the governing body.

In addition to the increase allowed above, any increase funded by increase valuations from new construction or improvements is also allowed.

Also, the “CAPS” may be exceeded if approved by referendum. The actual “CAPS” for this municipality will be reviewed and approved by the Division of Local Government Services in the State Department of Community Affairs, but the calculations upon which this budget was prepared are as follows:

Total General Appropriations for 2012	\$1,673,397.00
Add: Cap Base Adjustment	

Adjusted Total General Appropriations for 2012		\$1,673,397.00
Less Exceptions:		
Total Other Operations	\$ 5,000.00	
Total Public & Private Programs	\$15,105.00	
Total Capital Improvements	\$10,000.00	
Total Municipal Debt Service	\$150,056.00	
Total Deferred Charges	\$15,500.00	
Reserve for Uncollected Taxes	\$225,300.00	
Total Exceptions		\$420,961.00
Amount on which percentage is applied		\$1,252,436.00
2.5% "CAP"		\$43,835.26
Allowable Operating Appropriations before Additional Exceptions per (N.J.S.A. 40a:4-45-3)		\$1,296,271.26
Add:		
Increase in Ratables from New Construction & Improvements Cap Bank	\$ 404.14 \$29,960.19	
Maximum Allowable Appropriations After Modification		\$1,326,635.59

It is hereby certified that this is a true copy of the budget resolution adopted by the governing body on June 5, 2012.

VOTE ON THE MOTION:

Ayes: Robb Arent, Seth A. Grossman, Cathy Leach, Michele Liebttag, Brad Myhre & William Sullivan

Nays: None

Abstain: None

Absent: None

Warren E. Cooper, Mayor

Attest:

Brenda S. Shepherd, Borough Clerk

Resolution #2013-49 – Sewer rate increase

Robb Arent commented that originally we mapped out a 20 year bond. We put together projected step increases instead of one big increase. These numbers are matching what was in all three public hearings for the new sewer plant and matching the projections submitted to the bonding agency and credit rating. We are following that plan. Brad Myhre noted that there is mitigation to operating most efficiently. We will reconvene the sewer advisory committee.

On motion by Robb Arent, seconded by Michele Liebttag and carried by unanimous favorable roll

call vote, the Mayor and Common Council approved Resolution #2013-49 as follows:

BOROUGH OF FRENCHTOWN

Resolution 2013-49

WHEREAS, the Borough of Frenchtown has an Ordinance establishing a service charge or rent for the use of the Borough of Frenchtown sanitary sewerage system to be established and amended periodically by Resolution of the Common Council of the Borough of Frenchtown; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Borough of Frenchtown that the fees under Ordinance #472 shall be as follows:

- A. Annual service charge or rental fee per rental unit be \$680.00 commencing August 1, 2013.
- B. To reflect a (\$40.00) Forty dollar per unit per year increase in the fee previously charged per rental unit, the fee shall be as follows:

- \$170.00 for the 1st Quarter 2014
- \$170.00 for the 2nd Quarter 2014
- \$170.00 for the 3rd Quarter 2013
- \$170.00 for the 4th Quarter 2013

Dated: June 5, 2013

Warren E. Cooper, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2013-50 – Resolution to establish procedures to monitor and ensure compliance with federal tax law requirements with respect to tax-exempt debt of the Borough

Mayor Cooper noted that this is something new that has been presented that requires us to have in place these procedures that the state and federal laws requires in terms of reporting and paying off the debt. This is part of the agreement that we have with the BAN. We have communication from

Attorney Robert Beinfield explaining why we have to do this. Robb Arent noted that we are participating in tax exempt bonds. Certain conditions have to be met so the bonds remain tax free. No third party benefits unjustly. This sets up a compliance officer so anything that gets done is in compliance with Federal and State regulations. On motion by Robb Arent, seconded by William Sullivan and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2013-50 as follows:

RESOLUTION #2013-50

**RESOLUTION OF THE BOROUGH OF FRENCHTOWN,
IN THE COUNTY OF HUNTERDON, NEW JERSEY,
ESTABLISHING PROCEDURES TO MONITOR AND
ENSURE COMPLIANCE WITH FEDERAL TAX LAW
REQUIREMENTS WITH RESPECT TO TAX-EXEMPT
DEBT OF THE BOROUGH.**

WHEREAS, the Borough of Frenchtown, in the County of Hunterdon, New Jersey (the "Borough") has from time to time and will from time to time issue tax-exempt debt, including without limitation bonds and bond anticipation notes; and

WHEREAS, in connection with the issuance of tax-exempt debt, the Borough is required by Section 149(e) of the Internal Revenue Code to file with the Internal Revenue Service an Information Return for Tax-Exempt Governmental Obligations known as Form 8038-G (or a substantially similar form); and

WHEREAS, the most recent revision of Form 8038-G requires the Borough to report whether the Borough has established written procedures to monitor and ensure compliance with certain requirements of federal tax law relating to its tax-exempt debt; and

WHEREAS, bond counsel to the Borough has prepared written procedures to monitor and ensure compliance with the requirements of federal tax law relating to tax-exempt debt which procedures are attached hereto as Exhibit A; and

WHEREAS, the Borough is desirous of establishing such written procedures;

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

In furtherance of the purposes described in the above recitals and in connection with the issuance from time to time by the Borough of tax-exempt debt, including bonds and bond anticipation notes, the Borough hereby establishes procedures to monitor and ensure compliance with federal tax law which procedures are attached hereto as Exhibit A.

This resolution shall take effect immediately.

Dated: June 5, 2013

CERTIFICATION

I, Brenda S. Shepherd, Municipal Clerk of the Borough of Frenchtown, County of Hunterdon, State of New Jersey do hereby certify that the foregoing Resolution to be a true and exact copy of the Resolution adopted by the Frenchtown Borough Common Council at the Council meeting held on Wednesday, June 5, 2013.

Brenda S. Shepherd, RMC
Borough Clerk

EXHIBIT A

TAX-EXEMPT DEBT COMPLIANCE PROCEDURES

**TAX-EXEMPT DEBT COMPLIANCE PROCEDURES
(established June 5, 2013)**

I. Purpose of Procedures

The purpose of these procedures is to ensure that the Borough of Frenchtown, in the County of Hunterdon, New Jersey (the "Borough") complies

with applicable requirements of federal tax law necessary to preserve the tax-exempt status of interest on any tax-exempt obligations (collectively referred to as the "Bonds") issued by the Borough. These requirements include restrictions on the use of the proceeds of the Bonds and on the use of the facilities and assets financed with the Bonds. The Borough hereby designates the Chief Financial Officer of the Borough as the compliance officer (the "Compliance Officer") for purposes of these procedures. These procedures provide only a general overview of the primary tax restrictions. The Compliance Officer shall consult with bond counsel as needed to understand the tax restrictions described in the arbitrage and use of proceeds certificate or similar tax certificate (the "Tax Certificate") executed by the Borough in connection with an issue of Bonds and to ensure compliance with the tax restrictions described in these procedures.

II. General Overview of Private Business Use Restrictions

The tax rules prohibit private business use (use by private parties, including nonprofit organizations and the federal government) of tax-exempt financed facilities and assets beyond permitted *de minimis* amounts unless cured by a prescribed remedial action. Private business use may arise as a result of:

- Sale of the financed facility or asset;
- Lease, easement, concession or use arrangement relating to all of a portion of the financed facilities or assets (including a lease, easement, concession or use arrangement relating to areas outside the four walls, e.g., hosting of a cell phone tower or renewable energy facilities);
- Management or service contracts under which a private party operates all, a portion of, or any function of a financed facility or asset (e.g., private management of a water or wastewater system, a cafeteria or a healthcare facility); or
- Preference arrangements which extend special legal entitlements or preferences to a private party with respect to a financed facility or asset (e.g., preference parking in a public parking lot, naming rights, etc.).

The restrictions on private business use apply throughout the term of the Bonds. An action described above, if taken after the Bonds are issued, could jeopardize the tax-exempt status of the Bonds; however, arrangements with private parties for use of financed facilities can often be structured to comply with an exception, or "safe harbor," to the private business use restrictions. Accordingly, the Borough should consult with bond counsel whenever such an arrangement with a private party is being considered. If the Compliance Officer identifies private business use of a Bond-financed project, the Compliance Officer will consult with bond counsel to determine whether such private business use will adversely affect the tax-exempt status of the Bonds, and if so, what remedial action is appropriate, if any.

III. General Overview of Arbitrage Restrictions

The tax rules contain investment restrictions relating to Bond proceeds and other moneys relating to the Bonds. Those arbitrage restrictions are set forth in the Tax Certificate for each Bond issue. The Tax Certificate is included in the Bond closing transcript. Investment earnings on Bond proceeds should be tracked and monitored to comply with applicable yield restriction and rebate requirements. Arbitrage is the difference between the yield on the Bonds and the investment income earned on the Bond proceeds invested in taxable instruments. Under certain circumstances, the Borough may be required to rebate "positive arbitrage" that it earns to the U.S. Treasury. The Borough must calculate (or hire a consultant to calculate) rebate liability for each

June 5, 2013

Bond issue and make any required rebate payments on a timely basis. The Borough may retain bond counsel, or another arbitrage rebate consultant, to perform any rebate calculations that are required to be made from time to time with respect to any Bond issue.

The rebate calculation dates are described in the Tax Certificate related to each issue of Bonds, but are generally every fifth (5th) anniversary date of the Bond issue through the final maturity or redemption date of a Bond issue. A final rebate payment must be made within sixty (60) days of the final maturity or redemption date of a Bond issue.

IV. Document Retention Requirements

Copies of all documents and records sufficient to document the expenditures and uses of Bond proceeds and Bond-financed facilities and assets will be maintained by the Borough for the term of a Bond issue (including refunding bonds, if any) plus six (6) years, including the following documents and records:

- Bond closing transcripts;
- Copies of records of investments, investment agreements, credit enhancement transactions, financial derivatives (e.g., an interest rate swap), arbitrage reports and underlying documents, including trustee statements;
- Copies of material documents relating to expenditures financed or refinanced by Bond proceeds, including (without limitation) purchase orders, invoices, payment records, as well as documents relating to costs reimbursed with Bond proceeds and records identifying the assets or portion of assets that are financed or refinanced with Bond proceeds;
- All leases, management agreements or other contracts and arrangements involving a private use, or a change in use, of the Bond-financed property; and
- A list of assets financed with Bond proceeds, including placed in service dates.

V. Ongoing Training

Training shall be made available to the Compliance Officer to support the Compliance Officer's understanding of the tax requirements applicable to the Bonds. Such training may include, but would not be limited to, attending training sessions at local conferences sponsored by, among others, the New Jersey Government Finance Officer's Association, the New Jersey State League of Municipalities, the New Jersey Association of Counties, the New Jersey Tax Collectors and Treasurers Association and Rutgers University, participation in IRS teleconferences, reading technical guidance materials provided by educational organizations, the IRS and bond counsel, and discussing questions and issues with bond counsel and an arbitrage rebate consultant.

VI. Annual Completion of Tax-Exempt Debt Compliance Checklist

The Compliance Officer will complete the attached "Annual Tax-Exempt Debt Compliance Checklist" with respect to all outstanding Bonds on or before December 31 of each annual period. The Compliance Officer will retain a copy of each completed and signed checklist in a file that is retained in accordance with the document retention requirements described in Section IV above.

BOROUGH OF FRENCHTOWN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Form of Annual Tax-Exempt Debt Compliance Checklist

(to be completed by the "Compliance Officer" as described in the Tax-Exempt Debt Compliance Procedures)

Date Completed: _____

	Yes	No
Has there been a sale of all or any portion of a facility financed with tax-exempt bonds or notes (a "Project")?		x
Has there been a lease of all or any portion of a Project to any party other than a state or local government?		x
Has the Borough entered into a new, or amended an already existing, management or service contract related to a Project?		x
Has the Borough entered into a naming rights agreement relating to all or any portion of a Project?		x
Has the Borough entered into any other arrangement with an entity, other than a state or local government, that provided legal rights (such as a right to use) to that entity with respect to a Project?		x
Has the Borough invested the proceeds of its tax-exempt bonds or notes at a yield in excess of the arbitrage yield on such bonds or notes?		x
Has the Borough failed to comply in any material respect with the record retention requirements described in Section IV of the Tax-Exempt Debt Compliance Procedures previously established by the Borough?		x

If an answer to any question above is "Yes", or the answer is unclear, the Compliance Officer shall consult with bond counsel to determine (i) if the event could adversely impact the tax-exemption of the Borough's outstanding tax-exempt debt and/or (ii) whether any action needs to be taken during the upcoming annual period to ensure compliance with the tax-exempt debt restrictions.

The undersigned is the "Compliance Officer" as described in the Tax-Exempt Debt Compliance Procedures previously established by the Borough and has completed the above checklist to the best of the knowledge of the undersigned.

 Name:
 Title: Compliance Officer/Chief Financial Officer

Resolution #2013-51 – Turn over of Delaware Valley Municipal Drug Alliance Trust Fund

Mayor Cooper noted that this resolution turns over the lead position and funds of the DVMDA trust

fund. We have been lead agent and are now asked by them to relinquish it. On motion by Brad Myhre, seconded by Seth A. Grossman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2013-51 as follows:

RESOLUTION NO. 2013 – 51

TURN OVER OF DELAWARE VALLEY MUNICIPAL DRUG ALLIANCE TRUST FUND

WHEARES, the County of Hunterdon has determined for 2013 that Alexandria Township will be the lead agency for the Delaware Valley Municipal Alliance.

NOW, THEREFORE, BE IT RESOVELD by the Mayor and Borough Council of the Borough of Frenchtown, County of Hunterdon and State of New Jersey, that the Chief Financial Officer be authorized to remit to Alexandria Township, 782 Frenchtown Road, Milford, New Jersey, 08848, the amount of \$2855.01 which represents the balance in the trust of the Delaware Valley Municipal Drug Alliance.

WARREN E. COOPER, Mayor

Attest:
June 5, 2013

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2013-52 – Approval of Off Duty Police Service Agreement with Transco Pipeline Company

Brad Myhre noted that William Company who is doing the pipeline asked for help with security at their site. Williams Company will assume all costs in addition to the hourly rate and they will pay the 15% administration fee and process an escrow account. It will not impact the department schedule but will open up the opportunity for additional pay. The average pay is \$80.00 per hours. Robb Arent asked if the administrative fees will cover the cost of our expenses. Will they sit and idol the new car? Brad Myhre stated that traditionally we have assessed a 15% administrative fee. That number originated out of the CFO's office. The location is approximately 10 miles away. Responding to William Sullivan, Brad Myhre commented that he is not sure what other municipalities tack on. He will check into the administrative percentages of other municipalities. Mayor Cooper stated that the percentage was probably set prior to the cost of fuel going up. Brad Myhre noted that Williams Company reached out to Frenchtown for help with security. Seth A. Grossman added that he does not think we should hold them up but asked to have the cost of the vehicles, etc. reviewed. Mayor Cooper stated that we will ask Diane Laudenbach to calculate that. On motion by Brad Myhre, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2013-52 as follows:

RESOLUTION No. 2013-52

Borough of Frenchtown

WHEREAS, the Williams Company, which is constructing the 6.8 mile pipeline expansion through Franklin, Clinton and Union Township, is in need of off duty police services; and

WHEREAS, the Williams Company will execute an Off Duty Police Services Agreement with the Borough of Frenchtown and post the required escrow to pay for off duty police services along with the 15% administrative fee; and

WHEREAS, the Frenchtown Borough Police Chief is requesting the Borough Council to allow the Police Department to provide off duty police services with Williams Company; and

WHEREAS, the Frenchtown Borough Police Chief assures the Borough that there will be no special adjustments of schedules nor overtime related to Frenchtown police officers participating in these off duty police services; and

WHEREAS, the Common Council of the Borough of Frenchtown approves the Frenchtown Borough Police Department to participate in off duty police services for Williams Company subject to Williams Company executing an Off Duty Police Service Agreement and posting of the required escrow as indicated above.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Frenchtown, County of Hunterdon, State of New Jersey, that the Frenchtown Police Department is approved to participate in off duty police services for Williams Company subject to Williams Company executing an Off Duty Police Service Agreement and posting of the required escrow as indicated above.

Warren E. Cooper, Mayor

ATTEST:

June 5, 2013

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2013-53 – Governing Body Resolution authorizing referendum for open space tax

Mayor Cooper reported that he asked Brenda Shepherd to prepare a resolution for authorizing a referendum for a municipal open space tax because he was told that we had to do this by the end of

June to get a question on the general election ballot. The reason why it became a topic of conversation in the first place was because of the issue with the Brice Thompson property, being a property identified by the Planning Board as municipal open space as identified in the Master Plan. Because he felt there was pressure on this, he met with some folks at the Hunterdon Land Trust Alliance and thought it might be a good time to partner to acquire that piece of property because the State and County are both primed to find properties to create open space for. His belief is that this is a matter we ought to bring to the voters. He was convinced that we needed to discuss it tonight if we wanted a referendum on the ballot. It turns out not to be the case. If we wanted to bring this to the voters, it does not have to be done until early August. Robb Arent asked what he wanted to put on the referendum. You mentioned two things, the open space tax, or two moving forward and pull a ratable off the tax rolls. Mayor Cooper responded that he was hoping to have it in place if we needed to have in place some means of funding should it be the desire of the community and this body to act at this time to try to acquire that property or another one that if we need to have a referendum, to have a funding source rather than bonding. It seemed like an appropriate discussion to have whether or not we should have as a municipality. Because of the time constraints he believed at that time, he felt it was important to have it on the agenda tonight. That is not the case. Seth A. Grossman stated that he would be in favor of preserving open space where possible around the borough that we have identified as desirable. If it was absolutely pertinent to act on, we could discuss it here but that it not the case. It is an eminent case. We established the environmental commission, the green team, etc. He would like to see some community discussion and input. He believes we would have great support for it but would like to see discussion. Mayor Cooper stated that the referendum would do that. He recommended that we refer that to the infrastructure committee since we are not under pressure tonight. Seth A. Grossman asked that the environmental commission discuss it as well. We need to have further discussion as to sewer fees we might lose, etc. Robb Arent stated that he does not want to vote on this tonight. He is comfortable with Seth A. Grossman talking to anyone he likes. Having no further discussion, Mayor Cooper noted that if there is a desire to have such a referendum this year, we need to have a decision made by this Council 81 days before election day which is by mid August. Brad Myhre stated the open space tax gives you a dedicated source. We can offset the current open space debt and reduce it out of the municipal budget. William Sullivan noted that it is indeed another tax. Brad Myhre stated that if we get it right, you reduce your budget by that amount. If we had an open space tax, we would cut that money from the municipal budget and not spend it somewhere else, just cut it. Mayor Cooper stated that is another discussion and whether we would be in support of it at all is another discussion.

Resolution #2013-56 – Appoint Jennifer Terepka as full-time Police Assistant for the Borough of Frenchtown

Mayor Cooper stated that we agreed to do this awhile ago when discussing the budget. We need to reflect this in a resolution. Brad Myhre stated that Jennifer Terepka would be entitled to earn six sick days and vacation time. She is waiving the health benefits. On motion by Michele Liebttag, seconded by Brad Myhre and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2103-56 as follows:

RESOLUTION No. 2013-56
Appoint Jennifer Terepka as full-time Police Assistant for the Borough of Frenchtown

WHEREAS, the Borough Council of the Borough of Frenchtown and the Frenchtown Borough Police Department shall require the services of a full time Police Assistant effective May 6, 2013 and

WHEREAS, the Frenchtown Borough Police Chief has previously reviewed Jennifer Terepka's application, qualifications, and background check and has found them all to be acceptable, and

WHEREAS, the Chief Financial Officer has determined that there are sufficient funds available in the Police Department Salary and Wage budget to pay for this employee.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Frenchtown, County of Hunterdon, State of New Jersey, that, effective May 6, 2013, Jennifer Terepka be appointed as Full-time Police Assistant at the hourly rate of \$12.86 per hour.

Warren E. Cooper, Mayor

ATTEST:

June 5, 2013

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2013-57 – Resolution authorizing the Municipal Clerk to advertise and accept bids for the provision of gasoline for Borough vehicles

Robb Arent noted that we currently have a gas supply at Public Works. We are building a new Public Works building and going to move the existing fuel there. The problem is our current fuel tanks do not meet NJDEP code. In order to replace the fuel tanks that meet code, it would cost over \$50,000.00 to replace them. If we keep the existing tank only for the heavy equipment such as the grader and backhoe because they can not bring them into a gas station, we do not have to worry about meeting the DEP guidelines. We can continue to use the one we have. This resolution will give us the opportunity to fuel police cars, DPW trucks and the sewer department truck at another location. It would help us to keep better tabs on vehicle usage, etc. Cathy Leach asked why we will use it for equipment but not the vehicles. Robb Arent noted that the DEP understands that we can not drive a front end loader or grader into a gas station. Mayor Cooper stated that it is for regular and diesel fuel. It has to do with volume. Referring to the 1.5 mile requirement, William Sullivan asked if we are anticipating a large number of bids? Robb Arent asked why we are combining bids for gas and diesel. We are buying gas and diesel right now and should have been bidding. Our diesel comes from Stem Bros. They have a pump that is more conducive to trucks being able to fill up than diesel at the Citgo Station. It is easier to get gasoline at the Citgo and diesel at Stem Bros. William Sullivan recommended that the diesel bid resolution be 2 miles from Borough Hall. On motion by Brad Myhre, seconded by Robb Arent and carried by unanimous favorable roll call vote,

the Mayor and Common Council approved Resolution #2013-57 as follows:

RESOLUTION NO. 2013-57

AUTHORIZING THE MUNICIPAL CLERK TO ADVERTISE AND ACCEPT BIDS FOR THE PROVISION OF GASOLINE FOR BOROUGH VEHICLES.

WHEREAS, the Borough desires to solicit bids for the provision of gasoline for all Borough vehicles; and

WHEREAS, the Borough believes it to be most cost effective to limit the location at which the vehicles must travel to receive gasoline to be within one and one half (1.5) miles from Borough Hall;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Frenchtown that authorization is hereby granted for the Borough Clerk to provide and administer bids for the provision of regular gasoline for all Borough vehicles with a condition that the location at which the vehicles will receive fuel must be within one and a half (1.5) miles from Borough Hall. The Borough Clerk is also hereby authorized to publish a solicitation for such bid accordingly; and

BE IT FURTHER RESOLVED that the Borough shall reserve the right to reject any and all bids in its discretion.

This Resolution shall take effect immediately.

Warren E. Cooper, Mayor

Attest:

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2013-58 – Resolution authorizing the Municipal Clerk to advertise and accept bids for the provision of diesel fuel for Borough vehicles

On motion by Brad Myhre, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2013-58 as follows:

RESOLUTION NO. 2013-58

AUTHORIZING THE MUNICIPAL CLERK TO ADVERTISE AND ACCEPT BIDS FOR THE PROVISION OF DIESEL FUEL FOR BOROUGH VEHICLES.

WHEREAS, the Borough desires to solicit bids for the provision of diesel fuel for all Borough vehicles; and

WHEREAS, the Borough believes it to be most cost effective to limit the location at which the vehicles must travel to receive diesel fuel to be within two (2) miles from Borough Hall;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Frenchtown that authorization is hereby granted for the Borough Clerk to provide and administer bids for the provision of diesel fuel for all Borough vehicles with a condition that the location at which the vehicles will receive fuel must be within two (2) miles from Borough Hall. The Borough Clerk is also hereby authorized to publish a solicitation for such bid accordingly; and

BE IT FURTHER RESOLVED that the Borough shall reserve the right to reject any and all bids in its discretion.

This Resolution shall take effect immediately.

Warren E. Cooper, Mayor

Attest:

Brenda S. Shepherd, RMC
Borough Clerk

NEW BUSINESS

Request by Riverside Symphonia for approval to hang a banner from June 14, 2013 to July 1, 2013 for the “Concert under the Stars”.

On motion by Brad Myhre, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the request by Riverside Symphonia to hang a banner from June 14, 2013 to July 1, 2013 for the “Concert under the Stars”.

:

Approval of the 4-Day Walking Pilgrimage on August 9, 2013 from approximately 3-5 pm.

On motion by Robb Arent, seconded by Cathy Leach and carried by unanimous favorable roll call

vote, the Mayor and Common Council approved the 4-Day Walking Pilgrimage on August 9, 2013 from approximately 3-5 pm.

DPW Shared Services

Mayor Cooper noted that we have been in discussions for several years with our neighbors in an attempt to come into agreement to share some or all of the DPW functions in one manner or another. We recently had discussions with Alexandria and Kingwood Townships. We have taken the step to ask the County if they would be interested in discussing these functions with us as well. We are waiting for the next step. We would like our infrastructure committee to come up with some costs and description of those services so we can be more specific in those discussions. Brad Myhre stated that it is important to know that it is only preliminary discussions with the County. There is no commitment on either end to do anything other than to look at cost structure of what the mechanics of this would look like. It might not be a full merger. It could be on a contractual basis for services we can not provide ourselves. If it makes sense on both sides, it could be a full merger. Responding to Cathy Leach, Brad Myhre stated that the County would like us to identify our needs. They have already reached out to their director of roads and bridges to ask him to look at his side and whether they have the capacity or would they need additional workers, etc. They have to decide if they want to provide such services. It comes up with every municipality and the County that most individuals do not want to plow snow in Frenchtown. It is not the best situation for them. Mayor Cooper stated that Frenchtown has narrow streets. Brad Myhre added that it is more interaction with people and the town is more concentrated. Mayor Cooper stated that it is important to know that our director of public works, Mike Reino, has been part of these discussions. He is on board with helping us identify our needs. Michele Liebttag stated that Mike Reino was aware that this was being done prior to 5/8/13 when you went to the Freeholder's meeting and before seeing it in the press but we were not. Mayor Cooper stated that this was done rather quickly. Michele Liebttag commented that in the future, it would be nicer to know in advance instead of getting calls from people. Seth A. Grossman stated that the infrastructure committee had a meeting yesterday at 5:30 pm at the new public works building and we discussed it for an hour. It is a more complex discussion that we might want to think about it from a policy, mechanical, etc. point of view. In general, he is supportive of shared services or a broader base for government to provide the services. But when you look at it and the system we have, in some ways we have a link services between the county and state providing public works services. The State provides some services and the County provides some. Different municipalities have different needs. We have services that are somewhat individualized. Mayor Cooper stated that we have not decided anything. It is important for this body to look at and explore ways that make our delivery of public services more efficient and possibly more economical and the share services concept has been talked for a long time as one that could do both. It may not necessarily be the case but it is our responsibility to explore these opportunities when they come. Seth A. Grossman stated that we will put together the list of things we do so people can see what we do. In regards to the County, they would have to change its whole system to address municipal needs. They need to spend time reviewing that. Mayor Cooper stated that it is for the County to decide whether it is appropriate, economical and efficient for them to assist us in anyway. Responding to Seth A. Grossman, Mayor Cooper stated that it is not our problem to tell them what they have to do. Seth A. Grossman stated that it is a big discussion. Mayor Cooper stated that it is a big discussion on us as well and as William Sullivan said it is a partnership no matter how it is done. Responding to Seth A. Grossman, Robb Arent stated that it is a mix of services. We have County and State roads that run

through the Borough. The County has Street sweeper that comes to intersections in town. The County plows up to the intersection then picks up the plow and then plows part of Harrison Street. The State plows Route 29, turns around on Bridge Street and goes down the other side of Route 29. They have the lawn mowers that mows the side of the road. If they would only mow the side of Milford Road, it would save two days of cutting. Mayor Cooper commented that until we figure out if there is an opportunity for those types of functions to be divided up in a different way that might be more efficient or more economical, we are just discussing it. We will give them the information we can and if it is not right they will ask for more.

OTHER NEW BUSINESS

William Sullivan noted that there was a tree hit on the George Michael property by a delivery truck and the tree was broken. The DPW had to clean up the tree and get traffic moving again. The tree has been deemed in need of replacement. The damage will not grow out. We used John Wagner, a certified tree expert and member of the shade tree commission, and he made the call to estimate what it would cost. It was estimated at about \$1,000.00 . We received a plea letter from a business owner to rescind that amount. It has been resolved. The shade tree commission determined that we did not have authority to resolve this and rather the Council is the authority to make the decision on how to further carry the matter. Mayor Cooper stated that he received the same letter William Sullivan is referring to. He contacted the letter writer because she made a number of claims about the situation that he did not have the answers to. He spoke with Mike Reino, the officer who issued the summons, the municipal prosecutor, the chief of police, the lietenant, the witness, the business owner, and the shipping company that made the delivery. It turned out that there was nothing to be concerned about. Had the fine had been imposed, the shipping company would refuse to come back. It turns out not to be the case. He spoke to the business owner last Saturday and she said everything was being resolved. As far as he is concerned, let everyone else take care of their roles and we are out of it.

Michele Liebttag reported that there was a request made to extend the Milford-Holland Rescue contract for 2013 since we are already six month into the calendar year. We are exploring the other option. It is the right thing to do so they continue the arrangement. He has some figures through March. January through March there were 39 calls totaling \$8,385.00. The rate per call is \$215.00. The number is high because we do not have a functioning unit through Frenchtown Fire. Mayor Cooper stated that it is why we had to find another alternative. Michele Liebttag stated that we had talked to Milford Holland for a more formalized relationship but decided to put it on the back burn to hear what the proposal is from Brad Patkochis. We have double digit calls every month. January was 13 calls, February was 16 and March was 10 and we will be going over budget. Brad Myhre stated that Milford-Holland was interest in a more formal arrangement and we were leaning toward that at the beginning of the conversation because we are not covering our own calls any more. There will be a broader conversation about all of our emergency service coverages because like many squads and fire departments, we do not have enough people to go around anymore and we will have to do something much bigger than just EMS based on our numbers. Michele Liebttag stated that we have to proceed with caution in that if that placates a far more future solution, we need to look at a longer term contract that is more fiscally prudent while we wait for the other solutions to pan out. Cathy Leach stated that if this trend continues, it will cost us \$30,000.00. Brad Myhre added that certain people who were covering call at the fire house are no longer here. Mayor Cooper stated that

the number of calls we see this year are substantially different from last year. Michele Liebttag stated that the number of calls in the first quarter last year were different because they were functioning next door last year. In an attempted in negotiate a one year arrangement, they were not interest and preferred to keep the per call contract. We need to listen to the other presentation and determine whether or not we can negotiate a shorter term contract with the Milford Holland if it seems like too much of a future with the other group. Robb Arent commented that Milford Holland bills the insurance company. In some instances they are getting double compensation. Would it be possible for us to bill the Frenchtown residents? Brad Myhre responded that we have not traditionally billed. The rescue squad at one time looked at that option years ago but that never happened. Michele Liebttag stated that we can talk to Diane Lutz to see if that is something we can do. Brad Myhre noted that one of the things we did in the budget was shifted money from our rescue squad to another rescue squad but it still was not enough. Robb Arent thought that was in anticipation of a more formal agreement. We will use that additional set aside money. Seth A. Grossman asked if Milford Holland does get money from insurance, they report it to us. It may offset what we have to pay. Robb Arent recommended that it be left to the committee. Brad Myhre stated that he wished the conversation would have happened tonight. We have an emergency service crisis in this town with our ability to respond because we just do not have the people anymore. We will have to make some major decisions. Mayor Cooper noted that we are not any different from many other communities. There has been a high shift in volunteers in communities that had long traditions as we do. The Union fire company #1 is celebrating their 125 anniversary. That is a long time of volunteer fire fighting in this town. It is questionable how much longer they will be in existence. Michele Liebttag stated that we need to act on the contract. We are already six month into the year using their services. We want to explore other options. Milford Holland has been reliable. The only fair thing to do is extend the contract. She has been honest with them that we are exploring long term options. Brad Myhre stated that over the last couple of years, we have had a decline in membership. Robb Arent recommended that if they can do a presentation it would be worth while getting together before next month's meeting. Mayor Cooper stated that he can reach out to Brad Patkochis and Mike Atheras. Responding to Seth A. Grossman, Brad Myhre stated that long term, we have a serious problem. We will not know until Mike Atheras presents what they can do, etc. This is something we need to involve our Freeholders in. It is a county wide problem and we will need a bigger solution for the whole county. Michele Liebttag stated that we are fully aware of the issue with only EMS right now. We saw the data and how heavily we rely on EMS. We are trying to be prepared for what is coming down the road. Mayor Cooper stated that it is not clear if the \$200.00 we pay covers the cost. Michele Liebttag added especially if we are not helping with the cost of equipment, etc. Renewing this contract with Milford Holland Rescue buys us time. Robb Arent noted that the important thing is to continue to have emergency services. On motion by Robb Arent, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to authorize the Mayor to sign the contract with Milford – Holland Rescue Squad to provide emergency services for 2013.

OLD BUSINESS

Kingwood Avenue Sewer Pipe project

Mayor Cooper stated that now that we have adopted the budget we can get going on this. He expects to have a proposal for our July meeting. If we meet prior to that, he will let Robert Clerico know that we are ready to move on it.

Creek Road Project

Mayor Cooper reported that there is nothing new to report.

Recycling

Michele Liebttag noted that he spoke with Gary Smalley from Republic Services regarding a meeting we had in April. We are looking to leverage an extended contract through 2015 with them providing the municipality with carts for recycling only. They can provide us with 500 to 550 carts, 35 gallons and 65 gallons, that are used carts. They will extend our contract for the same rate we are currently paying through 2015, providing us with the use of carts for a few cents for the cost of cleaning the carts and delivery. He was trying to come tonight but could not make it. Brad Myhre noted that it would be a nice addition for the resident. It would help promote more recycling. Mayor Cooper asked that they be judicious in the selection of the used carts so they are not broken, the lids work, and the wheels work. Michele Liebttag stated that the only cost would be the actual clean up and delivery for the three years of using them. Mayor Cooper stated that we would need to prepare a resolution and would need a better idea of the costs. Brenda Shepherd commented that you have to make sure you do not exceed the bid threshold. Robb Arent stated that we have to make sure that the extended contract does not put us over the bid threshold. Brad Myhre commented that the Borough does not have a qualified purchasing agent and it is easy to surpass the bid threshold. Mayor Cooper informed everyone that the state has set up a system where the municipality can deal with bids up to a certain dollar figure based on the qualifications of their CFO. We do not have someone who acts as a qualified purchasing agent up to around \$42,000.00. Brad Myhre stated that currently our bid threshold is \$17,500.00 without a qualified purchasing agent. Mayor Cooper asked if we can contract with the ability to renew annually. Attorney Rizzo stated that you can have a contract with the right to renew. He will check on how that plays into the threshold. Brad Myhre noted that we are looking at working with the County to establish a relationship using their purchasing agent. With the existing law, they would have to do all the purchasing at the County level. We do not want to do that right now. He is working on having the DLGS draft a share service language that would be acceptable or do it on a case by case basis that would hold the County harmless for any purchases that could potentially be done through Frenchtown. Mayor Cooper stated that it was the County's concern. They do not want to be liable and end up in a law suit. Brenda Shepherd informed the Council that CFO Diane Laudenschach is a qualified purchasing agent for Kingwood Township. Mayor Cooper stated that she had declined to be the Borough's qualified purchasing agent because we have not increased her salary.

Michele Liebttag reported that she had conversations with Mike Reino extending recycling hours. Because of the set up with the new DPW area, they said the hours could be expanded Monday through Friday, 8:00 am to 4:30 pm so people can come during the week and drop their recycling. She is looking to do a recycling mailing as we have to do two a year and include the extended hours in that mailing. Mayor Cooper asked that the flyer is clear on what can be accepted and what can not be accepted. He recommended getting together with the Green Team and Mike Reino to coordinate. Robb Arent stated that we should have a discussion on liability when the construction is going on. Michele Liebttag stated that we will not announce it until that is complete. Responding to Mayor Cooper as to the time line for completion of construction at the new DPW site, Robb Arent commented that they are hoping by the end of the month. Michele Liebttag noted that there is

additional space on the mailing so if you want to put something about the Green Fair and the Farmers Market. Dominikija Prostack asked that they get together because they were discussing doing a Green Team newsletter. William Sullivan asked to put a link in the mailing on how to recycling our leaves. It is not green to use fossil fuels to pick up leaves. Michele Liebttag stated that she will email the Green Team for additional content for the mailing.

George Michael property

Brad Myhre reported that George Micheal is actively working to extinguish the lien on that property so we can move forward on acquiring that land behind the bridge shack for the purposes of a park.

Seth A. Grossman commented that now that the budget is past, we can move ahead on the street scape schematic plan and cost estimate of that portion of our payment. William Burr should talk to Brenda Shepherd about a spending resolution for that. Mayor Cooper noted that it will be paid out of capital expenses.

COUNCIL COMMENTS/COMMITTEE REPORTS

Robb Arent reported that the equipment has been placed inside the clarifying tanks. They did soil replacement underneath where they are building the long tanks, the walls are up for the sub building and they should be turning over the open storage facility to us within the next couple of days, and hopefully the DPW building by the end of month. Cathy Leach asked if there is plans to run a telephone line in the office area of the new DPW building. Robb Arent stated that they will do that and he believes that they will have internet too.

Robb Arent reported that the issue with the solids not meeting state requirements has been resolved. We have gone two straight months meeting the requirements. Mayor Cooper asked if we have done anything to resolve potential fines? Robb Arent responded that Victor Gilardi has done something. His recommendation is that someone from Council or the Attorney or both do something on a more formal basis. It is not due until September. Brad Myhre commented that sometime it is imposed over a prolong period of time to ease the burden. Robb Arent stated that part of the reason we had a problem is because we do not have a new plan because the DEP held us up.

Brad Myhre reported that Chief Kurylka will be leaving for the annual Chief's Conference and Police Exposition in Atlantic City from June 24th through June 27th. In the past, we paid for the hotel room. He pays for the conference out of his pocket. If we do a check from the Borough, he does not have to pay the taxes. He is asking us to authorize the \$496.00 for 4 nights. Subsequent to a brief discussion, the Council agreed to pay the hotel room and conference fee.

Brad Myhre noted that at the last meeting there was a request through parks committee about cameras at the park due to vandalism down there. Chief Kurylka worked with Rivernet Computers who came up with an estimate. Basically, there would be two cameras down there, one for the parking area and one for the bathrooms looking out over the equipment area. The actual unit we have to get comes with four. We could upgrade the one at Borough Hall and put one at the new DPW facility looking out into the yard. It is under \$1,000.00 to do it. We would have recorded video and it will help us with cracking down on some of the vandalism down there which is pretty extensive. Responding to William Sullivan, Brad Myhre stated that it is his understanding that they

are not easily removable because they have boxes around them to prevent them from being damaged. Robb Arent asked that they price additional cameras. Brad Myhre commented that you can add to them. There were questions about legal issues and the last time we discussed this Attorney Cruz stated that there is no expectation of privacy in a public park. We have the right to have cameras down there if we choose to. Robb Arent noted that Nova had an excellent show recently on how they solved the Boston Marathon bombing using video. New York City has a network of over 2,700 cameras. Brad Myhre noted that just today, we had the bathroom facilities damaged, we have had the pavilion damaged and the actual benches damaged. The railing along the footbridge was demolished. It is part of a problem down there. Robb Arent stated that if you can narrow it down, you can see who is accessing the park. Mayor Cooper stated that he received complaints recently that in addition to the vandalism, the park has been trashed with bottles, cans, etc. Cathy Leach noted that Mike Reino clean up after the weekend event and said the park was cleaned up well. Brad Myhre noted that Mike Reino was involved with conversation on the cameras and went down to look them over. He like them and offered to split half the cost out of his budget.

Brad Myhre reported that there was a complaint about Transbridge speeding down Everittstown Road. Chief Kurylka spoke with Transbridge managers and security and all their buses have GPS and it can track the driver's speed. Drivers should be conscientious about that because they do monitor that.

As to the Downtown Revitalization Committee, Seth A. Grossman reported that Michael Padavan and Jonathon Perlstein are Co-Chairmans of the committee. The committee met a number of times with Dorsey Reading and Engineer William Burr looking at the design plan for the street scape. At this point, Engineer Burr is putting together some designs from those discussions. Our next meeting is June 13th at 4:00 pm here. William Sullivan asked if they contact our landscape architect. Seth A. Grossman responded in the affirmative. Robb Arent added that based on internet chatter, expects the issue of signage to hit the forefront very soon. Seth A. Grossman commented that signage is a part of the design plan.

Cathy Leach reported that Saturday, June 9th from 8 am to 12 pm we are organizing a trail clearing at the Frenchtown Borough Park across the footbridge restoring what use to be there. The issue of nesting birds has been brought to our attention and we will be minimizing disturbance to the environment as much as possible. We are primarily using hand tools except for weed wackers. Everyone is welcome to come participate.

Mayor Cooper noted that he spoke with Albert Cruz today and he is doing well. He is walking regularly and getting his strength back. They want him to hold off from coming back to work just yet, eight weeks. He wanted us to say hello.

Mayor Cooper stated that we received a request, not formally yet, from the school. They are going from a part time to a full time preschool program and will be putting up signs around town advertising it. We are going to be asked to allow them to put a sign up in front of the police building or borough hall. He will refer them to planning board to make sure whatever sign that want us to put up complies with the sign ordinance. Randi Eckel, Chairman of the Planning Board, believes it is temporary signage put by the municipality. The Planning Board has very little say for signs put up

by the municipality. The School board is a distinct entity from the municipality. She was not sure that they will fall under the same umbrella. She will touch base with the chairman of the school board. Mayor Cooper asked that she find out exactly what they are asking because they talked about lawn signs. Chairman Eckel stated that the planning board has very little say about municipal signs. We do not normally have anything to say about the signs the school puts up at the school. She will look into it and touch base with the Mayor.

Mayor Cooper announced that it is the 125th anniversary of the Union Fire Company No. 1. We would like to put together a resolution for next month to congratulate them. Michele Liebtag stated that we did not want to rush that.

Mayor Cooper noted that we had our interior design officials in here today. Bonnie will go out to look at materials. You may see swatches of materials but she will give to William Sullivan to participate in the process.

Mayor Cooper reported that one of the things that came up at the police meeting was concerns that some brush on the property that comes to point at Everittstown Road, Milford Road and Race Street is blocking motorists' view of traffic coming down the hill. Mayor Cooper has agreed to approach the property owner about it.

Mayor Cooper wanted to let everyone know that as it has gotten lighter earlier, he has change his hours on the bike path. If anyone wishes to meet him he will be there at 5:30 am.

CORRESPONDENCE

None discussed.

ADJOURNMENT

Being no further business to come before the Mayor and Council, a motion was made by William Sullivan, and second by Michele Liebtag to adjourn the meeting at 9:50 pm. Motion carried by favorable voice vote.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk