

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 noticed to the Hunterdon County Democrat on February 10, 2014 and the Express Times on February 10, 2014; 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 February 10, 2014.

FLAG SALUTE

Mayor Cooper asked everyone to stand for the flag salute.

OATH OF OFFICE

Municipal Clerk, Brenda Shepherd, administered the Oath of Office to elected Councilman Howard Jack Opdyke and he accepted his Oath of Office. The Council congratulated him.

ROLL CALL

Present for the Meeting:

Seth A. Grossman (arrived at 9:51 pm)
Cathy Leach
Michele Liebttag
Brad Myhre
Jack Opdyke
William Sullivan

Absent from Meeting:

Attorney Albert Cruz, and Borough Clerk, Brenda S. Shepherd, were present for the Meeting. 2 members of the public were also present.

DEPARTMENT HEADS REPORTS

Sewer Plant Operator

Adam Liebttag noted that Victor Gilardi apologizes for not being here tonight. His daughter is in labor. Victor Gilardi has a power point presentation of which he put a lot of effort into. He did a dry run presentation for the sewer advisory committee. It is an 8 to 10 minute presentation with pictures of the history, who is on staff and the daily operations and challenges. He also has pictures of the construction. Adam Liebttag noted that Victor Gilardi will come another night if the Council is willing.

Sewer Committee

Adam Liebttag, Chairman of the Sewer Advisory Committee, reported that this committee came together by the Council reconstituting it. It was largely a group that worked on the sewer rate recommendations prepared back in 2012. At that time, the effort was led by Councilman Robb Arent and there was a group of residents from different parts of the town that had gotten together that made a recommendation to Council on the sewer rates. Our committee was reconstituted by the Council in September 2013 to continue looking at the sewer rates as well as other issues and to be a more robust Sewer Advisory Committee. Adam Liebttag presented the attached report.

Adam Liebttag added in reference to the I&I problem, Victor Gilardi is soliciting bids for the TVing of the line and line repair on the sewer line that is on the river side of the towpath around Second Street. We will come to Council before going forward. We think that this particular area of the

system is where a lot of water is coming in. Victor Gilardi has charted and noticed a particular pattern that when the river is high, the flows are high. We think it is a river based problem. That is one area that we historically thought was a problem. He is soliciting bids to TV that line and then we can determine whether we can reline the existing pipe or if we have to cut out the broken section and put in a new pipe.

Responding to William Sullivan as to the difference between what we have now and a separate sewer authority, Adam Liebttag commented that a sewer utility is a separate governing body with a completely separate budget with fiduciary responsibilities. It operates as an independent authority. It sets its own fees, hook up fees, decides on how that money would be spent, manages personnel, and takes on debt. It is a separate appointing authority not under direct control of Council. That would be a major change. William Sullivan asked if there is any benefit to that? Adam Liebttag responded that from an operational standpoint, you get the same level of managerial control and oversight, if you have an active council and a good council and good sewer committee that you are comfortable with. There are certain additional costs. It would have its own legal Counsel, professionals, etc. and there is some loss of control because it is a separate governing body. There are towns that have separate sewer utilities such as Lambertville. Generally, you see separate utilities in larger municipalities with more staff and more infrastructure. Responding to Michele Liebttag as to who appoints the sewer authority members, Attorney Cruz stated that the Council appoints the members with terms of office but they are independent. To take people off the authority, it has to be for good cause. The Council control is the appointment power and Council can create the authority and dissolve it but you take on its debt. A utility authority would have to agree to take on your debt and the Borough would have to guarantee that debt if you abolish the utility. Adam Liebttag stated that only reason it is on the agenda of the committee is because there has been questions as to what is it and how would it work. Maybe a group can look at it and do the research and get some answer and then bring it back to us. We have looked at it and it does not work for us.

William Sullivan commented that he is glad that you brought up the sewers on the hill. We are trying to get a committee together for the roads on the hill. He never considered sewer lines construction as a cost. Adam Liebttag noted that sewer would be one of the parts of the big plan. We are not comfortable looking at that in isolation and not until the Council gives some direction to a larger body and says let's all look at this.

Mayor Cooper commented that there was a conference call this past Friday with Attorney Cruz, Engineer Bradley, Bond Attorney Beinfield and himself discussing preparation of the closing for the loan. The closing is targeted for May. There is a variety of preparation for that and he has asked Adam Liebttag to be our liaison to that process so that as we get closer we know we have everything in order. Adam Liebttag has agreed to do that. Mayor Cooper added that at a meeting the other day, he understands that we have gotten approval to expand the sewer service area to include the home on Route 513. Ken Bogen says he will let us know. Responding to Jack Opdyke as to the risk of opening it up to all of the township, Mayor Cooper stated that there was talk about that but it never came to fruition. The Borough does not have the capacity for that. There was concern about it and the discussions that Robb Arent had with the county is that it should not be a concern as we do not have the capacity. Adam Liebttag added that as a process of the new plant and the sewer service area filed with the State, there were build out numbers developed with the County that accommodated for projected future developments, etc. He does not think that a new developer coming in would fit within those limits. Years ago there was discussion that if we opened it to

someone in the township, would that open it to everyone in the township but that was prior to us developing the plans, submitting it and having the plan approved by the State which sets the development limits. Council thanked Adam Liebttag. Mayor Cooper thanked Adam Liebttag for all the hard work.

Office Administration

Borough Clerk, Brenda S. Shepherd, presented the attached report.

Responding to Mayor Cooper as to recording system, Brenda Shepherd responded that she did get the proposal from Kingwood Township for their recording system that was replaced. It was approximately \$13,000.00 but that include installation of microphones. She spoke with a vendor at the League of Municipalities and they had already spoke with Judge Novak because the court is looking for a new system. Perhaps we can share the expense. Mayor Cooper noted that the court has been talking about moving to Holland Township. Michele Liebttag asked if a digital recording system would work. Brenda S. Shepherd responded that a digital recording system could be used and that the microphones are already existing.

Mayor Cooper commented that as to your efforts with the CEUs, the Council may not know that Brenda S. Shepherd looks for opportunities close in proximity to attend those training session so as to not be away from the Borough too long or incur additional costs. That is important to note.

Mayor Cooper stated that he is confused about the WORKS program. Perhaps we should call Rivernet to see if they can convert it for us or tell us how to do it.

Mayor Cooper noted that there are a lot of files we are maintaining in the file cabinets in his office which go back decades. Brenda S. Shepherd noted that some of the contracts can probably be moved downstairs. As far as the ordinance, resolutions and minutes, they are permanent records and go back from the beginning. They are upstairs in the file cabinets so that they are in a controlled environment. If you put them downstairs, they can get destroyed. We have had rodent problems, etc. downstairs.

As to filing cabinets, William Sullivan stated that you may be able to check with the County, as a coop. Brenda S. Shepherd noted that she will check because the County is allowed to give municipalities used equipment and we can give municipalities and Counties used equipment. We have gotten typewriters from the County before. Brad Myhre stated that we got some for the Police Department from the second hand store. They repaint them, etc. Jack Opdyke stated that you can get cabinets at auctions for practically nothing.

Council thanked Brenda Shepherd for the report. Mayor Cooper thanked Brenda S. Shepherd and Daniele Lattig for all the work they do to keep this machinery running.

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 Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the consent agenda

approving Resolutions #2014-26 through Resolutions #2014-29 as follows and the bills list dated 2/5/14.

Resolution no. 2014 - 26

Tax sale redemption

Whereas, the Tax Collector has been paid by Walter Dorf to redeem Tax Sale Certificate No. 13-002 the amount of \$8206.21 on Block 26, Lot 1, and

WHEREAS, the lien holder paid at the time of the sale a premium of \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Borough of Frenchtown, County of Hunterdon and State of New Jersey, that the Chief Financial Officer be authorized to issue a check payable to US Bank Custodian for bvoo1 trust, 50 S. 16th Street, Philadelphia, PA, 19102, in the amount of \$13206.21.

Warren E. Cooper, Mayor

Attest

February 17, 2014

Brenda S. Shepherd, RMC
Borough Clerk

Resolution no. 2014 - 27

Tax sale redemption

Whereas, the Tax Collector has been paid by the Vincenzo Candela to redeem Tax Sale Certificate No. 13-009 the amount of \$1180.00 on Block 56, Lot 3, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Borough of Frenchtown, County of Hunterdon and State of New Jersey, that the Chief Financial Officer be authorized to issue a check payable to US Bank Custodian for Pro Capital III, LLC, 50 S. 16th Street, Philadelphia, PA, 19102, in the amount of \$1180.00.

Warren E. Cooper, Mayor

Attest

February 17, 2014

Brenda S. Shepherd, RMC
Borough Clerk

Resolution no. 2014 - 28

Tax sale redemption

Whereas, the Tax Collector has been paid by Kenneth Hoover to redeem Tax Sale Certificate No. 13-003 the amount of \$4672.07 on Block 28, Lot 3, and

WHEREAS, the lien holder paid at the time of the sale a premium of \$7,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the borough of Frenchtown, County of Hunterdon and State of New Jersey, that the Chief Financial Officer be authorized to issue a check payable to US Bank Custodian for bvoo1 trust, 50 S. 16th Street, Philadelphia, PA, 19102, in the amount of \$11672.07.

Warren E. Cooper, Mayor

Attest

February 17, 2014

Brenda S. Shepherd, RMC
Borough Clerk

Resolution no. 2014 - 29

Tax sale redemption

Whereas, the Tax Collector has been paid by Corelogic to redeem Tax Sale Certificate No. 13-004 the amount of \$1261.32 on Block 28, Lot 6, and

WHEREAS, the lien holder paid at the time of the sale a premium of \$1,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the borough of Frenchtown, County of Hunterdon and State of New Jersey, that the Chief Financial Officer be

authorized to issue a check payable to US Bank Custodian for bvoo1 trust, 50 S. 16th Street, Philadelphia, PA, 19102, in the amount of \$2261.32.

Warren E. Cooper, Mayor

Attest

February 17, 2014

Brenda S. Shepherd, RMC
Borough Clerk

PRESENTATION OF VOUCHERS

Current Fund - Opdyke voucher

On motion by William Sullivan, seconded by Brad Myhre and carried by favorable roll call vote with Jack Opdyke abstaining, the Mayor and Common Council approved the bills list for H.J. Opdyke Lumber dated 2/5/14 as attached to this set of minutes

APPROVAL OF EXECUTIVE SESSION MINUTES - December 18, 2013

On motion by Cathy Leach, seconded by Jack Opdyke and carried by favorable roll call vote with William Sullivan abstaining, the Mayor and Common Council approved the December 18, 2013 Executive Session minutes.

APPROVAL OF MINUTES - December 30, 2013

On motion by Michele Liebtag, seconded by Brad Myhre and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the Regular Council meeting minutes of December 30, 2013.

APPROVAL OF MINUTES - January 6, 2014

On motion by Michele Liebtag, seconded by Brad Myhre and carried by favorable roll call vote with Jack Opdyke abstaining, the Mayor and Common Council approved the Reorganization and Regular Council meeting minutes of January 6, 2014.

PUBLIC COMMENTS

The Council approved to open the public comment session. Having no comments, the Council approved to close the public comment session.

RESOLUTIONS

Resolution #2014-30 – 2013 Reserve Budget Transfer Resolution

Brad Myhre noted that the large transfer to the Fire Department is for money received for FEMA reimbursement. We had FEMA in the budget but did not have it in the budget expenditure. We are giving them what the federal government reimbursed us. The rules did not allow us to cut them a check so the check is now among the current checks being approved tonight. We are moving the funds from the police salary and wage to the Fire Department. On motion by Brad Myhre, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-30 as follows:

RESOLUTION NO. 2014 - 30

2013 RESERVE BUDGET APPROPRIATION TRANSFER

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

Garbage and Trash Removal- Contractual - \$3,000.00
Fire Hydrant – Other Expenses - \$100.00
Fire – Other Expense - \$5170.00

WHEREAS, it appears that there will be for 2013 an unexpended balance in the following account:

Administration & Executive Other Expense - \$2000.00
Financial Administration Other Expense - \$1000.00
Revenue Administration Other Expense - \$100.00
Police Salary and Wages - \$5170.00

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:

Administration & Executive Other Expense -	\$2000.00
Financial Administration Other Expense -	\$1000.00
Revenue Administration Other Expense -	\$ 100.00
Police Salary and Wages -	\$5170.00

TO:

Garbage and Trash Removal- Contractual -	\$3,000.00
Fire Hydrant – Other Expenses -	\$ 100.00
Fire – Other Expense -	\$5,170.00

Warren E. Cooper, Mayor

Attest:

February 17, 2014

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2014-31 - Resolution authorizing the award of a contract for continued engineering services commenced prior to 2013 for the Borough of Frenchtown

Brad Myhre noted that the Horseshoe Bend Road project is still open. Mayor Cooper added that he believes it is the last one on the list from 2013. He had Hilltop Roads on the list but Council did not ask him to act on that. Responding to Council, Mayor Cooper stated that Engineer Clerico does the George Micheal project with the Planning Board. On motion by William Sullivan, seconded by Brad Myhre and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-31 as follows:

RESOLUTION #2014-31

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR CONTINUED ENGINEERING SERVICES COMMENCED PRIOR TO 2013 FOR THE BOROUGH OF FRENCHTOWN

WHEREAS, the Borough of Frenchtown has a need to continue Engineering services commenced prior to 2013 for the Borough of Frenchtown and desires to appoint as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the projects commenced prior to 2013 and to be continued are identified on the attached list; and,

WHEREAS, the anticipated term of this contract is up to 1 year; and

WHEREAS, Van Cleef Engineering has submitted a proposal dated 1/17/14 indicating they will provide engineering services for the amount of \$135.00 per hour; and

WHEREAS, Van Cleef Engineering has completed and submitted a Business Entity Disclosure Certification which certifies that Van Cleef Engineering has not made any reportable contributions to a political or candidate committee in the Borough of Frenchtown to the Mayor or Common Council or County Committees in the previous year, and that the contract will prohibit Van Cleef Engineering from making any reportable contributions through the term of the contract, and

WHEREAS, the value of the contract for 2014 will not exceed \$1,500.00 or as authorized by specific Resolution of the Council; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this annual contract as required pursuant to N.J.A.C. 5:30-5.

NOW THEREFORE BE IT RESOLVED that the Mayor & Common Council of the Borough of Frenchtown authorizes the Borough to enter into a contract with Van Cleef Engineering as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that notice of this action will be published in the Hunterdon County Democrat.

Warren E. Cooper, Mayor

Dated: February 17, 2014

Attest:

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2014-32 – Refund of Overpayment – Block 43 Lot 8

On motion by Michele Liebttag, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-32 as follows:

RESOLUTION NO. 2014-32

REFUND OF OVERPAYMENT

WHEREAS, the owner of Block 43, Lot 8 was successful in a tax appeal which resulted in a reduction of the real estate taxes for the fourth quarter added in the amount of \$542.39, and

WHEREAS, the homeowner paid the full amount for the fourth quarter added prior to the successful tax appeal.

NOW, THEREFORE, BE IT RESOVLED, 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 issue a refund to Daniel and Renee Carr, 10 Chestnut Avenue, Frenchtown, New Jersey, 08825.

WARREN E. COOPER, Mayor

Attest:
February 17, 2014

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2014-33 – Resolution for continued EMS services with Milford Holland Rescue Squad

Michele Liebttag stated that she is happy we are going in this direction and is looking forward to working with Milford Holland Rescue. We are going to have a more formalized relationship. They will come before the governing body to present a report if it is in agreement with Council. She would like to invite them to the next meeting and also have them discuss the budget process. Michele Liebttag also thanked Patty Jones from Groendyke for getting us to the finish line. Mayor Cooper also thanked Brad Myhre, Attorney Cruz and Michele Liebttag for their work on this. On motion by Michele Liebttag, seconded by Jack Opdyke and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-33 as follows:

RESOLUTION NO. 2014-33

WHEREAS, N.J.S.A. 40:5-2 authorizes municipalities to make annual contributions to rescue squad associations; and

WHEREAS, the Milford Holland Rescue Squad, Inc., a not for profit corporation of the State of New Jersey, has provided and continues to provide service to the residents of the Borough of Frenchtown twenty-four (24) hours a day, seven (7) days a week and three hundred and sixty-five (365) days a year; and

WHEREAS, the Rescue Squad is the rescue squad serving residents of the Borough, and the Borough desires that the Rescue Squad continue to provide services to the residents of the Borough; and

WHEREAS, the Rescue Squad, as a not for profit corporation, is independent of and not an agency, commission, department or instrumentality of the Borough, and the individual Rescue Squad members are not employees of the Borough; and

WHEREAS, the Rescue Squad, in addition to serving the residents of the Borough, also serves the residents of the Townships of Alexandria and Holland and the Borough of Milford; and

WHEREAS, the Rescue Squad depends upon municipal contributions to meet its operating and capital expenses; and

WHEREAS, the municipalities whose residents are serviced by the Rescue Squad provide a contribution to the Rescue Squad based upon each municipality's proportionate share of the Rescue Squad's annual budget calculated as follows:

The number of Rescue Squad responses to an individual municipality divided by the total number of responses to the four (4) municipalities equals that municipality's proportionate contribution to the Rescue Squad's operating budget. For example, if there were fifteen (15) Rescue Squad responses to the Borough in a single year but one hundred and twenty (120) total responses, then the Borough's proportionate contribution to the Rescue Squad's budget for that year would be 12.5%; and

WHEREAS, in anticipation of the Borough preparing its budget, the Rescue Squad should present to the Borough Council by the first Council meeting held in February of each year; namely, the first Wednesday in February, the Rescue Squad's proposed annual budget, the Rescue Squad responses to the Borough and the total responses to the four (4) municipalities and the Borough's proportionate share of the Rescue Squad operating budget for that year; and

WHEREAS, based upon that calculation, the Borough would make contributions to the Rescue Squad on March 31, June 30, September 30 and November 30; and

WHEREAS, the Rescue Squad also depends upon municipal contributions to meet its capital expenses, and that contribution will be agreed upon by the Borough and the Rescue Squad by the first Council meeting held in February of each year; namely, the first Wednesday in February; and

WHEREAS, the Borough's capital contribution will be provided to the Rescue Squad based upon the Rescue Squad's five (5) year capital plan, with the Borough reserving the agreed upon capital contribution in a dedicated account; and

WHEREAS, the Borough will distribute the capital contribution account upon the Rescue Squad presenting proof to the Borough of the Rescue Squad's capital expenditure for which the capital funds were reserved and will be used; and

WHEREAS, the Rescue Squad will bill residents of the Borough and/or the resident's insurance carrier; and

WHEREAS, the Rescue Squad will not refer non-paying residents of the Borough to a collection agency unless that resident received reimbursement from an insurance company and failed to then make payment to the Rescue Squad; and

WHEREAS, the Rescue Squad will, by the first Wednesday of each February, present to the Borough its annual operating budget, its capital budget and a Certificate of Insurance naming the Borough as an added insured that is acceptable to the Borough's insurance carrier; and

WHEREAS, the Certificate of Insurance shall name the Borough as an additional insured only as to those activities, actions and duties being performed by the Rescue Squad in providing services to the residents of the Borough, and the Certificate of Insurance will serve to indemnify and hold the Borough harmless in the event that the Borough is named as a defendant as to those activities, actions and duties; and

WHEREAS, in addition, the Rescue Squad will present the Borough with a list of its

members, including certifications held by each member and membership status in the Rescue Squad; and

WHEREAS, a representative of the Rescue Squad will appear before the Borough Common Council to present the Rescue Squad's budget and status report no later than the first Wednesday of each February and appear at least at one (1) other Council meeting during the year; and

WHEREAS, it is in the best interests of the residents of the Borough that the Rescue Squad continue to protect the health, safety and welfare of Borough residents.

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

1. That the Milford Holland Rescue Squad, Inc., continue to service the residents of the Borough of Frenchtown twenty-four (24) hours a day, seven (7) days a week and three hundred and sixty-five (365) days a year.
2. That the Borough make contributions to the Rescue Squad as described in this Resolution and subject to the Borough annually appropriating the funds to make the contribution consistent with the Local Budget Law.
3. That the Rescue Squad timely provide to the Borough a Certificate of Insurance and the information described in this Resolution.
4. That the Clerk forward a certified copy of this Resolution to the Rescue Squad.
5. That this Resolution shall take effect immediately.

Warren E. Cooper, Mayor

Attest:

February 17, 2014

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2014-34 - Sewer Rate Increase

Mayor Cooper reported that back in 2012 when we were looking at debt service requirements,

there was a recommendation by Robb Arent that we implement a series of increases. This was a requirement of the process in getting a rating on the project. We did not make a 2013 adjustment. We are now looking to catch up. Instead of a \$10.00 increase per quarter per unit, we now have to increase it more. Brad Myhre added that the 2013 rate was suppose to raise \$60.00 per year per unit. It is now recommended that we increase it \$17.50 per quarter per unit because we did not have an increase last year. On motion by Jack Opdyke, seconded by Michele Liebtag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-34 as follows:

BOROUGH OF FRENCHTOWN

Resolution 2014-34

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

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

- A. Annual service charge or rental fee per rental unit be \$750.00 commencing August 1, 2014.
- B. To reflect a (\$70.00) seventy dollar per unit per year increase in the fee previously charged per rental unit, the fee shall be as follows:

- \$187.50 for the 1st Quarter 2015
- \$187.50 for the 2nd Quarter 2015
- \$187.50 for the 3rd Quarter 2014
- \$187.50 for the 4th Quarter 2014

Dated: February 17, 2014

Warren E. Cooper, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

NEW BUSINESS

Approval of River to Sea Relay Race for Saturday, August 2, 2014

Mayor Cooper noted that this is their annual relay race where they pass through Frenchtown. On motion by Jack Opdyke, seconded by Brad Myhre and carried by unanimous favorable roll call

vote, the Mayor and Common Council approved the River to Sea Relay Race for Saturday, August 2, 2014.

Appellate Division's decision clarified OPRA's impact on the Local Public Contracts Law

Mayor Cooper noted that the Borough received communication from the League of Municipalities in reference to the local public contracts law and the provisions of the OPRA law. He asked Attorney Cruz to explain it. Attorney Cruz stated that this comes from the appeal division. You will often see with large sets of specifications such as sewer plants that the engineer prepares that the engineer will say it costs \$100.00 to obtain a copy of the specifications. The appellate division says if a contractor makes request under OPRA, you cannot charge a set fee. You have to charge the OPRA fee which is typically 5 cents a page so if you had a one hundred page document instead of charging \$100.00, you have to charge \$5.00. It is a further expansion of the courts utilizing OPRA to make information available to the public. When an engineer charges \$100.00 for a set of plans, it reflects the cost to the engineer than what the cost of producing the document is but the courts have said you cannot charge for labor. All you can charge for is the cost of the copy. As long as there is no OPRA request, you can charge the fees set by the engineer. This creates a nightmare for the clerk in terms of when to charge the OPRA fee and when to charge the engineer's fee. Some towns just charge the OPRA fee across the board. It avoids a headache for the clerk in administering what is collected and it avoids potential litigation. If there is a denial under the OPRA request, a municipality could have to pay legal fees to the requestor. The court is saying we are going to apply OPRA to a lot of situations and only allow the municipality the minimum charge allowed under OPRA. When you see a set of specifications from an engineer, you flag that and not charge the standard rate of the engineer. Mayor Cooper stated that what he thought was interesting was that the person making the document request made a verbal request and you typically need to do that in writing. The Court said it is still a request and the documents should have been released under OPRA. William Sullivan commented that this becomes a burden on the municipality when the documents are costly. Attorney Cruz noted that it could cost the engineer who is preparing the specification if there is an OPRA request for it and you can only charge the cost of reproduction. Responding to Jack Opdyke, Attorney Cruz stated that requests can be made electronically and if it is done electronically, there is no charge. He added that for large plans, you can charge a special service charge but the requestor has the option of receiving it electronically or a paper copy. If that is done electronically, there is no charge for that. Mayor Cooper stated that he makes OPRA request electronically every day and asks for it to be received electronically so he does not have to pay for it but the amount of work is extensive. It is good for the consumer but not good for the municipality.

Attorney Cruz also noted that there is a lot of hidden cost to the municipality if the document has to go to the Attorney to determine if something needs to be redacted.

2014 Animal Control Services

Mayor Cooper stated that we began this conversation when we heard that Hunterdon Humane was having difficulty. We received proposals from two animal control officers. Michele Liebttag reported that she was contact by Dr. Tindall who was appointed to oversee the Hunterdon Humane animal shelter and he said as things stand they are still servicing municipalities that they serviced prior to the take over and she encouraged him to come to the next meeting to give a presentation on what the level of service would be going forward because we have some concerns over issues with rabid animals for example. He said he will be here to discuss it and that would change going forward. She requested that the Borough hear him out before we entertain the other proposals that have come in.

EMEX Energy Auction

Mayor Cooper stated that we have been contacted by them and we have provided them with information about our historical energy use. They have not schedule an auction yet. They will let us know when that happens. We are not obligated in any way to make any changes. It is just an opportunity for us to see if there is any chance to save money by shifting our energy providers.

Request by OEM Coordinator to attend 16th Annual NJ Emergency Preparedness Conference

Mayor Cooper noted that we have a request by Karen Harmon who is our OEM Coordinator for her and her assistant to attend the 16th Annual NJ Emergency Preparedness Conference. Brad Myhre recommended that the Borough allow Karen Harmon and Amy Cochran to attend. There is money in the OEM budget for training like this. They are volunteers. It is important for them to go to training because there are certain things they need to learn just in terms doing FEMA reimbursement request and certain things that may arise for future weather events such as flooding or snow. Mayor Cooper believes it is worthwhile for the Borough because they pick up important tips that can protect us and it positions us for reimbursements amongst other things. We saw that this week with us adopting a proclamation. It positioned Frenchtown to be able to submit reimbursement claims to FEMA. Brad Myhre added provided that there is a federal declaration. At the very least, it will help us by having that declaration in trying to get the snow expense outside the 2% cap. On motion by Brad Myhre, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to allow the OEM Coordinator and the Deputy OEM Coordinator to attend the 16th Annual NJ Emergency Preparedness Conference at a cost of \$75.00.

Frenchtown Police Department plumbing problem

Brad Myhre reported that the Police Department is having issues with the drains working in the sinks. They had a plumber come in and inspected everything and they said there are a lot of issues that need to be addressed that have been let go for a long time. The estimate to get everything operation is around \$1,394 without the faucet. Cathy Leach commented that we should get other estimates. Brad Myhre stated that we should get it at least functional. We should leave this to the buildings and grounds department chairman.

Items at DPW

Jack Opdyke noted that there are a few items at the DPW, one being the standby generator and the other is the fans. We had been approach by the current contractor, Tomar Construction, and there prices were not in line. Engineer Bradley and inspector Rory McRory did get quotes for the generator and the fans. If we could get the equipment and then once we have the Certificate of Occupancy, we can get this equipment installed. We do not want to touch anything in the building until we have a Certificate of Occupancy so as to not create a situation to cause conflict with Tomar's work schedule. Jack Opdyke noted that he has quotes and asked if Council approval is need. For the standby generator for the DPW the total amount of the bid from last year is \$18,633.00 with options. He confirmed today with the supplier that the price is still valid. The second bid with options is \$19,520.00. He has confirmed with the NJDEP that this is reimbursable under the contingency line item of the loan. Regarding the fans, he has asked Mike Reino to drop off the quote for Simpsons Electric for a total of \$2,520.00 that includes the fans and installation. Mike Reino is having problem heating the DPW and we are wasting a tremendous amount of heat because he cannot get the heat pushed down and we are burning a lot of oil. As to the standby generator, Jack Opdyke recommended that the Borough go with the remote enunciator option and

the automatic transfer switch. It would let them know the power has gone off. It would automatically kick the power on and take it back off when power is restored. Responding to Clerk Shepherd, Attorney Cruz noted that the bid threshold without a QPA is \$17,500.00 and the quote threshold without a QPA is \$2,625.00. Brad Myhre stated that the Borough is going to have to do something about a QPA. Attorney Cruz stated that there is the issue of the amount and there is also the rule of aggregation. You could prepare specification like you did with the recycling. He can help with that. Michele Liebttag asked if the standby generator was included in the original project? Jack Opdyke responded that it was not included in the original project. Engineer Bradley confirmed that it was not part of the original project. Mayor Cooper noted that the Borough has a grant for \$50,000.00 for generators for Borough Hall and the Police Department and if there are additional funds left, we could apply it to the DPW generator. Brad Myhre commented that we are expecting to have \$10,000.00 left to transfer to that project. He will follow up on that. Mayor Cooper stated that if we were to agree with the contractor's amount, could it be a change order? Attorney Cruz stated that it would have to meet the criteria for a change order and it must be an unanticipated expense in justifying the change order. Because you went to bid on the underlying project, it qualifies you to do change orders. You can only do change orders up to a certain percentage of the contract, a total of 20%.

Jack Opdyke noted that as to the fans, we are not over the threshold and requested that we get fans approved so that we can get them ordered so they can be installed once we get a Certificate of Occupancy. On motion by William Sullivan, seconded by Brad Myhre, and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to award the fan work at the DPW to Rob Simpson in the amount of \$2,520.00.

Brad Myhre asked that something be put on the agenda for the next meeting about a QPA.

Horseshoe Bend Road

William Sullivan reported that he received a letter from Engineer Clerico concerning improvements to Horseshoe Bend Road. A couple months ago, he, Mike Reino, and Engineer Clerico walked the street and went over the scope of work and details of the work. We were able to put in recommendations that we thought should be made. William Sullivan read the following summary from Engineer Clerico:

- A. The improvement will include a total reconstruction of the pavement. Pavement will be set at a minimum width of 18 ft. (9 ft. lanes) with a 1 ft. stone shoulder in areas that are not curbed. This will increase the drainage.

William Sullivan stated that what is happening now is the water is racing the hill across Route 12 and going into the property below flooding that out and it is usually clearing out the soil on the one side. It is a maintenance nightmare.

- B. The road pavement will have a normal crown except in the approaches leading up to and around the curve where a super-elevated pavement section will be installed. This will be similar to the existing pavement grading around the curve except that it will be more uniform and installed to meet current design standards.

- C. The project will terminate just prior to the section where the road pavement narrows adjacent to the large tree. Appropriate signage will be installed to identify this existing condition.

William Sullivan stated that this will include some of Kingwood Township's portion because Frenchtown and Kingwood each own half of the road and then at one point, Kingwood owns the entire road. Kingwood Township did not get the grant to improve this.

- D. The drainage will be installed along the left (north & east) side of the road. Inlets are positioned in locations that would maximize the collection of surface runoff based upon our observations of the existing conditions during rain events. An inlet is set uphill from the current driveways into the only residents located along this section of the road.

William Sullivan commented that we will pick up the water on the way down the hill so it does not stay on the surface. We were able to adjust a few where the water was coming off the field.

- E. A grass swale will be created and maintained along the left (east) side of the upper section of the road in order to convey all of the existing field runoff and direct it into the proposed drainage inlets.
- F. A curb will be installed on the left (north) side of the road along the steep grade leading up to the curve and on the inside radius of the curve. This curb is included to address Mike Reino's concern that subsequent erosion may occur in this area if the limited runoff was not controlled by a curb. In all remaining sections the edge of pavement adjoin a stone or grass shoulder.
- G. I have not yet decided upon the installation of a pavement striping or signage. Continuous double-yellow centerline striping is not normally used along a relatively narrow pavement. It might be more appropriate to install a

1. single white line along the edge of pavement that does not adjoin proposed curbing.
2. Yellow centerline with cross striping along the inside edges of the 10 ft. lanes that approach and traverse the curve. (similar to what is shown in the photos of the Union Twp. project.
3. Yellow raised reflectors along the centerline referenced in item #2 above.
4. Chevron or directional arrow signs at the approach to and along the sharp curve

William Sullivan noted that one thing not included in the summary is that it is a 5 week project and detours will have to be figured out with police department. There will be open to local traffic and there will be proper signage. It will be open at all times for emergency vehicles as well but there is not a lot of room when you get a 10 foot Trackhoe in there. They are suggesting to shut the road down for the entire project except for local traffic. Because it empties into route 12, any detour plans will have to be approved by NJDOT. We want to make submission to the NJDOT by February 21st but want to make sure that the Borough Council approves this. He wants to get it to

bid as soon as possible. During construction that parking area may not be accessible and there may be delays to local traffic.

Council reviewed plans that Engineer Clerico just sent to the Borough. Brad Myhre asked about traffic control because of it being a bus route. William Sullivan responded that he is going to talk to Chief Kurylka. They want to close the road except for local traffic only. There are two homes up there available for local traffic. The cost of traffic control may change the bid. We spent a lot of money in material and manpower on this road. Mike Reino was aware of each problem. When we walked it, it had just stopped raining and we could see where the water was running. Engineer Clerico wants the authorization to submit the plans. On motion by William Sullivan and seconded by Brad Myhre, the Mayor and Common Council approved Resolution #2014-36 as follows:

Resolutions 2014-36

WHEREAS, the Borough of Frenchtown desires to submit a plan of improvement for Horseshoe Bend Road located in the Borough of Frenchtown, Hunterdon County, New Jersey prepared by Van Cleef Engineering Associates with a progress print of February 10, 2014; and

WHEREAS, the Mayor and Council of the Borough of Frenchtown desires to authorize Van Cleef Engineering Associates to submit this plan including any necessary detours to the New Jersey Department of Transportation.

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

1. Van Cleef Engineering Associates is hereby authorized to submit the plans to the New Jersey Department of Transportation.
2. This resolution shall take effect immediately.

Dated: February 17, 2014

Warren E. Cooper, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

OLD BUSINESS

Recycling – Food Waste recycling

Michele Liebttag reported that she went to the January 22, 2014 meeting in Lambertville. It turned out to be more of a pitch of the Hot Rocket, which is a food composter, than any substantive conversation on sharing services. She put in a request to follow up with the Environmental Commission Chairman there, Brad Campbell, for Dominikija Prostack and her to sit with them and have a conversation about shared services. They surveyed their residents to gauge interest in

participation in the foodwaste collection. They had gotten a very good response. Dominikija Prostack and the Green Team are looking to do something similar in Frenchtown so she is working through Brad Campbell to try to get a copy of what Lambertville put out to put out something to our residents to see if we have enough interest to push this forward. Responding to Cathy Leach about residents setting aside foodwaste, Michele Liebttag noted that Lambertville is in a much better situation because their DPW does trash and recycling collection. We do not have that. Michele Liebttag added that the residents of Lambertville were asked if they were willing to pay a certain fee for their pick up and those that answered the survey said yes. Even though they have an internal mechanism, the residents were willing to subscribe to that service. The Green Team has a grant through Sustainable Jersey and Lambertville got a grant so we would need to see about buying collectively into one of those food composters. Right now, the survey is the best approach for Frenchtown. Attorney Cruz noted that Lambertville has a very successful recycling program and they get a lot of help from the prisoners. Mayor Cooper asked Michele Liebttag to reach out to Joel Boriek of the Environmental Commission to see if he would like to participate.

Michele Liebttag also reported that the Green Team is trying to get to the next level of the Sustainable Jersey Certification program so they need to acquire additional points. One of the new programs would be a medicine drop box. The Police Department next door has a project they put together for medicine drop off so she talked to Chief Kurylka about publicizing this. It would help the Green Team get points. Chief is willing to do any other programs that would help as well. She would like to put the Medicine drop box on the website and in our next recycling newsletter. It is a service we are providing to residents. They can come in Monday – Sunday 8:00 am to 4:00 pm accepting household medications, pet medications, capsules, patches and anything that needs to be disposed of.

Michele Liebttag added that there are two special collection dates set up by the County. The Hazardous Waste Clean up is Saturday, March 8th and the Electronics is Saturday, April 12th.

Michele Liebttag noted that the Recycling bins have been given to residents. We had some complaints about folks not receiving them. She has gotten everything that has been sent to Brenda Shepherd or to her email and it has been forwarded to RVD and they have gotten them out. The roll out was not the smoothest but it worked out in the long run. It came earlier than anticipated. Once we realized it and got in front of it on Facebook and the website, it calmed down. The weather has wreaked havoc on trash collection. RVD and Gary Smalley have been good about reaching out to us and keeping us in the loop so that we could publicize the delay. We were able to put on it on the website so that people did not drag their trash out on Friday for pick up on Saturday.

Wastewater Treatment Plant Facility update and Frenchtown Bridge Street LLC

Mayor Cooper noted that these items will be discussed in executive session.

Hilltop Streets

Mayor Cooper noted that he has been approached by a number of residents on those streets who would like to be involved or are willing to represent their streets in conversations as we go forward. Responding to William Sullivan as to people that are interested that he knows, Mayor Cooper noted that we will need to coordinate.

Ice Skating Rink

Mayor Cooper noted that we will need to take some type of action to set guidelines for ice skating.

Brenda Shepherd noted that the insurance company has provided guidelines for ice skating rinks. Mayor Cooper asked her to send Cathy Leach a copy of that.

Cathy Leach asked about a timer for the lights. She will find out how much that would cost. Mayor Cooper added that he has been in contact with some people at Alpine Ice Skating Rink in Raritan Township and Pelican Ski and Skate to try to get them to donate used skates so we can have a supply of them for people who do not have them. He is not sure if it adds to our risk. Cathy Leach commented that the Borough should not be providing ice skates.

COUNCIL COMMENTS

As to the Fire Company, Michele Liebttag reported that we have issues with getting down South Harrison Street not being able to navigate the turn. She will reach out to Mike Reino now that we have salt. The ice is thick and pitted. Cathy Leach noted that she was talking to the Chief and a resident of S. Harrison Street and that resident said he would talk to the neighbors to see if they could coordinate for everyone to move their cars and then we could schedule to clear the ice. He is going to email us to let us know what date so that we can work it. William Sullivan stated that the Public Works has been doing a fantastic job. They are not on top of everything at once because there is so much going on but if someone points something out, they get right on it and do the best they can. They are responding to the challenges. We have to work together, be patient and accept that it is a difficulty. It does not make sense to spend a lot of money to rectify it when it will all go away. Everyone has to expect it to be more difficult and he asked that you help your neighbors. DPW does not complain and they are responding tremendously. We are lucky to have them.

Michele Liebttag noted that the Fire Department is on the schedule for May 7th to present a report but she will be unable to make that meeting. She asked if we can move them to April or June. Mayor asked that she send him an email on it. We were worried about April with the school presentation. Michele Liebttag added that June 4th may be better because some people will be doing a second presentation. She also wanted to make a point that the Fire Department has been incredibly helpful in filling the ice rink. Mayor Cooper noted that Mike Atheras was out one night with his son with a snow blower clearing the snow off the ice so people could skate.

Brad Myhre reported that we took acquisition of our new police patrol car and it was wonderful during the snow storm with all wheel drive. We also got a letter from the Mayor of Holland, Anthony Roselle, complimenting our police department and Patrolman Murphy on his help with the plane crash in Holland Township. He read from the letter that as with all past events, you continue to exhibit high standards of professionalism and it has not gone unnoticed. Thank you once again for your dedication to the community and we have developed a strong working relation with Holland Township.

Brad Myhre also reported that Chief Kurylka was out with Patrolman Krutsick and the road department cleaning up downtown Bridge Street and they did a great job with the contractor. Going forward, Chief is recommending that we set up some type of schedule to have alternate street parking so they can go in and clean up some of the side streets that are getting very narrow. The kids going to school are now walking in the road in some of those area and there is a concern about that. As to South Harrison Street as mentioned previously, Chief thinks that should be done sooner rather than later. It is very bad there. It is a matter of setting the schedule and Mike Reino is going on vacation so we will have to have Mike Roden to work with the Chief to get this done. At the very least, Chief would like all entrances to side streets cleared so that the turning radius is there

versus what we have now. There are problems with the site triangles and the kids are going out into the streets there to get around there. It is bad on Harrison Street. Mayor Cooper stated that the difficulty is going to be that trying to get that done this week which will mean additional hours for Mike Angeloni with Mike Reino being out. We have been trying to limit hours but it is not a job you can do by yourself. William Sullivan suggested that the Borough not haul anything out. We have right of ways where we can legally push the snow. Brad Myhre stated that we can keep dumping at Old Frenchtown Field. William Sullivan commented that it is too expensive to haul it. We need to just push it. Brad Myhre stated that from Second Street to Sixth Street it is very concentrated and there is no where to push the snow except for hauling it out because it is narrower. Mayor Cooper stated that he received a call from Jason Narbonne who wished someone would have said something to him before we hired that crew to do it because he would have donated a crew and equipment to do what need to be done if we would pay for fuel and incidentals. Brad Myhre stated that the crew Mike Reino brought in was an expense but it is a public safety issue. William Sullivan stated that it is expensive but if you want to do that he would go with it but 50% of it will be done in a week. Mayor Cooper stated that it is a public safety issue. William Sullivan stated that if the Council wants to do it, then we should get a truck and work with Mike Roden this week because 50% will be gone by the time Mike Reino gets back. We do not have Mike Reino to call someone in. Mayor Cooper stated that Mattaroso came in last week and they did a great job. He got a call from a resident of Bridge Street who said it made an incredible difference. Responding to William Sullivan, Brad Myhre stated that we had to do the downtown because it is a high traffic area, pedestrian and vehicles. Mayor Cooper stated that it is right for a tragedy when you have people who cannot see until they step out into the road. William Sullivan stated that he worries about the expense when it is something that will dispense on its own. If people take extra caution, we could save a lot of money just by acting sensibly. If you think it needs to be done, he does not have a problem with it. Mayor Cooper stated that the auditor's report shows that we have \$5,000.00 accumulated in the snow emergency funds. Brad Myhre stated that he would like to give Mike Reino and Chief direction and guidance and proceed with a plan. He would like to get the piles out of the intersections because of the kids. Cathy Leach asked if the Borough is enforcing the ordinance about removing snow from the sidewalks. Mayor Cooper noted that Officer Krutsick issued 23 warnings and 3 summonses. Attorney Cruz recommended putting a cap on it with an amount not to exceed if you are going with an outside contractor. William Sullivan recommended a cap of \$2,000.00 if we need to do that. If we can do it in house, we will try to do that. Mayor Cooper stated that we have already spent \$3,300.00. On motion by Brad Myhre, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to authorize DPW to spend up to \$2,000.00 if necessary to remove snow at the intersections on Harrison Street from Second Street to the school.

Mayor Cooper noted that Officer Murphy's mother passed away. The services will be in South Amboy tomorrow. Chief will send the information.

Cathy Leach reported that we started discussion about when to schedule the park cleanup. The Green Team would like to have it earlier this year so that we do not interfere with nesting birds. They are talking about the first week in April. She is concerned that it may be a little too soon so she is proposing two separate dates, one for a trail clean up earlier and then a later date for spring plantings. William Sullivan commented that it is a good idea because it give people 2 opportunities to participate.

MAYOR'S COMMENTS

Mayor Cooper reported that behind us on the wall is the Hunterdon 300 Blue Skies print and the framing was courtesy of Robb Arent.

Mayor Cooper noted that on Thursday, he will be holding a meeting with the various community groups in town to share their calendars so that we can work together and help the Green Team move their agenda forward.

Mayor Cooper reported that we received a NJDEP Stormwater compliance check and we were found to be out of compliance with education. He is asking the Green Team to look at what we can do to promote education along with the Environmental Commission. We have to respond within 30 days on what we will do.

Mayor Cooper noted that we finally got our 46 tons delivery of salt today.

Mayor Cooper stated that he has been in contact with NJEIT, one of the organizations that provided loans for the Wastewater Treatment Plant project. He thought we could use the application process to bring in some more dollars when we starting talking about the hill streets project. We would have had to get information in by March 1st so we are looking at September.

Mayor Cooper noted that Officer Kelly fell on duty and injured his wrist. He will be out two weeks.

Mayor Cooper noted that he is on the executive committee of the Hunterdon County Environmental Development Committee. It has already generated interesting subjects that will be presented to Planning Board on how we should be responding to proposals for different developments.

Mayor Cooper stated that we received our Annual Financial Statement and tax collection was up a point and a half so we are at 95.9%. That is a big help. There is a spending surplus as well. We will know by the next meeting.

Mayor Cooper stated that he went to a Library Board meeting on January 13th. The name of the Board is not the Library Board it is the Frenchtown Free Public Library Association Executive Board. We have reappointed two people that are no longer on the board. We need to update that list to include Lois Silva and Connie Sworen.

Mayor Cooper noted that we have been requested to authorize hydrants to be place in the George Michael development.

CORRESPONDENCE

There was none discussed.

EXECUTIVE SESSION

Contract Negotiations - Shared Service Negotiations with Delaware Township

Property Acquisition – Hilltop Streets – Road Improvements

Contract Negotiations – Redeveloper’s Agreement with Frenchtown Bridge Street LLC.

Techniques to protect public property

Litigation – Harold Johnson vs. Frenchtown Borough
Contract Negotiations – Kleinfelder East
Contract Negotiations – Local PBA 188

Mayor Cooper stated that the Council will have to go into executive session for 6 items. On motion by William Sullivan, seconded by Brad Myhre and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to go into executive session at 9:50 pm and approved Resolution #2014-35 as follows:

RESOLUTION #2014-35

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 - Shared Service Negotiations with Delaware Township
 - b. Property Acquisition – Hilltop Streets – Road Improvements
 - c. Contract Negotiations – Redeveloper’s Agreement with Frenchtown Bridge Street LLC.
 - d. Techniques to protect public property
 - e. Litigation – Harold Johnson vs. Frenchtown Borough
 - f. Contract Negotiations – Kleinfelder East
 - g. Contract Negotiations – Local PBA 188
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: February 17, 2014

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

The Council came out of executive session at 11:55 pm.

ADJOURNMENT

Being no further business to come before the Mayor and Council, the meeting was adjourned at 11:55 pm on motion by Michele Liebttag, seconded by William Sullivan and carried by favorable voice vote.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk