

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 July 5, 2012.

FLAG SALUTE

Mayor Cooper asked everyone to stand for the flag salute.

ROLL CALL

Present for the Meeting:

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

Absent from Meeting:

Cathy Leach

Attorney Albert Cruz, and Borough Clerk, Brenda S. Shepherd, were present for the meeting. 3 members of the public were also present.

PUBLIC HEARING

Ordinance #717 – Amendment to the Alcoholic Beverage Control Ordinance

On motion by Brad Myhre, seconded by Seth A. Grossman and carried by unanimous favorable voice vote, the Mayor and Common Council approved to open the public hearing on Ordinance #717. There were no public comments on the ordinance. On motion by Seth A. Grossman, seconded by Brad Myhre, and carried by unanimous favorable voice vote, the Mayor and Common Council approved to closed the public hearing on Ordinance #717.

MAYOR'S SPECIAL ANNOUNCEMENTS

Mayor Cooper noted that he was going to announce the graduates but has not gotten the list. He will postpone that announcement until the next meeting.

PUBLIC COMMENTS

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

Jim Drake, Deputy Chief of the Kingwood Township Fire Department, noted that he has been in contact with Chief Hoffman and New Jersey American Water Company and is looking to utilize hydrants in Frenchtown to fill pools in Kingwood as a fundraiser to purchase equipment. They were approach by residents and can not do it because it takes to long to fill their truck from their wells. He talked to New Jersey American Water Company and the only issue is that they need Borough approval to use the hydrants. This water would be clearer than pond or river water. Chief Hoffman does not have a problem with it. Responding to Council, Mr. Drake stated that there will be restrictions for certain areas and they will make sure there is adequate protection. He added that New

Jersey American Water Company started a permit where now they have a meter that you rent from them to determine how much water is being used. It is a hydrant meter that will meter the water usage and they will bill us for it. Responding to Mayor Cooper, Mr. Drake commented that once we get the hydrant meter, at \$5.00 per day, we read the meter and the water company will bill the Kingwood Fire Department directly. Attorney Cruz noted that the Borough pays a fee for the hydrant whether you use it or not and asked how this would be memorialized. Responding to Mayor Cooper, Jim Drake commented that Kingwood Township Fire Department uses the Frenchtown hydrants to fill tankers for fire suppression or we use pond water. 9 out of 10 times your fire department is part of it. They primarily use ponds or water source at the scene of fire. When using Frenchtown hydrants, they usually speak to Chief Hoffman and make sure it is okay with him for fire suppression. There are times when we do drills and reciprocate. Mayor Cooper requested that there be a mechanism between the Fire Department and Council for notification. He recommended that the Fire Chief and the Fire Commissioner work that out. Attorney Cruz noted that there is always a liability. If there is damage to the hydrant, you will want to cover that. Jim Drake commented that he has preliminary details from New Jersey American water. They will be in contact with you. Attorney Cruz recommended that the Kingwood Fire Department go through the Frenchtown Fire Department to bring it to Council. Robb Arent stated that in theory we are in support of it. Mayor Cooper noted that the Council needs something from Chief Hoffman from the New Jersey American Water company. Then, we will be in a position to approve it. William Sullivan stated that we would be approving the use of hydrant. They use it anyway. Mayor Cooper stated that we want to know what we are being bound to. The consensus of the Council is to proceed forward subject to the details. The meter would be the cost of the Kingwood Fire Department and billed directly to them. Mayor Cooper stated that at the next meeting the Borough Council can adopt a resolution based on the letter or agreement. Jim Drake stated that he wanted to make sure Borough was okay for them to utilize the hydrant for use other than fire suppression. Mayor Cooper recommended that Council wait to see what we are agreeing to. The Council is seeking to have a special meeting on July 11th and Chief Hoffman can bring it to that meeting.

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.

Robb Arent asked for clarification on Resolution #2012-76. Brad Myhre stated that there was money donated to the Police Department and the Council filed a Chapter 159 to put that donation into the budget. The Division of Local Government Services rejected it. The person who made the donation requested it be returned. Unless we put a line in the 2013 budget for this donation, we can not use it. The Auditor said you can not do anything with the money and it would sit in the general account until 2013. The person who donated the money will find other way to do something to benefit the town.

Brad Myhre commented that the voucher from Rivernet should be charged to the Fire Marshal

account.

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 20, 2012 regular Council meeting as amended (last sentence under old business should read: Brad Myhre stated that he is disappointed in the cost of the oversight and learned about it after the fact. The first sentence on page 13 should read: Mayor Cooper reported on an event in town, a surprise yarn bombing.) , the Executive Session minutes of May 2, 2012 and May 16, 2012 and resolution #2012-76 as follows and the bills list dated 7/5/12:

RESOLUTION NO. 2012-76

RETURN OF DONATION

WHEREAS, the Borough of Frenchtown has received two donations from Two Buttons Imports, LLC in the total amount of \$4,000.00, and

WHEREAS, the Borough of Frenchtown has received a request from Two Buttons Imports, LLC, for a refund of the donations.

NOW, THEREFORE, BE IT RESOLVED, 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 refund to Two Buttons Imports, LLC, PO Box 305, Frenchtown, New Jersey, the \$4,000 donation.

Warren E. Cooper, Mayor

Attest:

July 5, 2012

Brenda S. Shepherd, RMC
Borough Clerk

The bills list dated 7/5/12 was approved as part of the consent agenda as attached to the original set of minutes which includes the current fund account in the amount of \$462,841.74, the Animal Control Trust Account in the amount of \$7.80, the Planning Trust Account in the amount of \$450.00, the Sewer Utility account in the amount of \$16,565.06, the Sewer Capital Improvement account in the amount of \$833,315.55, the General Trust Fund account in the amount of \$4,385.00, and the Grant Fund account in the amount of \$1,549.80.

RESOLUTIONS

Resolution #2012-77 – Resolution of Support for Local Government Body Authorizing the Sustainable Jersey Grant funded by PSEG

Dominikija Prostack, chair of the Green Team, stated that they are looking for a \$2,000.00 grant to be used to continue to promote sustainable activities in town through the Green Team in an effort to get Sustainable NJ Certification. On motion by Seth A. Grossman, seconded by Brad Myhe and carried by favorable roll call vote, the Mayor and Common Council approved Resolution #2012-77 as follows:

Frenchtown Borough

Resolution #2012-77

Resolution of Support from Local Governing Body Authorizing the Sustainable Jersey® Grant funded by PSEG

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

WHEREAS, Frenchtown strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, Frenchtown is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants funded by PSEG;

THEREFORE, the Borough Council of Frenchtown has determined that Frenchtown should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that Borough Council of Frenchtown Borough, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant funded by PSEG.

Warren E. Cooper, Mayor

Dated: July 5, 2012

Attest:

Brenda S. Shepherd, RMC
Borough Clerk

ORDINANCES

Ordinance #716 – 2012 Salary and Wage Ordinance (Introduction)

Mayor Cooper noted that there was a recommendation that we establish a salary range for each position and not an exact amount. Rather than delaying the ordinance any further. This ordinance represents salaries and positions. Responding to Council as to the Fire Official’s salary, Mayor Cooper noted that the original amount is in the ordinance. Council did not vote to change that. We put the higher amount into the budget for this position. It could be adjusted. The last time we assessed the income, we were in the hundreds of dollars, well under the expectation. Robb Arent stated that the concern is hitting the budgeted targeted. Jerry Hoffman stated that he has done billing and sent reminder notices. There is \$800 to \$1000 dollars billed and he have not gotten the life hazard uses yet which should total \$4,600.00 for the year. Robb Arent noted that we can adjust the salary later in the year. Attorney Cruz noted that it would be a substantive change to amend it next month. He recommended that it be adopted now and then adjust it in an amendment to the ordinance later. You could also amend it now and introduce or adopt it as is and amend it at a later date. He also recommended working out administrative matters with the CFO. On motion by Seth A. Grossman, seconded by Robb Arent and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to introduce Ordinance #716 as follows:

ORDINANCE #716

**AN ORDINANCE
REGULATING THE SALARY & WAGE
OF THE OFFICIALS AND EMPLOYEES
OF THE BOROUGH OF FRENCHTOWN
FOR THE YEAR 2012**

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 2012 are hereby established for the following designated officials and employees of the Borough of Frenchtown:

Borough Clerk/Licensing Official/	
Assessment Search Officer Certified	\$ 56,131.00
Registrar-----	\$ 2,364.00
Deputy Registrar -----	\$ 200.00
Deputy Registrar (Certified) -----	\$ 594.00
Tax Assessor-----	\$ 8,405.00

Collector of Taxes -----	\$ 12,984.00
Tax Search Officer-----	\$ 698.00
Collector of Sewer Rents-----	\$ 6,005.00
Chief Financial Officer-----	\$ 9,280.00
Asst to Collector of Taxes/Sewer----	\$ 510.00
Chief of Police-----	\$ 72,420.00
Police Patrolman -----	\$ 57,431.00
Mayor -----	\$ 6,000.00
Zoning Officer-----	\$ 3,152.00
Secretary Planning/Zoning-----	\$ 9,917.00
Code Enforcement Officer-----	\$ 1,576.00
Library Clerk -----	\$ 8,620.00
Fire Marshall-----	\$ 3,000.00
Board of Health Secretary -----	\$ 1.00
Shade Tree Secretary -----	\$ 342.00
Sewer Treatment Operator-----	\$ 65,142.00
CPWM Stipend-----	\$ 1,000.00

The following hourly rates are hereby established:

Deputy Borough Clerk-----	\$ 18.50
Full-time Police Patrolman OT Rate \$	41.41
Full-time Police Patrolman (COPS) - \$	19.04
Full-time Police Patrolman(COPS)OT\$	28.56
Police Patrolman (Part-time Senior) \$	20.23
Police Patrolman (Part-time 1 yr exp)\$	18.91
Police Patrolman (Part-time new)----	\$ 18.00
Public Works Mgr-----	\$ 27.06
Public Works Senior-----	\$ 19.59
Sewer Dept. Maint. A -----	\$ 37.74
Sewer Dept. Maint. B-----	\$ 21.00
Sewer Dept. Maint. C-----	\$ 26.95
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 -----	\$ 12.61
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 #717 – Amendment to the Alcoholic Beverage Control Ordinance (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 the adoption of Ordinance #717 as follows:

EXPLANATION: This Ordinance amends Section 6-4 of the Revised General Ordinances of the Borough of Frenchtown titled “Regulations of Licenses” to change the hours during which liquor may be sold.

ORDINANCE #717

AN ORDINANCE AMENDING SECTION 6-4 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FRENCHTOWN TITLED “REGULATIONS OF LICENSES” TO CHANGE THE HOURS DURING WHICH LIQUOR MAY BE SOLD.

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

Section 1. Section 6-4 of the Revised General Ordinances of the Borough of Frenchtown titled “Regulations of Licenses” is hereby amended as follows:¹

6-4 REGULATIONS OF LICENSES.

6-4.1 Hours of Sale. No licensee shall sell, serve, deliver, or allow, permit or suffer the sale, service or delivery of any alcoholic beverages or permit the consumption of any alcoholic beverages on licensed premises between the hours of 2:00 a.m. and 6:00 a.m. (Monday through Sunday).

Deleted: on Weekdays

Deleted: on weekdays

Deleted: 1

Deleted: Saturday

Deleted: (1982 Code §34-1)

6-4.2 Intentionally omitted.

6-4.3 Intentionally omitted.

Deleted: Sundays; Sales Restricted to Restaurants and Dining Rooms. No licensee shall sell, serve, deliver or allow, permit or suffer the sale, service or delivery of any alcoholic beverages or allow the consumption of any alcoholic beverages on licensed premises from 2:00 a.m. on Sunday to 6:00 a.m. on Monday, except that alcoholic beverages may be sold and served in dining rooms in restaurants, as defined in N.J.S.A. 33:1t, with meals on Sundays, between the hours of 12:00 noon and 10:00 p.m. (1982 Code § 34-1)

6-4.4 Exception to Established Hours for Special Events. An exception is made to subsection 6-4.1 above to allow sale and consumption of alcoholic beverages when application is made to and approved by the Frenchtown Borough Council by a group or organization for a special event or function scheduled to be held on a Sunday. The hours for sale and consumption of alcoholic beverages at a special event or function so authorized may be set by the Frenchtown Borough Council as part of its approval.

Deleted: New Year's Eve.

6-4.5 Sale of Winery Products; Offering Samples of Wine; Hours of Sale on Sundays. Licensees in possession of a license pursuant to N.J.S.A. 33:1-11.2(c) shall be allowed to offer samples of wine products for the express purpose of sale of wine products in original bottle or container for consumption off the premises. These samples may be offered in amount of no larger than one (1) fluid ounce. No one patron shall be allowed to consume more than three (3) such samples in one day. These activities of sampling on premises will be allowed during the hours established in subsection 6-4.1.

Deleted: Provisions of subsection 6-4.1 shall not apply on December 31, when New Year's Eve falls on a Sunday. On that day alcoholic beverages may be served in licensed premises from 10:00 p.m. until 4:00 a.m. of the following day. (1982 Code § 34-2; Ord. No. 530)

6-4.6 Hours of Sale of Malt Alcoholic Beverages. Licensees shall be authorized to sell malt alcoholic beverages in the original bottle or can containers for consumption off the premises during the hours established in subsection 6-4.1.

Deleted: (1982 Code § 34-2; Ord. No. 530 §1)

Deleted: t

6-4.7 Sales to Certain Persons. No licensee or employee of a licensee shall sell, serve or deliver, directly or indirectly, any alcoholic beverages to any intoxicated person or person under the legal age, or permit the consumption of alcoholic beverages on any licensed premises by any of the above-named persons.

Deleted: and on Sunday between the hours of 12:00 noon and 10:00 p.m. (Ord. No. 522 § 34-2A)

6-4.8 Closing Provisions. During the hours when the sale, service, delivery or consumption of alcoholic beverages on licensed premises is prohibited, all licensed premises must remain closed for business except for the sale, service delivery or consumption of food and/or non-alcoholic beverages. A licensed premises which remains open when the sales, service, delivery or consumption of alcoholic beverages on licensed premises is prohibited, shall close to the public that portion of the licensed premises which is utilized for the sale, service, delivery or consumption of alcoholic beverages.

Deleted: between the hours of 9:00 a.m. and 10:00 p.m. on Monday through Saturday and 12:00 noon and 10:00 p.m. on Sundays. (1982 Code § 34-3)

Deleted: (New)

Deleted: ¶

Deleted: (New)

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 Shepherd, RMC, Borough Clerk

NEW BUSINESS

Approval for Frenchtown Fire Department to hold coin tosses

Mayor Cooper noted that the only date the Council did not act upon was July 14th and July 15th. A motion was made by Seth A. Grossman and seconded by Brad Myhre to allow the Frenchtown Fire Department to hold coin tosses on July 14th and July 15th from 9:00 am to 4:00 pm at Bridge Street and at Kingwood Avenue at the bridge. Mayor Cooper opened the floor for discussion. Mayor Cooper added that Michele Liebttag, Brad Myhre and himself met with Jerry Hoffman to calm any issues the community has. We took the 3rd location at Route 29 away. It is right in the middle of the business district. Responding to Mayor Cooper, Brad Myhre noted that it is narrower there. It is a compromise to ease traffic. Brad Myhre added that he is in favor of any other weekend except of Bastille Day because of the volume of traffic on that day. Seth A. Grossman noted that the Business Association is concerned with traffic issues. They do not need to manage excess criticism. Bottlenecking and traffic issues could damage the image of town. They take the same position as the police. He added that the Business Association is fine with Sunday. Michele Liebttag stated that historically, running a booth for donations has not been productive. Mayor Cooper noted that he spoke with Jerry Hoffman and the difference in a coin toss on Bastille Day and any other day is a difference of \$2,000.00. Chief Hoffman suggested that there is a benefit to the town provided by the fireman out on the road. They help people find where they are going and help them find parking. William Sullivan commented that you have to watch the firemen in the road which pushes cars to the shoulder of road where pedestrians are. There is not a place that would not cause bottlenecking. The Police Chief is our voice in safety concerns. Chief Kurylka made in clear at the last meeting that it was not a good idea. Brad Myhre stated that he understands from Chief Hoffman that Bastille Day is an important day for them because they rely on donations to help funds the operations. Mayor Cooper recommended that the Council make Sunday available for a coin toss if the Business Association and the Chief of Police are comfortable with that. The Business Association recommended that they set up a booth. Seth A. Grossman noted that there has to be a compromise somewhere. Tincum is having a big festival. The Fire Department and the Business Association need to work together on this. We are for the Fire Department raising revenue and we need a balance with a number of community needs and the Police Chief's concerns with traffic and safety. He recommended the Fire Department set up a booth on Saturday and allow them to do a coin toss on Sunday. Brad Myhre stated that Chief Kurylka is not opposed to the following weekend. Chief Hoffman noted that the Fire Department needs to get six letters to the county for permission to hold a coin toss. Mayor Cooper stated that the volume of traffic is much greater combined with greater

foot traffic which creates a more dangerous situation. He stated that the Fire Department must wear the Ansi vests. Having no other discussion, Mayor Cooper called a vote on the motion. The motion carried by favorable roll call vote.

Vote on the motion:

Ayes: Arent, Liebttag and Myhre

Nayes: Grossman and Sullivan

On motion by Seth A. Grossman and carried by Brad Myhre, the Mayor and Common Council approved to amend the previous motion to include that the Fire Department be required to wear Ansi vests, DOT safety vests, during the coin toss. The motion carried by favorable voice vote.

Approval for Frenchtown Police Department to hold National Night Out on Saturday, August 11, 2012 and a rain date Sunday, August 12, 2012 between 11:00 am – 8:00 pm

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 Frenchtown Police Department to hold National Night Out on Saturday, August 11, 2012 and a rain date Sunday, August 12, 2012 between 11:00 am – 8:00 pm.

OLD BUSINESS

Nishissackwick stream restoration

Mayor Cooper reported that we are moving along but not as quickly as everyone hoped. The Engineer and consultant from USDA think we are on target to make the dates. The initial estimate of \$6,000.00 and now \$7,000.00 for permit fees are needed. We are looking to use money in the budget from other sources to do that. Robb Arent asked if the USDA grant was a reimbursable grant and asked what if a flood occurs in September and washes away the repairs and we are unable to hit the deadline. Mayor Cooper noted that we have ways of pulling the plug and that would be known before we award a contract. Robb Arent stated that we are incurring costs now. Mayor Cooper stated that the engineer suggested he hoped to get done in the next few weeks. It is taking more time than anticipated. We started off on a tight schedule. We have gotten reports of all the work being done. It is not in the engineer's best interest to not make this happen. This is the first time this engineer is working for the Borough. If he fails to pull it off, it would be a real good reason for the Council to not want to hire him next year. Robb Arent commented that having worked with NJDEP before with the Wastewater Treatment Plan, they say they can turn the application around in 20 days but he does not believe they will turn the approval around in 20 days. If we do not go out to bid until September, we will not meet the deadline in October. Brad Myhre asked that the engineer come to the next meeting to give us a status report. Robb Arent commented that in the email from the engineer, he stated that he hoped to have significant progress by the end of the month. We relied on him saying he can get the application to NJDEP in a timely manner. Mayor Cooper noted that we need to hold his feet to the fire. He is acting in a cautious manner working as hard as he can but at the same time, he wants to manage expectations. Robb Arent recommended that we give him a drop dead deadline to have the application on the DEP's desk by a certain date, August 1st or we do not pay his fees. Mayor Cooper stated that we can not change the agreement with him but he will communicate that to him that we want the application to him sooner than the end of the month. Mayor Cooper

stated that we made a decision that we want to go forward in the face of a lot of unknown factors. He is certainly willing to put additional pressure on the engineer. We do not know if the DEP will approve the permit in 20 days. We have also accepted a statement that there are a lot of people that want to bid on this job and we could get this job done by the deadline. There is the possibility that no one will bid. There are a lot of unknowns and he is uncomfortable giving the engineer a drop dead deadline. Brad Myhre stated that the goal is to complete the DEP application before the end of the month. We want to know when it will be done. He asked that the engineer be at the next meeting. Mayor Cooper will notify the engineer that we want him at the July 11th meeting to answer questions.

Environmental commission

Mayor Cooper noted that they have not met yet. The Council will have to do the environmental commission ordinance amendments.

Wastewater Treatment Plant project

There was no report. Mayor Cooper noted that this item will be on the old business list for the next 18 months.

Tax Sale liens

Robb Arent noted that the Council was approached by a former resident Dave Miller to purchase some of the tax liens. At the time, we took no action on Mr. Miller's request and want to look at whether it would be in the Borough's best interest to start foreclosure proceedings and convert them for our use. Absent any action, he is prepared to put forth resolutions to ask Attorney Cruz to begin foreclosure proceedings. Responding to Mayor Cooper, Clerk Shepherd noted that the Borough has not received any additional tax payments on those liens. Responding to Seth A. Grossman, Attorney Cruz informed Council that there is a procedure to sell a municipal tax lien. It can be sold. That person would do the foreclosure and take title to the property if the tax lien is not redeemed and pay the Borough the outstanding monies on the lien. Robb Arent is mentioning that the town as the lien holder can after six months move to foreclosure on the tax lien and the town gains title to the property. The town can utilize that property for a public purpose. Robb Arent noted that all properties went through a tax lien sale and no one chose to purchase them. On further review, Mr. Miller thought one of the properties were desirable enough to come forward and offer to buy the lien. Seth A. Grossman stated that it comes down to whether the Borough feels it is an advantage to own the property. Brad Myhre noted that he would not want to deal with property management. William Sullivan stated that if the Borough foreclosed the properties, they would come off the tax rolls. Robb Arent noted that for one of these properties, there is a group in town interested in converting the vacant barn into a community art center which would be a productive use. He added that if the Attorney started foreclosure proceedings, the property owner could redeem the tax lien. Two of the properties are river front properties where the annual tax is almost nothing because they are not buildable. It would be great for the Borough to have some additional river front properties. William Sullivan stated that he knows the properties but does not know if we have the resources or if we are in a position right now. He does not see a reason to rush it. We would have to pay Attorney Cruz. Robb Arent commented that the piece with the barn would solve the problem of the dog park if there was a delay in building the community art center. Responding to Mayor Cooper in reference to what it

would cost to foreclosure, Attorney Cruz stated that the fees would depend if it is contested or uncontested. It would be the difference between \$2,500.00 and \$7,500.00. You can start one foreclosure action and include as many properties as you want. Mayor Cooper asked that the Council postpone the conversation for a future meeting. Responding to Seth A. Grossman, Robb Arent stated that if we took out the barn property, there are two properties that the Borough would not be interested in. Mayor Cooper recommended letting Dave Miller buy the tax liens on the two properties we are not interested in. Seth A. Grossman stated that we should give Dave Miller an answer. Mayor Cooper stated that he will put this item on the August 1st meeting agenda.

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

COUNCIL COMMENTS/COMMITTEE REPORTS

Brad Myhre reported that National Night out is August 11th from 11:00 am to 8:00 pm. The event is free and open to the public. The Fire Department is involved and there will be many vendors. We usually have several hundred it attendance. He encouraged the Council to attend.

Michele Liebttag reported that she met with Chief Hoffman and will be meeting with Ms. Lutz from the Milford EMS for introduction and discussion. We were getting monthly reports from EMS and Fire. She spoke with Jerry Hoffman and that will continue.

MAYOR'S COMMENTS

Mayor Cooper asked the Council to let Clerk Shepherd know if anyone will be attending the League of Municipalities convention.

Mayor Cooper reported that the Planning Board intends to hold a special session next Wednesday the 11th at 6:00 pm to address the River Mills at Frenchtown amendment request. They have agreed to meet at 6:00 pm so that if Council chooses to address the same issue we could have a special session on 11th at 7:30 pm. On motion by Robb Arent, seconded by Brad Myhre and carried by favorable voice vote, the Mayor and Common Council approved to hold a Special Meeting on July 11th at 7:30 pm at Borough Hall to discuss Rivermills at Frenchtown.

CORRESPONDENCE

None

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 Robb Arent, seconded by Seth A. Grossman and carried by unanimous favorable voice vote, the Mayor and Common Council approved Resolution #2012-78 to go into Executive Session at 9:05 pm to discuss contract negotiations for Rivermills at Frenchtown as follows:

RESOLUTION #2012-78

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: July 5, 2012

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

On motion by Michele Liebttag, seconded by Robb Arent and carried by favorable voice vote, the Mayor and Common Council approved to go out of executive session at 9:40 pm.

ADJOURNMENT

Being no further business to come before the Mayor and Council, a motion was made by Brad Myhre, and second by Michele Liebttag to adjourn the meeting at 9:40 pm. Motion carried by favorable voice vote.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk