

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 December 5, 2012.

FLAG SALUTE

Mayor Cooper asked everyone to stand for the flag salute.

ROLL CALL

Present for the Meeting:

Robb Arent
Cathy Leach
Michele Liebttag
Brad Myhre

Absent from Meeting:

William Sullivan
Seth A. Grossman

Attorney Albert Cruz, and Borough Clerk, Brenda S. Shepherd, were present for the meeting. 42 members of the public were also present.

SPECIAL PRESENTATIONS

Mayor Cooper stated that this is a special meeting for Borough Council and the Governing Body because we get an opportunity to do something that we do not do often and that is to recognize people who help keep our community safe and who have done wonderful things for our community over the years. The first item is a resolution recognizing Ronald M. Sworen for his outstanding contributions to the County of Hunterdon and the Borough of Frenchtown. This is one of those instances when you could write an awful lot and still not capture everything that Freeholder Sworen and former Mayor Sworen contributed to this community. Mayor Cooper read Resolution #2012-125 to the public. Everyone applauded. On motion by Brad Myhre, seconded by Robb Arent and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2012-125 as follows:

RESOLUTION #2012-125

RESOLUTION RECOGNIZING RONALD M. SWOREN FOR HIS OUTSTANDING CONTRIBUTIONS TO THE COUNTY OF HUNTERDON

WHEREAS, Ronald M. Sworen is a long time resident of the Borough of Frenchtown having resided in the Borough since 1977; and

WHEREAS, Ronald M. Sworen began serving the Borough of Frenchtown as a Councilman in 1979 through 1995 and serving as Mayor from 1996 through 2011; and

WHEREAS, Ronald M. Sworen dedicated countless hours of service to the residents of

Frenchtown in his capacity as Councilman and Mayor; and

WHEREAS, Mayor, Ronald M. Sworen made infrastructure and open space preservation top priorities of his administration; and

WHEREAS, Ronald M. Sworen secured many important grants for the Borough of Frenchtown which dramatically increased the quality of life for Borough residents;

WHEREAS, Ronald M. Sworen has served the County of Hunterdon as a member of the Board of Chosen Freeholders since 2007 with his term ending on December 31, 2012; and

WHEREAS, while serving as a member of the Freeholder Board, Ronald M. Sworen has been a member to the Planning Board and served as Liaison to: the Vocational Board of Education (Polytech), the Department of Public Safety/Emergency Management, the Division of Information Technology, the Library Commission, the Parks and Recreation Division, the Open Space Advisory Board and the Health Services Division; and

WHEREAS, Ronald M. Sworen has served the residents of the County of Hunterdon through his activity with the Hunterdon County Chamber of Commerce Business and Government Committee; Co-Founder of the Delaware Valley Municipal Alliance; Trustee and Elder for the Frenchtown Presbyterian Church; Hunterdon County Municipal Officers Association; Hunterdon Economic Partnership; New Jersey Department of Transportation Coordinator Management Committee for Route 29; New Jersey League of Municipalities (NJLOM) COAH Task Force Committee and Conference; NJLOM Land Use and Environmental Committee; NJLOM Hometown Security Task Force; NJLOM Heavy Truck Task Force; Executive Board of the NJLOM; Board of Directors for the New Jersey Association of Counties; New Jersey Conference of Mayors President and Board of Directors; and

WHEREAS, Ronald M. Sworen has held the titles of New Jersey Mayor of the Year; Frenchtown Lions Club Citizen of the Year; New Jersey League of Municipalities Elected Officials Hall of Fame and the New Jersey League of Municipalities Mayor's Hall of Fame.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Common Council of the Borough of Frenchtown hereby recognizes Ronald M. Sworen for his outstanding contributions to the Borough of Frenchtown and the County of Hunterdon and his many accomplishments while in office; and

BE IT FURTHER RESOLVED, that the Mayor and Common Council of the Borough of Frenchtown wishes Ronald M. Sworen much success in all his future endeavors.

Warren E. Cooper, Mayor

Dated: December 5, 2012

Attest:

Brenda S. Shepherd, RMC
Borough Clerk

Proclamation – Dr. King

Mayor Cooper noted that the next item of business is a Proclamation recognizing Dr. King. Council President Brad Myhre stated that he was a patient of Dr. King and Dr. King actually delivered himself and his brother. This is a resolution that was prepared from the Senate and General Assembly of the State of New Jersey by Senator Doherty and Assemblymen Dimaio and Peterson. The proclamation attached to this set of minutes was read to the public by Council President Brad Myhre. Everyone applauded. Brad Myhre added that Dr. King has done a lot of good for this community and cared for a lot of people. He also served on the Fire Department and EMT Squad. In addition to that he used to provide all the physicals for the Fire Department and Police Department. He certainly leaves a great legacy behind and we are very grateful that his practice will continue to remain open with a new doctor, Ira Liebross.

Swearing in of Patrolman Matthew Kelly

Mother Carol Kelly held the bible. Mayor Cooper administered the Oath of Office to Patrolman Matthew Kelly. Matthew Kelly accepted his Oath of Office. Everyone applauded.

Special award presentation from the Frenchtown Police Department

Brad Myhre stated that he serves as the Borough's Police Commissioner. It is a great honor and he is pleased to have that opportunity. He added that he is pleased to know Chief Kurylka since he was a little kid. Chief Kurylka first started here as a patrolman on August 5, 1980, before Brad Myhre was born. He has known Chief Kurylka most of his adult life and he does a tremendous job. He cares a great deal about the community and has done a wonderful job making our Police Department move forward and become a professional entity. They do a lot more than just write tickets. They engage in community policing, including National Night Out. They work hard to be responsive to the public. The Chief's leadership has been exceptional, particularly when you look at our responses to floods and hurricanes. Brad Myhre stated that he is proud to work with Chief Kurylka on a daily basis. Tonight it is his honor to give Chief Kurylka two awards, one for his efforts during Hurricane Sandy and the other celebrating 32 years of public service to the Borough of Frenchtown. Everyone applauded.

Mayor Cooper and Councilwoman Liebttag who also serve on the public safety committee joined Brad Myhre for the rest of the presentation. Chief Kurylka congratulated Matthew Kelly and welcomed him aboard. When Matthew Kelly came on board Chief Kurylka noted that he had to tell Matthew Kelly some bad news. Matthew Kelly's grandfather died who he was close to. He added that his grandfather is looking down on him. He is smiling and proud of you. As Chief of Police, Allan Kurylka stated that it is an honor to be here to recognize several members of the professional organizations that we have, Fire, Rescue, CERT and the Police Department. It has been a trying year with the storms and Superstorm Sandy. He would like to honor two officers for their outstanding performances with the Frenchtown Police Department. He honored Patrolman Paul Murphy for his exceptional devotion to work with the Frenchtown Police Department. On September 26, 2012, Officer Murphy responded to a fire call at the Frenchtown Launderette. At that location, he encountered heavy smoky conditions from a clothes dryer on fire. Officer Murphy evacuated the businesses and removed the burning clothes by hand thus

preventing a much larger fire and serious damage. This was brought to his attention from the people who witnessed the fire. He presented an “exceptional duty” award to Officer Murphy. Everyone applauded.

Chief Kurylka stated that the next award goes to Patrolman David Voll. David Voll is receiving the “Exceptional Motivation and Initiative” award. His devotion to the work of the police department is outstanding. On a quick notice, David Voll is always at work in a minutes notice without a complaint. He presents himself well in uniform and in his ability to interact with the public. Everyone applauded.

Chief Kurylka reported that in reference to the Frenchtown Fire Department, on November 16 of this year, we had a severe structure fire two doors down. When he arrived at the back of the house, which was fully involved, the fire department was laying their hoses in to the supply line and at the rear of the house was a frail woman with a little garden hose trying to dross the flames and smoke that was encompassing her. All of a sudden, the attack the Fire Department put on the fire preventing from spreading to other dwellings was remarkable. Good job to the Fire Department. Everyone applauded.

As to Superstorm Sandy, Chief Kurylka noted that while most of us were trying to get through the storm, we were out there battling what Superstorm Sandy cared to deliver to us. In his 33 years in law enforcement, he was never ordered to attend a mandatory law enforcement meeting. With this storm, he was. We were anticipating widespread damage, 11 to 14 inches of rain, and we know if we would have received that here what would have happened. We would have had large losses of property. We were told by Hunterdon County that there would be widespread outages and basically that we would be on our own. With that, the Fire Department manned the station 24/7 for 3 days, we manned the Police Department for 3 days with the help of CERT who put in 75 hours. We received 58 complaints, incidences and responses that we had to respond to. That is normally what is done in one month. We had the Mayor and other Council members assist at various locations. One night, we watched a house burn to the ground at Twelfth Street. He would like to give certificates to various CERT team members and storm metals to the police officers who responded and worked diligently throughout the storm. Sleep was limited. Metals issued for recognition of performances and duties during Superstorm Sandy were given to the following police officers:

Paul Murphy
David Voll
Matthew Kelly
Jennifer Terepka
Ed Krutsick

Chief Kurylka noted that the CERT team is all volunteers and they put in a lot of time during this storm and without them we could not have done what we did. Certificates were issued to the following CERT team members:

Rick Buxton
Laura Buxton
Lee Brown – was called at 3:00 o’clock in the morning to come with a chain saw

Amy Cochrane
Cindy Snyder
Karen Harmon

Chief Kurylka also noted that Karen Harmon decided to be the OEM coordinator for the municipality and Amy Cochran will be the assistant.

Chief Kurylka presented an award to Fire Chief Hoffman for the Frenchtown Fire department. He thanked the Fire Department and noted that it is a pleasure working with them. They did a great job.

Chief Kurylka noted that he held one award to the end for Lieutenant Robert Winfield. Lieutenant Winfield joined the Frenchtown Police Department in 1999. He honored him with 10 year pin. Chief Kurylka added that he is also presented Lieutenant Winfield with the Chief's achievement award. In 2003, he heard from Robert Winfield that he would like to do National Night Out. In August 2004, we had our first National Night out. We had a 100 people attend. Robert Winfield took that project on his own to set clear goals and objectives to have bigger and better National Night Outs each year. We now have 500 to 600 people attending. The Fire Department and Governing Body help out but without Robert Winfield we would not be able to do this. Chief Kurylka presented the Chief's achievement award to Lietenant Winfield for National Night Out. Everyone applauded.

Chief Kurylka wished everyone a Merry Christmas and a Happy and safe New Year.

Mayor Cooper stated that before we go to the business part of the meeting, he asked Ron Sworen if he wanted to say a few words. Ronald Sworen thanked the Council for the honor. It means a lot. Ronald Sworen added that he started in 1977 on the Board of Health in Frenchtown. He never expected to do anything that he did. It was all about community service, helping people out, taking care of where you live, trying to make it better and try to do what you can. The things he did with streets and grants, he never expected to do. He talked to people, found ways to get do it and get it done and it was a way to give back to where we live. We made this our home in 1977 and it has been a great place to live. We had some major storms over the years that we all pulled through with the Fire Company and the Police Department. We did not have CERT back then. CERT has been a wonderful idea because they allow police, fire and rescue to do what they need to do. They are a big help and they let the police, fire and rescue do what they do best. Again, he appreciates the honor. It has been a good ride. It is hard to believe that you start off and do the things expecting to be here 6 months and 35 year later. It was worth it. There were a lot of good Council members and a lot of good people who cared. There were a lot of people who stepped up to the plate to help me here and in Trenton. A lot of people came up with ideas. And, he was most successful with getting a lot done because he was good at listening to people's ideas and thoughts and figuring out how to get it done and working with those people to make it happen. That is what Council should do. Listen to ideas and make it happen or maybe you can not. If you do not try, you will be where you are. I tried and with a lot of help especially from my family. He spent a lot of time, attended a lot of meetings and the worse part was being away from home. It was community service. Everyone should give back. It would be

a lot better place and a lot better Country if everyone would just give back one thing. It would make a wonderful difference in this place. He thanked everyone. Ronald Sworen also stated that not only do you have to have people but what also made him successful is a good clerk, especially Brenda Shepherd. Everyone applauded. Ronald Sworen added that if you do not have good clerk, that person that controls and make sure things get done right, you will fail. Remember that the clerk is the most important person you have, the person that makes the difference. He thanked Brenda Shepherd.

PUBLIC COMMENTS

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

Skye Van Saun of Eighth Street stated that Patrolman David Voll was awesome to them. Her father passed away 5 days after the storm and she had to get a hold of her sister in Long Valley. She put in a call to the Frenchtown Police and he tried to help her out. Since then, he asked about my Mom and how everything is going. This makes it a special place to live. Skye Van Saun added that her mother thought it was awesome that the Mayor came to Chatham for the services. She is happy to live here her mother is happy to live here as well. She thanked everyone.

Jeanine Fenlon of 12 Hilltop Avenue noted that her next door neighbor had his homeowner's insurance cancelled because there is no fire hydrant within 1000 feet of his house. She works for an insurance company and she is starting to see this.

Mayor Cooper stated that the safe streets and roads committee will be getting together and asked her how he can contact her. She gave him her email address.

Having no other public comments, the Mayor and Common Council approved to close the public comment session by favorable voice vote.

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

Cathy Leach requested that the minutes of the November 14, 2012 regular meeting be removed from the consent agenda.

On motion by Cathy Leach, seconded by Brad Myhre and carried by favorable voice vote, the Mayor and Common Council approved the Executive Session minutes of October 17, 2012 and Resolutions #2012-121, Resolution #2012-122, Resolution #2012-123, Resolution #2012-124 and Resolution #2012-129 as follows and the bills list dated 12/5/12:

Resolution no. 2012 - 121

Tax sale redemption

Whereas, the Tax Collector has been paid by Wells Fargo to redeem Tax Sale Certificate No. 10-010 the amount of \$1,569.00 on Block 58, Lot 7.

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 Josef Hoffmann, 326 Shady Lane, Trenton, New Jersey, 08619, in the amount of \$1,569.00.

Warren E. Cooper, Mayor

Attest

December 5, 2012

Brenda S. Shepherd, RMC
Borough Clerk

RESOLUTION NO. 2012 - 122

**APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
(N.J.S.A. 40A:4-87)**

WHEREAS, N.J.S.A. 40A:4-87 provides the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality where such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Frenchtown, in the county of Hunterdon, State of New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue, Recycling Grant, in the budget of the year 2010 in the sum of \$1592.38 which item is now available as revenue from the State of New Jersey, Solid Waste Administration.

BE IT FURTHER RESOLVED that the like sum of \$1592.38 is hereby appropriated under the caption "Recycling Grant"; and

BE IT FURTHER RESOLVED that the above is a result of a revenue from the State of New Jersey, Solid Waste Administration in the amount of \$1592.38.

Attest:

December 5, 2012

Brenda S. Shepherd, RMC
Borough Clerk

Warren E. Cooper, Mayor

RESOLUTION NO. 2012 - 123
APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
(N.J.S.A. 40A:4-87)

WHEREAS, N.J.S.A. 40A:4-87 provides the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality where such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Frenchtown, in the county of Hunterdon, State of New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$1025.39, which item is now available as revenue from the State of New Jersey, as a grant to the Borough of Frenchtown in the amount of \$1025.39.

BE IT FURTHER RESOLVED that the like sum of \$1025.39 is hereby appropriated under the caption "Body Armor Grant"; and

BE IT FURTHER RESOLVED that the above is a result of a grant of \$1025.39 from the State of New Jersey.

Attest:

December 5, 2012

Brenda S. Shepherd, RMC
Borough Clerk

Warren E. Cooper, Mayor

BOROUGH OF FRENCHTOWN
RESOLUTION NO. 2012-124

HUNTERDON COUNTY MUNICIPAL GRANTS PROGRAM ALLOCATION

WHEREAS, the Borough of Frenchtown has been allocated the amount of \$5,235.66 in the Hunterdon County Open Space, Recreation, Farmland and Historic Preservation Trust Fund Municipal Grants Program for the year 2011; and

WHEREAS, the Borough of Frenchtown intends to use the reserve in the future for the acquisition of new open space and/or payment of indebtedness for recently purchased open space; and

WHEREAS, the Borough of Frenchtown intends to use the reserve in the future for the acquisition, maintenance or development of open space and/or payment of indebtedness for recently purchased open space.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the Borough of Frenchtown, County of Hunterdon, State of New Jersey to request the County to reserve the allotted funds of \$5,235.66 in the Municipal Grants Program for the next year.

Dated: December 5, 2012

Warren E. Cooper, Mayor

Brenda S. Shepherd
Borough Clerk

Resolution No. 2012-129

Dedication by Rider

Borough of Frenchtown of Hunterdon County

**A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION
BY RIDER FOR DONATIONS – ACCEPTANCE OF BEQUESTS AND GIFTS/THE
GREEN TEAM
REQUIRED BY NJS 40A:5-29**

WHEREAS, permission is required of the Director of the Division of Local Government Services

for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:5-29 provides for receipt of DONATIONS – ACCEPTANCE OF BEQUESTS AND GIFTS/THE GREEN TEAM by the municipality to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from DONATIONS – ACCEPTANCE OF BEQUESTS AND GIFTS/THE GREEN TEAM are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Frenchtown, County Hunterdon New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of DONATIONS – ACCEPTANCE OF BEQUESTS AND GIFTS/THE GREEN TEAM under N.J.S.A. 40A:5-29.
2. The Clerk of the Borough of Frenchtown, County of Hunterdon is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

WARREN E. COOPER, Mayor

Attest:

December 5, 2012

Brenda S. Shepherd, RMC
Borough Clerk

PRESENTATION OF VOUCHERS - dated 12-5-12

The bills list dated 12/5/12 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 \$206,534.69, the Planning Trust Account in the amount of \$4,350.07, the Capital Improvement Fund in the amount of \$154,567.50, the Animal Control Trust Fund in the amount of \$2.40, Sewer Utility account in the amount of \$80,024.00, the Sewer Capital Improvement account in the amount of \$203,428.40, the General Trust Fund account in the amount of \$5,177.50, the Grant Fund in the amount of \$9,824.96, and the Off Duty Police Officer's Trust in the amount of \$325.00.

PRESENTATION OF MINUTES

On motion by Brad Myhre, seconded by Michele Liebttag and carried by favorable roll call vote, the Mayor and Common Council approved the minutes of the November 14, 2012 regular meeting with Cathy Leach abstaining.

RESOLUTIONS

Resolution #2012-126 -Resolution to disband CERT

Brad Myhre noted that the County has formed a CERT team under the office of emergency management. The County presented an opportunity for municipal CERT teams to merge. When we created CERT, we found out that our insurance had to be extended to CERT team members. We had to cap membership for our CERT team. The County is assuming all the members with insurance coverage. The County can offer more opportunity for municipal residents to participate. In terms of training, the police department was doing the training. That responsibility will shift to the County. The County has asked that we formally disband the municipal CERT team. We gave the CERT team members names to the County. In the long term, it made the most sense to go with the County because they have more resources. We have current residents on the County team.

Chief Kurylka noted that the CERT trailer we got will stay in Frenchtown. Ken Mandolli played a roll in us getting the trailer. We are fortunate to be getting our members active in CERT. The County is gaining good people. We do not like to see them leave. He asked Ken Mandolli to address the governing body on the matter.

Ken Mandolli stated that he is with the office of Emergency Management with the County and the CERT coordinator and CART coordinator. During Superstorm Sandy, we opened the shelter on route 12. Part of the CERT training is to open up and run a facility. In addition, the CART team opens up pet shelters. So when people evacuate they can bring their pets. Looking forward, you are not losing 8 CERT members, you are gaining 100. As to the CERT trailer, he was able to keep it in Frenchtown so that it will be made available to all shore communities from Lambertville to Holland. Your team will remain in Frenchtown. They will be the river branch for the county team. He will be heavily involved in recruiting. Currently we have 268 certified CERT members in the county. We are number one in the State of NJ. We have 15,000 certified CERT members in the State of New Jersey. They are looking forward to increasing the program.

Responding to Mayor Cooper as to disbanding the local CERT without an agreement with the County, Ken Mandolli stated that it came from the Freeholders and is just a formality. The County is still responsible to any municipality who does not have a CERT team and back up to mutual aid. We will be a back up to them. We are responsible to respond to any town. The County could not be responsible for Frenchtown if you have a CERT team.

Mayor Cooper asked who decides where CERT members are distributed in a county emergency. Ken Mandolli stated that the members are equally distributed. Council noted that our CERT team assists on Halloween. Ken Mandolli commented that when a request comes into the County, we divide the teams up so everyone gets someone. Frenchtown and Franklin Township have events for Halloween. He can guarantee Frenchtown the eight members anyway. Brad Myhre noted that the Borough has 8 CERT members but only 4 may be available. You take care of family first, neighbors second and then you respond. Responding to Robb Arent, Ken Mandolli stated that this team will

remain in Frenchtown and will remain along the river. They will supplement other team members as well. The members are strictly volunteers so if they are available they will respond. If there is a storm, they will never pull members in Frenchtown to respond in Raritan. They may be requested to respond in Stockton but you are always going to have someone in Frenchtown. He can not guarantee that they will never be pulled away from the Frenchtown if nothing is going on in Frenchtown. Chief Kurylka stated that he will put a request in two months in advance for Halloween. It is a benefit to us to have CERT for Halloween. He added that the CERT members voiced concern about being pulled away from Frenchtown. Ken Mandolli stated that if there is a disaster, they will stay in Frenchtown. Chief Kurylka stated that when we flood to the point where roads need to be closed, CERT mans the closed roads. Ken Mandolli noted that you have 8 members and may only get 4 members. You will have more people to come and give relief. It is a win win situation. He added that in 2006, we assisted Stockton with evacuations. Brad Myhre noted that there is a much bigger pull of people in coordinating efforts with the county. There are more people to help us. It can open up additional residents to join. Ken Mandolli noted that they are holding two academies. The next class will be training in the spring. Chief Kurylka stated that the Borough is fortunate that we have two CERT team members stepping up to be OEM Coordinator and Assistant OEM Coordinator.

On motion by Brad Myhre, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2012-126 as follows:

EXPLANATION: This Resolution authorizes disbanding of the Community Emergency Response Team (C.E.R.T.) Program.

**BOROUGH OF FRENCHTOWN
RESOLUTION NO. 2012-126**

**A RESOLUTION AUTHORIZING THE DISBANDING OF
THE COMMUNITY EMERGENCY RESPONSE TEAM
(C.E.R.T.) Program.**

WHEREAS, the Borough of Frenchtown Common Council implemented a Community Emergency Response Team (C.E.R.T.) Program on August 4, 2010; and

WHEREAS, the Borough of Frenchtown wishes to disband its C.E.R.T.; and

WHEREAS, the Borough of Frenchtown's CERT policy will be rescinded as well.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the Borough of Frenchtown, in the County of Hunterdon and State of New Jersey, that:

1. The Borough of Frenchtown C.E.R.T. Program is hereby disbanded.

2. The C.E.R.T. policy is hereby rescinded.
3. This Resolution shall take effect immediately.

Warren E. Cooper, Mayor

Adopted:

CERTIFICATION

I, Brenda S. Shepherd, Municipal Clerk of the Borough of Frenchtown, County of Hunterdon and State of New Jersey, do hereby certify the foregoing to be a true copy of a Resolution duly adopted by the Common Council of the Borough of Frenchtown on December 5, 2012.

Brenda S. Shepherd, Clerk

Resolution #2012-127 – Resolution awarding contract for repairs to the pedestrian footbridge in the Borough Park

Mayor Cooper stated that this item will be postponed until December 19, 2012.

Resolution #2012-128 – 2012 Budget Appropriation Transfer

On motion by Brad Myhre, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2012-128 as follows:

RESOLUTION NO. 2012-128

2012 BUDGET APPROPRIATION TRANSFER

WHEREAS, it appears that the unexpended balance in the following accounts will not be sufficient to pay outstanding bills:

Liability Insurance – Other Expense

WHEREAS, it appears that there will be for 2012 an unexpended balance in the following account:

Planning Board – Other Expense

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Frenchtown that the following transfers be and the same are hereby authorized, and within the resolution is the authority of the Borough Chief Financial Officer to make said transfers:

FROM:

Planning Board – Other Expense \$ 4801.00

TO:

Liability Insurance – Other Expense \$ 4801.00

Warren E. Cooper, Mayor

Attest:

December 5, 2012

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2012-130 – 2012 Budget Appropriation Transfer – Sewer Utility

On motion by Brad Myhre, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2012-130 as follows:

RESOLUTION NO. 2012-130

2012 BUDGET APPROPRIATION TRANSFER

WHEREAS, it appears that the unexpended balance in the following accounts will not be sufficient to pay outstanding bills:

SEWER UTILITY – Group Insurance

WHEREAS, it appears that there will be for 2012 an unexpended balance in the following account:

SEWER UTILITY – Other Expense

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Frenchtown that the following transfers be and the same are hereby authorized, and within the resolution is the authority of the Borough Chief Financial Officer to make said transfers:

FROM:

SEWER UTILITY – Other Expense \$58.50

TO:

SEWER UTILITY – Group Insurance \$58.50

Warren E. Cooper, Mayor

Attest:

December 5, 2012

Brenda S. Shepherd, RMC
Borough Clerk

ORDINANCES

Ordinance #721 – Ordinance regulating the Salary & Wages of the Officials and Employees of the Delaware Valley Joint Municipal Court.

Mayor Cooper noted that these figures are different then we had approved earlier this year. We did not adjust for a larger percentage portion that Frenchtown is responsible for. Each year we are told what Frenchtown's percentage is for the court from tickets, court business, etc. We used last year's figures. Frenchtown's portion of the bill increased for this year. We voted not to give the court a raise because we did not offer our employees an increase but the percentage increase for Frenchtown required Frenchtown to pay that increase for the court salaries. On motion by Brad Myhre, seconded by Michele Liebtog and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the introduction of Ordinance #721 as follows:

ORDINANCE #721

AN ORDINANCE REGULATING THE SALARY & WAGE OF THE OFFICIALS AND EMPLOYEES OF THE JOINT MUNICIPAL COURT OF ALEXANDRIA, FRENCHTOWN, HOLLAND 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 Joint Municipal Court are hereby repealed.

2. The following salaries for the year 2012 are hereby established for the following designated officials and employees of the Joint Municipal Court:

Municipal Judge-----	\$	21,314.39
Court Administrator -----	\$	31,696.90
Deputy Court Administrator -----	\$	9,969.97
Prosecutor -----	\$	7,105.00
Public Defender -----	\$	1,333.34

The following hourly rates are hereby established:

Violations Clerk-----	\$	54.19 per court session
Bench Log and Recording -----	\$	54.19 per court session
Clerical Assistant-----	\$	6.16 per hour

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

Warren E. Cooper, Mayor

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

Ordinance #722 – An ordinance authorizing acceptance of a deed for block 14, lot 52, as shown on the tax map of the Borough of Frenchtown, County of Hunterdon, State of New Jersey

Mayor Cooper noted that this is the property to be conveyed by George Michael to the Borough of Frenchtown that we have been targeting for a park. It is the property across the bike path from the Frenchtown Inn and bordered by the Delaware River. The Borough Attorney has thoroughly reviewed the transfer and although there are still a few issues to be resolved, he recommended that we move forward with the ordinance. Attorney Cruz noted that under the New Jersey Local Lands and Buildings law, municipality can only acquire property through an ordinance. This ordinance authorizes acceptance of property. The issues have been narrowed. The bank has signed off on its mortgage. He has seen the signed document. The Bank had uniform commercial code liens on the property and he has seen that document. There is an easement from the adjoining property owner over this property out to Bridge Street. George Michael is working to get that discharged. He has seen the termination of easement. There are

still issues that need to be resolved to make sure the correct person is signing it. Attorney Cruz recommended having this ordinance in place so when the last issue is resolved, you can go immediately to closing. This ordinance will authorize you to accept the deed and record it. Attorney Cruz stated that you traditionally have a year end meeting. If you are not going to have that meeting, do not introduce this ordinance. You will have to decide if you will have a year end meeting. Council agreed to have the year end meeting to adopt all ordinances by year end. On motion by Brad Myhre, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the introduction of Ordinance #722 as follows:

BOROUGH OF FRENCHTOWN

ORDINANCE NO. 722

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DEED FOR BLOCK 14, LOT 52, AS SHOWN ON THE TAX MAP OF THE BOROUGH OF FRENCHTOWN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY.

WHEREAS, the Common Council of the Borough of Frenchtown, County of Hunterdon, State of New Jersey, wishes to accept a Deed for Block 14, Lot 52, as shown on the Borough of Frenchtown Tax Map, conveyed to the Borough by Frenchtown Bridge St., LLC; and

WHEREAS, the purpose of this conveyance is for open space use pursuant to Paragraph 20 of that Redeveloper's Agreement between the Borough of Frenchtown and Frenchtown Bridge St., LLC, dated August 1, 2011, and recorded in the Hunterdon County Clerk's Office in Book 2274, beginning at Page 411, and Paragraph 3 of the First Amendment to Redeveloper's Agreement, dated July 25, 2012, and recorded in the Hunterdon County Clerk's Office in Book 2292, beginning at Page 728; and

WHEREAS, the Borough Attorney for the Borough of Frenchtown reviewed the above described Deed and finds it acceptable in all respects.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the Borough of Frenchtown, County of Hunterdon, State of New Jersey, that it hereby authorizes acceptance of the above mentioned Deed and directs the Borough Attorney to record same.

This Ordinance shall take effect immediately after Final Passage and publication according to law.

Warren E. Cooper, Mayor

ATTEST:

Brenda Shepherd, RMC, Borough Clerk

Mayor Cooper noted that the year end meeting is scheduled for Wednesday, December 26th, the day after Christmas. Is it the Council's pleasure to meet that night or would you prefer to hold an early morning meeting Thursday or Friday of that week? The Council consented to have the year end meeting on December 26th at 7:30 pm.

Robb Arent commended that he will vote to adopt the ordinance if we do not get the easement extinguished. Attorney Cruz stated that the Borough would not take the property until the deed is tendered. Robb Arent stated that he does not want the property subject to easements. The Borough does not want that responsibility.

Ordinance #723 – An ordinance to amend the salary & wages of the certain borough officials and employees for the year 2012

Mayor Cooper noted that this ordinance adjusts the fire marshal's salary to \$5,000.00. Robb Arent noted that when this issue came up, we were given a budget of \$3,000.00 and then paperwork was submitted for \$5,000.00. He still has no idea about budgeting of the fire prevention office. Michele Liebttag noted that Jerry Hoffman has produced the revenue figures on what has come in. The \$2,000.00 is based on revenue being generated on inspections around town. He is meeting that \$2,000.00 commitment. Robb Arent stated that ideally it would be nice to see the proposed budget given to us and where we are. Brad Myhre noted that initially when Jerry Hoffman and Gerry St. Onge work with the State, the Borough had to add non life hazard. The State would not just allow life hazard. Expecting the life hazard revenue to the Borough based on the budget that Jerry Hoffman has put together, where are we with expenses and revenue? Mayor Cooper stated that the intent was to break even. The office equipment was a one time expense. Council agreed to spend the money to get the office up and running. Mayor Cooper stated that the Borough will get the money back from the State for the life hazard inspections. They reimbursed the wrong municipality. Michele Liebttag stated that they reimbursed East Winsor instead of Frenchtown. Responding to Robb Arent, Michele Liebttag stated that we are getting approximately \$4,000.00 from the State. Robb Arent commented that the Borough will then be getting \$6,000.00 for the entire year covering the expenses for that office. Brad Myhre stated that the goal was to offset the salary and that will happen. Mayor Cooper stated that we did not know enough about it and Jerry Hoffman had to come in and explain different aspects such as state housing inspections, etc. We will monitor the results and evaluate if it is working. On motion by Michele Liebttag, seconded by Brad Myhre and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the introduction of Ordinance #723 as follows:

ORDINANCE # 723

**AN ORDINANCE
TO AMEND THE SALARY & WAGES
OF THE CERTAIN BOROUGH OFFICIALS AND EMPLOYEES FOR THE YEAR 2012**

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

1. The following salary rates for the year 2012 are hereby amended for the following designated officials and employees of the Borough of Frenchtown:

Fire Marshall ----- \$5,000.00

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

Warren E. Cooper, Mayor

Attest:

Brenda S. Shepherd, RMC
Borough Clerk

NEW BUSINESS

Brush Pick Up

Michele Liebttag reported that the Borough had two options, to use Raritan Valley or have Public Works pick up the brush. Mike Reino has put together a proposal to do the pick up and we could call Raritan Valley if necessary. The decision for Public Works to go ahead with the pick up was done by Committee. This was the most efficient and economical way to do it. In talking with Mike Reino, it sounds like we will not need Raritan Valley. Public Works will mulch what they collect and offer it to the residents. Mayor Cooper stated that it has been difficult because of the lack of understanding as to what is brush. Some people think that if they can not get it to the curb that Public Works will come onto the property to pick it up. Public Works will do one more leaf pick up and will keep doing brush until it is done. He recommends that the Borough have something on the books as to what brush means. Brad Myhre asked if stumps will be picked up? Mayor Cooper stated that Public Works will not pick up stumps. Responding to Brad Myhre as to how all of this will be communicated, Mayor Cooper stated that it is on the website and it will also indicate that no stumps will be picked up. He understands that some people do not have access to the website. Brad Myhre stated that the Borough should have something printed up for Borough Hall.

Mayor Cooper noted that it is 9:04 pm and he would like to continue the meeting. Council consented.

OLD BUSINESS

Nishissackwick stream restoration

Mayor Cooper stated that the project is going well. They are toward the end of the project. The planting have been done in the Borough Park. The contractor is doing a great job. They will be

finished in the next couple of weeks. The turtle they relocated was not a wood turtle. Robb Arent asked where we are with getting commitments for contributions from the property owners. Mayor Cooper stated that we are not there yet. We did get permission from the property owners to access the creek. The other issue is the maintenance of the vegetation. The issue has not been dropped.

Wastewater Treatment Plant Project

Robb Arent reported that the talk that the project was delayed is not true. The Public Works building is on site. The contractor plans on erecting it in the next week. It was delayed because of Hurricane Sandy both for transportation and pouring of concrete for the clarifier. The key date is the date that the new plant will be on line and that is January 2014. That is a couple weeks longer than originally planned. The demolition and restoration, the final phase, is going beyond the date. That is not critical. Having the plant up and running is the critical element.

River Mills

Cathy Leach reported that the graffiti was painted over. They think they will start in the spring. We have not had any other communications. Robb Arent stated that the word is that they have binders on two units. The sales trailer is done and the landscaping is beautiful.

Kingwood Avenue sewer pipe project

Mayor Cooper noted that we have been working with Engineer Clerico on this project and going forward he is filing the DEP permits needed. We will proceed to put out a bid. We will be putting in another pier with an expanded footing. The existing pier was stone and the rebar went through it. It traveled down stream 100 yards. The contractor for the creek project will be removing the old pier.

Pedestrian bridge in the Borough park

Mayor Cooper stated that he hopes to having something on this for the next meeting.

COUNCIL COMMENTS/COMMITTEE REPORTS

Michele Liebttag noted that they had a meeting with the Fire Department to follow up about new furnace. We had a meeting with one contractor for quotes. The Fire Department will call someone else. We will put money aside for that in the budget. Brad Myhre stated that there is money in the capital budget for it.

Cathy Leach reported that the Borough Park is reopened. DPW did the work closing the bathrooms.

Brad Myhre reported that OEM met with FEMA officials and we are proceeding forward on reimbursements working with departments, for hours, etc. FEMA will reimburse for over time for additional officers we needed for the gas lines. Governor Christie is asking for 100% federal aid. Traditionally, FEMA pays 75% and the State pays 25% if they are able able. Congress will move on a 50 billion dollar spending packet.

Brad Myhre also reported that he has an application into DEP to approve the storm management

area for debris removal.

MAYOR'S COMMENTS

Mayor Cooper reported that the Safe Streets and Roads Committee will be meeting on the 15th or 27th for a second time. Some of us got together with Dave Bailey, School Principal and Kate Nugent President of the School Board last week to work out problems with parents dropping off kid across Harrison Street. Because of the statute, you can not have a crosswalk midblock or where there is no intersection. They proposed to try to get Clark Johnson and Tim Fisher to lease parking spaces to the school so the teachers could park there in the morning so that parents can come through and drop students off in the one way lot. He spoke with Tim Fisher and they are willing to do that. Hopefully by spring, we will have something in place.

Mayor Cooper reminded everyone about the TD Bank menorah ceremony. The Christmas tree is placed. He spoke to Russ Hoge and thought there would be a Christmas Tree lighting ceremony but there is not. They will try to make sure it gets done next year.

Mayor Cooper stated that he would like Council's consent to send a note to department heads to stop spending money. The Administrative Committee discussed it. Also, we want the department head to prepare a preliminary budget for their departments.

Mayor Cooper stated that there is a Tax Sale on Tuesday.

Mayor Cooper stated that he was asked by the Community Garden folks to allow them to meet at Borough Hall for their potlucks. They also offered to decorate the front of Borough Hall and planters and the Police Department. They want to give back to the community.

CORRESPONDENCE

None discussed

ADJOURNMENT

Being no further business to come before the Mayor and Council, a motion was made by Robb Arent and second by Brad Myhre to adjourn the meeting at 9:20 pm. Motion carried by favorable voice vote.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk