

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 12, 2012 and the Express Times on January 12, 2012; 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 20, 2012.

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 Cruz, and Borough Clerk, Brenda S. Shepherd, were present for the meeting. 7 members of the public were also present.

PUBLIC HEARING

Ordinance #715 - Establishment of the Environmental Commission

On motion by Robb Arent and seconded by Seth A. Grossman, the Mayor and Common Council approved by favorable voice vote to open the public hearing on Ordinance #715. Having no comments, a motion was made by Robb Arent, seconded by Brad Myhre and carried by favorable roll call vote, to close the public hearing on Ordinance #715.

PUBLIC COMMENTS

On motion by Brad Myhre and seconded by Cathy Leach, the Mayor and Common Council approved to open the public comment session by favorable voice vote. Mayor Cooper noted that Kevin Kiel of Better Solutions Every Day will be providing the Council with a presentation.

Better Solutions Every Day – Kevin Kiel

Kevin Kiel from Better Solutions Every Day provided a demonstration of the ticket program. This program allows you to print tickets electronically. Every State statute and town ordinances will be in there. Each patrol car would get a compact printer. There are only two vendors in the State. The software will be in both the police cars and the police station. The program is connected to the AOC for the State of New Jersey. They did a demonstration for the Police Department. They showed the program which allows you to print ticket out electronically. The Court administrators are using it. It is a more efficient way of issuing tickets. Once you issue a ticket you can send it directly to the court. You could issue 5 tickets in a minute. This will get the officer back on the road quicker and they are not standing on the road as long. Responding to Michele Liebttag, Kevin Kiel stated that the program will not auto-populate. The record is an electronic record and works off the cell coverage.

You have cell coverage. If cell system is down, you can write a ticket and then the officer puts the information in the computer later. Each offense would be a separate paper. The program comes with a reporting package. It allows the chief to make reports. There are 580 different reports you can create. There is 300 tickets on a roll and we will give you enough paper for a year. Responding to Council, Mr. Kiel stated that the cost is calculated on the number of tickets issued. The 5 years contract is more cost effective. The first year the cost is \$4.37 per ticket, the second year it is \$3.45 and when you hit 1,500 tickets, the cost stays at the lower rate for the remainder of the contract. Chief Kurylka noted that they issue approximately 1,800 tickets per year. He added that an average road stop is approximately 10 minutes unless you are issuing multiple violations then it could be 30 minutes. There is a cost effectiveness in time. If the Governing Body wants statistics on a certain street, this program will provide a report. A hand search for statistics would take a good part of a day. Responding to Mayor Cooper, Mr. Kiel noted that the nearest area using this program is Florham Park, the state police and Readington Township. Chief Kurylka stated that he spoke with the judge and the Court Administrator and they are happy we are looking at this. He thinks there will be a cost effectiveness for the court. Robb Arent asked if the Borough could tack on the price of the ticket for each offense. Mr. Kiel responded that you can do an ordinance for it. At the end of the quarter we would bill the Borough for the amount of tickets issued. William Sullivan asked if the cost would affect the budget cap? Brad Myhre responded that it would come out of the police budget and added that having trends and data would allow us to reallocate our resources so we can put someone on the road where it is needed. The traffic on the Delaware River bridge is increasing rapidly. Mayor Cooper commented that the police department is writing more tickets this year than last year. Chief Kurylka commented that the number of vehicles are increasing which increases traffic enforcement. He added that he is not looking to increase volume of summons but is looking to increase efficiency. Cathy Leach commented that the reporting capabilities would be valuable. If the Chief wants to see what the shifts are doing, it can show the most productive times of day. Mayor Cooper added that at this time, when a ticket is written, someone has to manually input it. This program would ask less time of the court and we can renegotiate the time and reallocate our resources. Brad Myhre noted that every year the Chief produces an annual statistical report. He asked how long that report takes to put together? Chief responded that it takes a good week between him and the Secretary. This report can be done in 5 minutes with the program. The data is available immediately.

Responding to Robb Arent as to what tickets could be surcharged, Chief Kurylka stated that it is up to the officer to write a ticket for the town ordinance or the state. Attorney Cruz asked what the cost of the program will be on an annual basis. Mr. Kiel responded that the lease would be \$6,000.00 per year which will cover hardware, software, etc. You can pick 1 to 5 year contracts. The longer the contract the cheaper the cost is. Mayor Cooper asked if the state decides that we do not need municipal police departments or the Borough decides to eliminate the police department, what happens to the contract? Mr. Kiel responded that the contract would be null and void. Attorney Cruz asked if they have a letter from the AOC for certification? Mr. Kiel stated that they have a certification. It is not a certification of the system but how the system is being used in Frenchtown.

Responding to Mayor Cooper in reference to amending the Borough ordinances, Attorney Cruz stated that if you adopt an ordinance, the AOC has to accept that as a violation. It is a check to make sure that the ordinance can stand independent of the State statute and recognizes it is a valid

summons. Michele Liebttag asked what happens if the system is down. Mr. Kiel responded that there would be an email flash and we would get right on the phone with AOC. If there are equipment problems, we would come right out and give you new printer, etc. Responding to Seth A. Grossman, Mr. Kiel stated that the charges include installation, training, paper material and maintenance and you will be billed the next quarter. There are no hidden software or hardware costs. If you buy a new card, we would switch the machines. The fees billed would come out of the fee for the ticket. Mayor Cooper asked Mr. Kiel to provide them with the two or three community close in size to Frenchtown so that we can get information on their experience. Mr. Kiel stated that he would provide that information. Mayor Cooper asked then to also provide a copy of the lease contract. Council thanked Better Solutions for their time.

Skye Van Saun, 35 Eighth Street, stated that she would like to know more about the safe streets committee. William Sullivan stated that they need two more business community members for the committee.

Jack Weeks of Everittstown Road stated that he is on the Bastille Day Committee and they have a request. They would like to use park for the “movie under the stars” from 9:00 pm to 11:30 pm on July 14th. Cathy Leach noted that the park is closed after dusk and they will need permission. Chief Kurlka stated that he has no concerns. Cathy Leach stated that they will have to arrange for someone to lock up and put on electric, etc. Jack Weeks noted that the Business Association has a standing insurance certificate with the town. Chief Kurylka stated that if there will be alcohol, you will need to ask for an alcohol permit.

On motion by Cathy Leach and second by Brad Myhre, 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 Brad Myhre, 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 June 6, 2012 regular Council meeting.

RESOLUTIONS

Resolution #2012-73 – Resolution in support of armed services men and women

Mayor Cooper stated that the League of Municipalities has asked each town to adopt a resolution recognizing and supporting armed services men and woman and helping veterans find meaningful employment. On motion by Brad Myhre, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved resolution #2012-73 as follows:

Resolution #2012-73

Resolution of NJLM for Municipal Enlistment in the Military Initiative

Whereas, on Tuesday, January 24, the Commander-in-Chief of our Armed Forces reminded all Americans that, “Above all, our freedom endures because of the men and women in uniform who defend it,” and that “... this generation of heroes has made the United States safer and more respected around the world.”; and

Whereas, the President, further, promised, “As they come home, we must serve them as well as they’ve served us. That includes giving them the care and the benefits they have earned ... And it means enlisting our veterans in the work of rebuilding our nation.”; and

Whereas, National Guard and Reserve forces today total over 1 million service members and represent 48 percent of our total military force; while every day around the globe, thousands of men and women in uniform, including dedicated members of the National Guard and Reserves, risk their lives and make great sacrifices to defend our national interests, serving extended tours away from their homes, families and jobs; and

Whereas, at the same time, we are now seeing unprecedented levels of unemployment and underemployment among members of the Guard and Reserve, as up to 22 percent of Guard and Reserve members face unemployment; and

Whereas, in this time of economic uncertainty, the Employer Support Guard and Reserve (ESGR) is focusing on connecting employers with the talented pool of service members and their spouses, with the intent of facilitating meaningful employment opportunities; and

Whereas, to further this goal, the New Jersey ESGR has launched an Employment Initiative Program (EIP), which is a collaborative effort with federal agencies including the Department of Labor (Veterans Affairs), the Department of Veterans, the Small Business Administration and the Office of Personnel Management; and

Whereas, the goal is to enhance the employment process and serve as an effective resource for service members and employers. ESGR is also partnering with Employer Partnership of the Armed Forces (EPAF) through EIP with a high-tech and high-touch approach; and

Whereas, for almost a year, now, the United States Chamber of Commerce has also endeavored to find employment for our returning veterans and the spouses of those who continue to serve, at home and abroad, with its Hiring Our Heroes program; and

Whereas, the Hiring Our Heroes program is a nationwide effort to help veterans and military spouses find meaningful employment, in partnership with the Department of Labor Veterans Employment and Training Service (DOL VETS), to improve public-private sector coordination in local communities, where veterans and their families are returning every day; and

Whereas, despite those efforts, the unemployment rate for veterans of our Armed Forces in our Nation and in our State continues to exceed the over-all rate; and

Whereas, in order to take the lead on advancing the EIP to the next level, the New Jersey ESGR has enlisted strong and positive support from corporate leaders, the New Jersey State Chamber of Commerce, US Dept. of Labor/VETS and the New Jersey League of Municipalities; and

Whereas, it is incumbent on all of us to prove that New Jersey cares for the men and women in uniform who risk their lives and make great sacrifices to defend our national interests; and

Whereas, this employment initiative can be New Jersey's way of saying thank you to the men and women who made great sacrifices to protect our nation's freedom; and

Whereas, local officials throughout the State of New Jersey, working together through the League of Municipalities, and with the New Jersey ESGR, their local and State Chambers of Commerce, and local business leaders can help to advance basic fairness to our vets and their families by pursuing one simple goal: to allow America's over one million unemployed veterans and military spouses to follow their dreams, instead of spending their lives just trying to catch up; now therefore be it

Resolved, on this 20th day of June, 2012 that the governing body of the Borough of Frenchtown recognizes that we will never be able to repay the debt we owe to all members of our armed forces; and

Be It Further Resolved, that in gratitude, the Borough of Frenchtown pledges its enthusiastic and unqualified support for the Employment Initiative Program of the New Jersey Employer Support Guard and Reserves; and

Be It Further Resolved, that certified copies of this Resolution be forwarded to the New Jersey State League of Municipalities and to our neighboring municipalities.

Warren E. Cooper, Mayor

Dated: June 20, 2012

Attest:

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2012-74 – Resolution adopting and requesting DCA Approval of the amended Affordable Housing Trust Fund Spending Plan

Mayor Cooper noted that we were concerned about the loss of our COAH funds to the state. Attorney Cruz noted that on April 18th, you adopted a resolution to amend the spending plan. The purpose of that amendment was that currently there is legislation requiring you to spend the COAH funds collected prior to April 17, 2008. The Planner Elizabeth McKenzie amended the spending plan, sent it down to COAH and COAH reviewed it and wanted additional technical changes to the spending plan including on the affordability assistance portion of the plan which is assistance to

renters to help with security deposits, etc. Planner McKenzie made the changes and has been advised by COAH that COAH has essentially approved the plan with the amendments as proposed this evening. She urged Council to adopt this resolution and send it to COAH as soon as possible. The reason this is being done at this point is that the Governor has 150 to 200 million dollars of Affordable Housing trust fund monies in his budget and he is counting on that money. Municipalities are trying to commit those funds before the State budget is finalized on July 17th. On motion by Robb Arent, seconded by Brad Myhre and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2012-74 as follows and the spending plan attached.

RESOLUTION #2012-74

**BOROUGH OF FRENCHTOWN
COUNTY OF HUNTERDON, STATE OF NEW JERSEY
RESOLUTION ADOPTING AND REQUESTING DCA APPROVAL OF THE
AMENDED AFFORDABLE HOUSING TRUST FUND SPENDING PLAN**

WHEREAS, the Borough Council of the Borough of Frenchtown, Hunterdon County, received substantive certification from the Council on Affordable Housing (COAH) of its adopted 2008 Third Round Housing Element and Fair Share Plan in April of 2009; and

WHEREAS, Frenchtown Borough, Hunterdon County, adopted a Development Fee Ordinance and a Spending Plan in May of 2009, both of which were consistent with COAH's regulations and the Fair Housing Act, as amended, and both of which were approved by COAH in May of 2009; and

WHEREAS, pursuant to the Executive Reorganization Act of 1969, P.L. 1969, c. 203 (C. 52:14C-1, et seq.), the Governor abolished COAH and transferred all functions, powers, and duties to the Commissioner of the Department of Community Affairs, effective August 29, 2011; and

WHEREAS, as a result of the Reorganization Plan, No. 001-2011, the review formerly to be conducted by COAH is now conducted by the Department of Community Affairs ("DCA" or "the Department"), Local Planning Services unit; and

WHEREAS, the Development Fee Ordinance establishes an Affordable Housing Trust Fund that will receive development fees, payments from developers in lieu of constructing a fraction of an affordable unit on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units, and other sources of funds consistent with the Rules; and

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an Affordable Housing Trust Fund to receive approval of a Spending Plan or any amendment thereto from the Department prior to spending the funds in its Affordable Housing Trust Fund; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a Spending Plan to include the following:

A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;

A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;

A description of the administrative mechanism that the municipality will use to collect and distribute revenues;

A description of the anticipated use of all funds in the Affordable Housing Trust Fund pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;

A schedule for the expenditure of all affordable housing trust funds, provided that the Trust Fund balance as of July 17, 2008, must be committed for expenditure within four years of that date and that all development fees and any payments in lieu of construction must be committed for expenditure within four years from the date of collection;

If applicable, a schedule for the creation or rehabilitation of housing units;

A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and

The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and

A description of the anticipated use of excess funds in the Affordable Housing Trust Fund, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and

WHEREAS, the Borough of Frenchtown, Hunterdon County, has prepared a Spending Plan consistent with N.J.A.C. 5:97-8.10 and P.L. 2008, c. 46 that reflects the Amendment to the May, 2009, Spending Plan adopted by the Borough Council on April 18, 2012, as modified by NJDCA staff recommendations upon review of said Amendment;

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Frenchtown, Hunterdon County, hereby adopts and requests that DCA's Local Planning Services unit review and approve Frenchtown Borough's Affordable Housing Trust Fund Spending Plan, As Approved by COAH May, 2009, and Incorporating Amendment Adopted by Borough Council June 20, 2012.

CERTIFICATION

I, Brenda Shepherd, RMC, Clerk of the Borough of Frenchtown, County of Hunterdon, hereby certify the foregoing to be a true copy of a resolution adopted by the Borough Council of the Borough of Frenchtown at a duly noticed and duly convened regular meeting held on June 20, 2012.

Brenda Shepherd, RMC, Borough Clerk

ORDINANCES

Ordinance #715 - Establishment of the Environmental Commission (Adoption)

Mayor Cooper noted that the Planning Board reviewed the Ordinance and we received input from them. They are recommending amendments. Attorney Cruz suggested that rather than asking for changes now, that the Borough adopt the ordinance as presented and then make changes later. If there are substantive changes to an ordinance that has been published, you have to start the process over. You have to publicize and have another public hearing. He recommended Council to adopt the ordinance as presented this evening so the Borough can move forward and then amend the ordinance later.

A motion was made by Cathy Leach and seconded by Robb Arent to adopt Ordinance #715. Mayor Cooper opened the floor for Council discussion on the ordinance. Responding to Council, Mayor Cooper noted that there are three recommendations from the Planning Board. One is that a Council member be a member of the Environmental Commission to the extent that resources allow. The last two items are related. One of the roles of the Environmental Commission is to add another set of eyes to applications to the planning board and bring concerns on a particular application back to them. The Environmental Commission has the power to review and the Planning Board would like them to have the power to review development applications. Attorney Cruz noted that the powers and duties of an Environmental Commission are set forth by statute. Mayor Cooper noted that the Commission has requirements to advertise meeting, record the meetings, etc. and they are able to spend money. Seth A. Grossman asked about giving them guidance on annual reports and when they are due. Mayor Cooper responded that the Shade Tree Commission gives us a record of activity during the year and how they spend their money and what their plans are for the coming year. Seth A. Grossman recommended adding something like that to the ordinance.

Brad Myhre asked how long the environmental commission would have to review a development application. Robb Arent stated that there is a time period to act. If they do not provide anything in that time frame, they lose the opportunity to comment. Attorney Cruz added that it does not render the application defective if it is not reviewed. It is an advisory commission. It is not unusual for the municipality to have the Environmental Commission review and advise. Robb Arent commented that items 2 and 3 of the Planning Board recommendations are what we did for the Fire Department. Mayor Cooper noted that there is a constraint created on the Environmental Commission to meet within the certain time frame for Planning Board development application reviews. The Planning Board applications are due three weeks before a Planning Board meeting. The Environmental Commission has to meet during that three week period so they have the application in hand to review. Mayor Cooper recommended that the Administrative Committee put together a list of

recommendations for amendments to the ordinance and have it ready by the July 5th meeting. The Mayor called for a vote on the motion. The Mayor and Common Council approved by favorable roll call vote to adopt Ordinance #715 as follows:

ORDINANCE #715

AN ORDINANCE TO ESTABLISH AN ENVIRONMENTAL COMMISSION IN THE BOROUGH OF FRENCHTOWN, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY

SECTION 1. Creation: The Frenchtown Environmental Commission is hereby established pursuant to Chapter 245 of the Laws of 1968 (N.J.S.A. 40:56A-1 to 40:56A-12), as amended by Chapter 35, PL. 1972.

SECTION 2. Members: The Commission shall consist of seven (7) members appointed by the Mayor, one of whom shall also be a member of the Planning Board and all of whom shall be residents of the Borough of Frenchtown; the members shall serve without compensation except as hereinafter provided. The Mayor shall designate one of the members to serve as Chairman and presiding officer of the Commission. The terms of the office of the first commissioners shall be for 1, 2 or 3 years, to be designated by the Mayor in making his appointments and their successors shall be appointed for terms of 3 years and until the appointment and qualification of their successors.

The first members of the Commission shall be appointed for the following terms:

- 2 members for the 1-year term expiring December 31, 2012,
- 2 members for the 2-year term expiring December 31, 2013,
- 3 members for the 3-year term expiring December 31, 2014.

The governing body may remove any member of the Commission for cause, on written charges served upon the member and after the hearing thereon at which the member shall be entitled to be heard in person or by counsel. A vacancy on the Commission occurring otherwise than expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

SECTION 3. Powers of Commission: The Commission is established for the protection, development or use of natural resources, including water resources, located within territorial limits of the Borough of Frenchtown. The Commission shall have power to conduct research into the use and possible use of the open land areas of the municipality and may coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print, and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its purposes. It shall keep an index of all open areas, publicly or privately owned, including open marshland, swamps and other wetlands, in order to obtain information on the proper use of

such areas and may from time to time recommend to the Planning Board plans and programs for inclusion in the Master Plan and the development and use of such areas.

SECTION 4. Acquisitions by Commission: The Environmental Commission may, subject to the approval of the governing body, acquire property, both real and personal, in the name of the municipality by gift, purchase, grant, bequest, devise or lease for any of its purposes and shall administer the same for such purposes subject to the terms of the conveyance or gift. Such an acquisition may be to acquire the fee or any lesser interest, development right, easement (including conservation easement), covenant or other contractual right (including a conveyance on conditions or with limitations or reversions), as may be necessary to acquire, maintain, improve, protect, limit the future use of, or otherwise conserve and properly utilize open spaces and other land and water areas in the municipality.

SECTION 5. Records and Annual Reports: The Environmental Commission shall keep records of its meetings and activities and make an annual report to the governing body.

SECTION 6. Appropriations: The Commission may appoint such clerks and other employees and incur such expenses as it may from time to time require, providing the same shall be within the limits of funds appropriated to it by the governing body or otherwise available to it.

SECTION 7. Studies and Recommendations: The Environmental Commission shall have power to study and make recommendations concerning open space preservation, water resources management, air pollution control, solid waste management, noise control, soil and landscape protection, environmental appearance, marine resources and protection of flora and fauna.

SECTION 8. The Environmental Commission shall be subject to the Open Public Meetings Act.

SECTION 9. This Ordinance shall take effect immediately upon its passage and publication according to law.

Warren E. Cooper, Mayor

Brenda S. Shepherd, RMC
Borough Clerk

NEW BUSINESS

Approval for Frenchtown Fire Department to hold coin tosses on 7/14/12-7/15/12

In your packet you have received an email communication from the Business Association which references the Chief's concerns as well as to creating traffic and safety problems. We have not been in contact with the Fire Department to discuss it. Mayor Cooper stated that he would like to postpone the matter until we discuss it with the Fire Company. Robb Arent stated that he

would like to find out what they would like to do in exchange for those dates. We only meet once in July so we would have to approve it at the July meeting. William Sullivan asked if there is a way to address the chief's concerns. Chief noted that with the volume of traffic and bottleneaking, it creates problems. There is no place in town that would not create a bottleneck. He wishes not to have it take place on that weekend. Traffic will be magnified with the Bastille Day event.

OLD BUSINESS

Nishissackwick stream restoration

Mayor Cooper noted that we are moving forward. The engineer has been out surveying and documents were signed. Counsel has advised us that we have money in place going forward. Attorney Cruz noted that you are asking the engineer to do work and there has to be a source of funding. Mayor Cooper stated that he wanted to make the Council aware of a few complications. Payment from the program is reimbursed and not paid as the bills come in. That will make a difference on how we go forward. In addition, he received an email from the engineer that he recommends that we have on site inspections during construction. This was an oversight and he did not include that in his estimate. It might cost as much as \$20,000.00. Linda Peterson informed him that the program offers some kind of oversight. He will reach out to her. The third item is in reference to the agreement that we signed which requires the municipality to be responsible for maintenance for up to five years. What is the estimated cost? We do not know what maintenance means and he is trying to get the information. Brad Myhre stated that he is disappointed in the cost of the oversight and learned about it after the fact.

Wastewater Treatment Plant Project

Robb Arent reported that there was a monthly upgrade meeting today. Everything is going well. The original plans for the new plant was to dig a new well and use well water. As we are aware from neighbors and Victor Gilardi's comments, there is arsenic in the ground water. We would have to add an intricate filtration system. The alternative is to run water from South Washington Street to River Road to the plant. There is a recommendation for a change order. The cost to do that is \$150,000.00 to \$180,000.00 more plus the expense of the for water usage. As far as washing equipment, we will use gray water. The other consideration was that those homeowners on that River Road stretch do not have access to public water. Mayor Cooper noted that the initial cost estimate for the well with the arsenic controls was approximately \$30,000.00 for a net difference of \$120,000.00 to \$150,000.00. There was a 5% contingency fee at a half a million dollars. This would fall under that. The work qualifies for the funding program. We do not have control over them putting it in. New Jersey American Water will do the installation. There was another issue with the DPW garage and office. Robb Arent noted that the state looks at the 500 year flood and we have to make the entire Public Works building flood proof. We had flood gates that could be installed in the doorways. They realized hydrologically that by putting the gates in the doors, it would create an uplift under the slab. We had to adjust the plan to install a sump pump under the slab. That cost is about \$30,000.00. Robb Arent added that the archeology team has been down there more than planned. They are finding more things. We have to satisfy the state and Tomar has to hit the construction date. Brad Myhre commented that they are working right next to the gas pump.

Robb Arent reminded everyone that the ad hoc sewer rate committee is making a presentation on Saturday June 30th at 9 am at Borough Hall. It would be nice to have some of the Council there.

NJDOT 2012 grant applications rejected

Mayor Cooper noted that there has been some indication that we may be able to apply for discretionary funds. There is an enhanced opportunity for work being done between two municipalities. We are in discussion with Kingwood Township. Robb Arent stated that the Hunterdon Land Trust could provide support.

Borough website concerns

Mayor Cooper stated that there are no concerns with the website at this time.

COUNCIL COMMENTS/COMMITTEE REPORTS

Status Reports from Ad Hoc Committee

Downtown Revitalization

Seth A. Grossman reported that they are having their 6th meeting tomorrow. We do meet biweekly. We expect to be completed by the end of the summer. We will provide a report by then. We are looking at street scaping, marketing, etc. We have a good committee and are moving along well. We are just getting to a point of coming to basic agreements.

Parks/Recreation

Cathy Leach reminded everyone that there is a public information session at Borough Hall tomorrow at 7:00 pm. It is an opportunity for the public to comments in reference to the proposal dog park. Riverdogs, the Frenchtown Board of Education, etc. will be here.

Police Report

Brad Myhre reported that the Police Department is having difficulty accessing the gas pump. He added that we can get access cards from the Citgo. If council is okay with it, he will work with the CFO Diane Laudenbach. We can design them for each vehicle and monitor usage. William Sullivan commented that other towns do it and it works out well. Attorney Cruz noted that the local finance bureau has issued a local finance notice on the use of credit cards. Maybe Diane Laudenbach can provide the information to you. Brad Myhre noted that they can access diesel at the yard but if it is gasoline, they have to fill up at the gas station. Attorney Cruz asked if that included interest. Brad Myhre stated that we would get a discount on purchases. Attorney Cruz responded that as a matter of proportion, the Council should adopt a resolution authorizing procedures providing it meets all guidelines.

Fire Report

Michele Liebttag reported that she is making an appointment with the fire chief to be brought up to speed. Seth A. Grossman commented that there is an established monthly report that the Fire Company provides. Michele Liebttag stated that it would be nice if that continues. Mayor Cooper

noted that Michele Liebtag will be the Borough's SWAC representative.

MAYOR'S COMMENTS

Mayor Cooper reminded everyone that in July and August, the Council will only meet once. The July meeting is the 5th and the August meeting is the 1st. It would be helpful to know if we will have a quorum.

Mayor Cooper reported on an event in town, a surprise yarn bombing. A group of residents got together and over the course of the winter they crocheted and on the evening of June 8th, they wrapped trees, benches, bicycle racks, etc. He has watched people walking through town and noticing. It was a lot of fun. There is an article in the Hunterdon County Democrat and a photo gallery on nj.com.

Brad Myhre asked if they would remove them before Bastille Day. Mayor Cooper responded as long as they look good, he thinks they should remain.

Mayor Cooper noted that last Friday night, there was a film screening on fracking. One of the things discussed beside potential threat is a rally on July 28th in Washington. The Delaware River Keepers are coordinating busses. Robb Arent noted that the Borough is not endorsing or opposing it.

As to the Bridge Street project, there was an unexpected cost overrun including the public safety coverage, and an increase in stripping of the streets. The stripping came in at \$9,000.00 and the estimate was \$2,500.00. The Engineer was going to negotiate that number. Mayor Cooper stated that he thought it was an unreasonable approach. He met with Engineer Clerico and Brad Myhre and decided we will not pay for the overage. Changes were done that were not authorized. They did not go through the normal change order process. Engineer Clerico has relayed that back to the contractor. There is no documentation anywhere and we are not going to pay for it.

Mayor Cooper noted that it is 9:00 pm and asked to continue the meeting. The Council consented.

Mayor Cooper asked that if anyone is interested in business card to please provide the information to Brenda Shepherd. He also stated that he would like to order name plates so that public can identify us by name. He asked the Council to give Brenda Shepherd the name as you would like it on the name plate. He added that the total bill would be under \$200.00. He recommended the full first name and last name. The Council agreed to have the names as they appear on their Council books.

Mayor Cooper reported that the grant for the Delaware Valley Municipal Alliance was inadvertently left out of the budget. We are waiting for approval from the State to put it in our budget. We are getting call from the Delaware Valley Regional High School.

CORRESPONDENCE

Mayor Cooper noted that the communications received from residents, etc. in reference to the dog park will be address in the public information session at tomorrow's meeting. Council will address the dog park issue after the public information session. Cathy Leach noted that she did receive 4 comments from residents which will be read aloud at the public information session.

EXECUTIVE SESSION

Contract Negotiations - Rivermills at Frenchtown

Mayor Cooper noted that the Council will need to go into executive session for contract negotiations on Rivermills at Frenchtown. On motion by Cathy Leach, seconded by Michele Liebtag and carried by unanimous favorable voice vote, the Mayor and Common Council approved Resolution #2012-75 to go into Executive Session at 9:10 pm to discuss contract negotiations for Rivermills at Frenchtown as follows:

RESOLUTION #2012-75

EXECUTIVE SESSION RESOLUTION

WHEREAS, Section 8 of the Open Public Meetings Act (N.J.S.A. 10:4-12 (b) (1-9)), Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Borough Council is of the opinion that such circumstances exist.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Frenchtown in the County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Contract negotiations – River Mills
3. The Borough Council may take official action on those items discussed in Executive Session upon completion of the Executive Session.
4. The minutes of the discussions shall be made available to the public as soon as the matters under discussion are no longer of a confidential or sensitive nature.
5. This Resolution shall take effect immediately.

Borough of Frenchtown

By _____
Warren E. Cooper, Mayor

Dated: June 20, 2012

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

On motion by Robb Arent, seconded by Michele Liebttag and carried by favorable voice vote, the Mayor and Common Council approved to go out of executive session at 10:21 pm.

ADJOURNMENT

Being no further business to come before the Mayor and Council, a motion was made by Robb Arent, and seconded by William Sullivan to adjourn the meeting at 10:21 pm. Motion carried by favorable voice vote.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk