

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 January 9, 2014 and the Express Times on January 9, 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 January 9, 2014.

FLAG SALUTE

Mayor Cooper asked everyone to stand for the flag salute.

ROLL CALL

Present for the Meeting:

Seth A. Grossman
Cathy Leach
Michele Liebttag
Brad Myhre
William Sullivan

Absent from Meeting:

Jack Opdyke

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

PUBLIC COMMENTS

The Council approved to open the public comment session. Mayor Cooper noted that we had intended to hear from Dr. Tindall for the Hunterdon Humane Society. We have postponed that until April.

Milford Holland EMS

Diane Lutz, President of Milford Holland EMS, presented the 2014 Budget proposal as attached to this set of minutes.

Mayor Cooper asked if there is an analysis of historical spending against the budget? Diane Lutz responded that usually they spend everything they have. They did not get municipal money yet so they are using what was left. They buy what they have to have. Ms. Lutz also noted that they put a paid staff on the nights of snow storms so they have to pay that staff coverage. They will transfer money from their account to their budget account if needed and when they get money, they put it back. They also do letters campaigning for donations. Responding to Brad Myhre about the Borough’s share, Ms. Lutz stated that by having insurance, the actual cost to Frenchtown for paid staff is \$12,590.00. That number is 1/3 of your share that we are asking you to put aside. It is based on the percentage of calls and usage from the past year. Diane Lutz also noted that every five years they buy a new ambulance. We have three ambulances, refurbish and new. We asked municipalities to put aside money every year so that the municipality can provide money toward the ambulance. We are asking the municipality to put aside \$14,900.00 this year and \$15,400.00 in 2015. Mayor Cooper commented that he is confused by the numbers and would like the administrative committee to get together with Diane Lutz so that we can transmit it into a format we understand. Michele Liebttag stated that she welcomes this relationship going forward. Responding to Michele Liebttag as to break down of the figures, Diane Lutz responded that the division is 1/3. She added they they do not cover all of Alexandria. Alexandria Township decides

how much they will give and they give us a little extra. Diane Lutz asked about communications. She also asked if the town had a mailing coming up. Michele Liebttag responded that the Borough needs to do a mailing for recycling. Diane Lutz asked if they could send a letter with that mailing. They would like to send a letter to the town saying that they are looking forward to serving Frenchtown. Council thanked Milford Holland EMS.

Lynn Marad, owner of the Widow McCrae Bed and Breakfast at the corner of Kingwood Avenue and East Washington Street. East Washington Street is deteriorating and there are drainage problems on East Washington Street. As you probably noticed, where the asphalt on Kingwood Avenue and the gravel road begins, there is a dip where water pools. It is a continuing problem, it freezes and people cannot access the sidewalk and the water does not drain into the drainage ditch on Kingwood Avenue. In the rear, the drainage is not working. There is a problem with standing water, causing the road to deteriorate. It is a muddy mess when it is not frozen. Her business is hospitality and customer service. She is here to see what the Borough can do about that. She discussed this with Mike Reino. He is very accommodating trying to do the plowing but he is limited in what he can do simply because of many factors. William Sullivan stated that he will meet with Mike Reino and make sure Ms. Marad is in the conversation. We will work something out. Lynn Marad noted that she has photos. She gave William Sullivan her email address. She would like to be on the agenda for the next meeting. Mayor Cooper responded that when you get together with William Sullivan and Mike Reino, the committee will come to Council with recommendations and for a discussion. William Sullivan stated that he will contact Lynn Marad by Friday. She recommended that they come out after it rains. She thanked the Council. Having no other comments, the Council approved to close the public comment session.

DEPARTMENT HEADS REPORTS

Sewer Plant Operator

Sewer Plant Operator, Victor Gilardi, presented his report as attached to this set of minutes. The photographs represent the construction phases of the new Wastewater Treatment Plant.

Victor Gilardi noted that we will have both plants running at the same time. He will have to monitor progression of the biological life. It may take a month or two. We have to get that up and running before we take the old plant off line. Luckily, we will not do it in the winter time. Council thanked Victor Gilardi for his report and for watching over the plant.

Responding to Council, Victor Gilardi noted that he hopes the new plant will be up and running by the end of the summer. The construction company historically is one year past their due date. The plant is about sixty five percent complete. He thanked Jack Opdyke and note that Jack Opdyke is very helpful. In reference to bid specs and quotes, Victor Gilardi commented that he is willing to help do bid specs and quotes. He does it every year for sludge removal, generator services and lab services. Victor Gilardi noted that we are getting good products for the new sewer plan but in twenty years we will have to replace parts. It will be built into the budget. The new system is a good system and we will meet all the limits required by the State. Victor Gilardi thanked the Police Department for letting him use the equipment for his presentation.

Police Department

Chief Kurylka presented his report as attached to this set of minutes. Chief Kurylka noted that from 2004-2013, the call rate increased by 400%. If the Police Department stays as it is now, it is not doable. Officer Voll is leaving in a month or so and it will be a great loss to us. No one wants a part time position. Chief Kurylka added that Lieutenant Winfield and himself will be retiring in 3 years. The Governing Body will have to decide where it would like the Police Department to go and give him the tools he will need. Chief Kurylka noted that there are 4,100 cars a day, 1,496,000 per years, on the bridge which has increased tremendously and therefore, traffic enforcement is increasing. We do our best. He has put together all the stats and noted that a lot went up such as fire arms permits. Last year, he issues 30 and in prior years it was 5. In the nine year report, some numbers are close to the year before and others are way up.

Chief Kurylka noted that as to interaction with the community, he is in favor of working with local organization and helping in any way we can to make Frenchtown a great place to live. For National Night Out, he was able to get fireworks. The Police Department takes a lot of pride in what it does and we want to move forward in a positive manner. We have a Police Department that should be recognized and we want to continue in the next 3 years to bring it forward to make it a strong police department that will work with the Borough and provide the safety and quality of life everyone is use to. We get a lot of positive feedback from the community. He will only have 2 full time officers and 2 part timers to do everything once Officer Voll leaves. He does not want the State to say you better do something or get rid of it.

As to accomplishments and goals, Chief Kurylka stated that our Police Department and one State Trooper broke open the car burglaries case. Also, the Police Department has a drop box for medication. We are taking medication from people out of town too. It is a service we are providing so the medication does not get on the streets or abused by children. The box is almost full. We are thinking about doing pick up and delivery services for any age. We know there are a lot of elderly that cannot get here. As to National Night Out, National Night Out is a huge success and highly recognized in the State of New Jersey. He wants to put on a bigger fireworks display this year. He will work out the logistics. Another goal he is pursuing is working with the Lions Club and American Legion to put a pavilion on Harrison Street at the park. William Sullivan commented that he has ideas for the pavilion on Harrison Street.

Chief Kurylka stated that he hopes he can sit down and talk about the future of the department. His future is in the Governing Body's hands and the Governing Body has to decide what it wants to do. If you want the department to grow, we have to get going. Things are changing. Over the summer, we had a gang issue and we arraticated them by our presence and pressure. We developed motor vehicle warrants and the key players are gone because of the police department. Supplying services and training is important for the Police Department to grow. He needs help from the Governing Body to do more. Brad Myhre complimented Chief and Patrolman Voll for covering shifts during the snow storm when Patrolman Murphy was out and Patrolman Kelly was out. They were working 15 hours on Bridge Street getting the downtown cleaned up. The company did a fabulous job. We will have to have a dialogue about South Harrison Street. Mayor Cooper stated that we need an action plan so that we can go street by street and clear the sides. Chief Kurylka responded that he is not new to that. We have orchestrated that in the past. He plowed for the borough and they did alternate parking for removal of the snow. He is here to do whatever to get that done again.

Mayor Cooper commented that the calls and investigations are growing but the population is not growing. He asked Chief Kurylka what he attributes that to. Chief Kurylka attributed it to the Commons and noted that the Commons are changing. The department received many calls from that area. He has reached out to the property owners but they refuse to meet with him. Mayor Cooper commented that enforcement is resulting in less speeding violations. Chief Kurylka noted that our presence makes them slow down. Chief thanked the Council. William Sullivan commented that the Police Department has a great relationship with the community. Chief Kurylka responded that the community is on our team. He wants to be able to turn over the Police Department to the town with the same mentality. We are here to help but if you break the law, we will get you.

Chief Kurylka thanked Seth A. Grossman for the Buildings and Grounds request form. He asked about the status of the doors on Police Headquarters and commented that they need to be done.

Mayor Cooper extended an invitation for the March 20, 2014 Mayor's Schmooze and noted that William Ferry will be there.

Responding to Chief Kurylka as to approvals for events and locations, Mayor Cooper stated that we have already sent a notice out to the different organizations that events have to be approved so many days ahead of time.

Brad Myhre reported that Patty Smith contact him. She is in a leadership program and wants to do something for Frenchtown since the community was helpful to her when she lost her son. She has a June completion date for the project and what it will cost. She discussed a small pavilion in the picnic area at Old Frenchtown Field and perhaps do something unique with the floor of the pavilion to reflect all the children in town. Brad Myhre will provide further information to the Council.

Green Team

Mayor Cooper stated that he got a call from Dominikija Prostack that something has come up.

Hill Streets Infrastructure Committee

Mayor Cooper noted that the Hill Streets Infrastructure Committee does not exist yet. He would like to take the opportunity to get that started and see what steps we can take. He knows people from the Community who would like to be on the committee. Mayor Cooper stated that we should have two Council people on the committee. William Sullivan stated that he will be on the committee. Warren Cooper commented that he will be part of the committee as well.

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 Michele Liebttag, seconded by Brad Myhre and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the consent agenda approving Resolutions #2014-37 as amended (second amendment) as follows and the bills list dated 3/5/14.

RESOLUTION #2014-37

RESOLUTION AUTHORIZING A SECOND AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT BETWEEN KLEINFELDER EAST AND THE BOROUGH OF FRENCHTOWN FOR CONTINUED ENGINEERING SERVICES IN CONNECTION WITH THE BOROUGH OF FRENCHTOWN WASTE WATER TREATMENT PLANT UPGRADE.

WHEREAS, on October 5, 2011, Kleinfelder East was awarded a Professional Service Contract under the Non-Fair and Open Process to provide services for the design, permitting and financing assistance for the Borough of Frenchtown Waste Water Treatment Plant Upgrade ; and

WHEREAS, Kleinfelder East submitted a Second Amendment Proposal to the Borough of Frenchtown, dated February 3, 2014, in the amount of \$194,560.00 for the Borough's Waste Water Treatment Plant Upgrade, which proposal describes the continued services needed to be provided by Kleinfelder East for construction and start up services for the Plant; and

WHEREAS, the Borough of Frenchtown Common Council agrees to approve a Second Amendment Proposal to its Professional Service Agreement for engineering services for the Borough of Frenchtown Waste Water Treatment Plant Upgrade with Kleinfelder East in the amount of \$194,560.00 to completed the project as quickly as possible; and

WHEREAS, funds are available and have been certified as such by the Chief Finance Officer.

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

1. The Common Council agrees to approve the Amendment Proposal from Kleinfelder East to the Borough of Frenchtown, dated February 3, 2014, in the amount of \$194,560.00 for engineering services for the Borough's Waste Water Treatment Plant Upgrade, which proposal describes the continued services needed to be provided by Kleinfelder East for the bidding, construction and start up services for the Plant.
2. The Mayor and Clerk are hereby authorized to execute a Second Amendment to the Professional Service Agreement between Kleinfelder East and the Borough of Frenchtown in the amount of \$194,560.00.
3. This amendment is made based upon the Certification of Funds by the Chief Financial Officer.
4. A notice of the amendment to the professional service agreement shall be printed once in the official Borough of Frenchtown newspaper.
5. This Resolution shall take effect immediately.

TO:

Financial Administration – Other Expense	\$ 25.00
Engineering – Other Expense	\$400.00

Warren E. Cooper, Mayor

Attest:
March 5, 2014

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2014-39 – A Resolution authorizing Borough Engineer Maser Consulting P.A., to prepare and advertise a bid for the Creed Road Stream Bank Stabilization Project

On motion by William Sullivan, seconded by Brad Myhre and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-39 as follows:

RESOLUTION #2014-39

RESOLUTION AUTHORIZING BOROUGH ENGINEER, MASER CONSULTING P.A., TO PREPARE AND ADVERTISE A BID FOR THE CREEK ROAD STREAM BANK STABILIZATION PROJECT

WHEREAS, the Governing Body of the Borough of Frenchtown has a need to repair damage sustained during Hurricane Sandy along the eastern stream bank of the Nishisakawick Creek adjacent to Creek Road in the Borough of Frenchtown; and

WHEREAS, in order to make the repairs, an application had to be made to the New Jersey Department of Environmental Protection (NJDEP) for Freshwater Wetlands and Flood Hazard Area permits. Those permits were subsequently approved by NJDEP on February 11, 2014; and

WHEREAS, the Governing Body is now in a position to authorize the Borough Engineer, William H. Burr, IV, P.E. of Maser Consulting P.A. to prepare bid specifications and advertise the bid for the Creek Road Stream Bank Stabilization Project.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the Borough of Frenchtown, County of Hunterdon and State of New Jersey that the Governing Body authorizes the Borough Engineer, Maser Consulting P.A. to prepare bid specifications and advertise the bid for the Creek Road Stream Bank Stabilization Project.

Warren E. Cooper, Mayor

Attest:
March 5, 2014

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2014-40 – Authorization to pay outstanding professional bills of Archer & Greiner, PC for the Warren House LLC Account deficiency in the amount of \$942.50 from the Frenchtown Borough other expense budget

Mayor Cooper noted that we anticipate that the applicant will pay the bill but we do not want the professionals to wait to be paid. On motion by Brad Myhre, seconded by William Sullivan and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-40 as follows:

**BOROUGH OF FRENCHTOWN
RESOLUTION #2014-40
AUTHORIZATION TO PAY OUTSTANDING PROFESSIONAL BILLS OF ARCHER &
GREINER, PC FOR THE WARREN HOUSE LLC ACCOUNT DEFICIENCY IN THE
AMOUNT OF \$942.50 FROM THE FRENCHTOWN PLANNING BOARD OTHER
EXPENSE BUDGET**

WHEREAS, there exists a deficiency in the Planning Trust Account for Warren House LLC. in the amount of \$942.50, and
WHEREAS, the Frenchtown Planning Board has made several attempts to collect this deficiency from Warren House LLC for the professional bills for Archer & Greiner PC, and
WHEREAS, the Frenchtown Planning Board at its meeting on February 26, 2014 authorized to pay the outstanding professional bills of Archer & Greiner PC for the Warren House LLC account deficiency in the amount of \$942.50 from the Planning Board Other Expense budget; and
WHEREAS; the amount of \$942.50 will be reimbursed to the Planning Board Other Expense budget when the matter has been resolved with Warren House LLC.
NOW, THEREFORE BE IT RESOLVED, by the Common Council of the Borough of Frenchtown, County of Hunterdon and State of New Jersey to approve payment of the outstanding professional bills for the Warren House LLC account to Archer and Greiner, PC in the amount of \$942.50 from the Planning Board Other Expense budget.

Warren E. Cooper, Mayor

Dated: March 5, 2014

Attest:

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2014-41 - A Resolution supporting the Mayors Wellness Campaign

Mayor Cooper noted that the Borough joined a year ago. Members of the community including Bonnie Pariser would like to take it further. By passing the resolution, we will give her what she needs to go further and they will get 5 points for Sustainable New Jersey. On motion by Michele Liebttag, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-41 as follows:

RESOLUTION 2014-41

A Resolution Supporting the Mayors Wellness Campaign

Whereas, Across New Jersey, communities are facing a rise in health care costs, and

Whereas, Physical activity levels have been decreasing and obesity rates increasing, and

Whereas, Local leaders are looking for ways to promote active living, healthy eating, and overall wellness in their communities, and

Whereas, The Mayors Wellness Campaign (MWC) works with mayors and key leaders to shape healthier lifestyles for the men, women and children in their communities, and

Whereas, Communities can work towards the goal of healthier citizens and lower health care costs by championing practices and programs that promote active living, and

Whereas, The MWC will work to implement a comprehensive program of outreach, education and technical assistance activities to combat obesity and inactivity for Frenchtown, New Jersey,

Now therefore be it resolved, by the Council of the Borough of Frenchtown, New Jersey that all residents of this community join us in supporting the Mayors Wellness Campaign

And be it further resolved, that Borough Council encourages Frenchtown residents to participate in Mayors Wellness Campaign activities to promote exercise, eat properly and live healthier and better lives.

Borough of Frenchtown

Warren E. Cooper, Mayor

Dated: March 5, 2014

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

NEW BUSINESS

QPA discussion

Brad Myhre stated that we need a QPA so we can make purchases. He reached out to Lambertville, they do not have one. There is a couple of options. We can use a private vendor to hire on a contractual basis. The other option is have someone trained in the Borough. CFO, Diane Laudenbach has the designation. He thinks the Borough should move forward in some way. We can see if the League of Municipalities can point us in that direction. Responding to Seth A. Grossman, Brad Myhre noted that Rutgers offers the courses.

OLD BUSINESS

Recycling – Food Waste recycling

Mayor Cooper noted that there is nothing new to report.

Wastewater Treatment Plant Facility update

Mayor Cooper noted that Victor Gilardi addressed this in his report.

Frenchtown Bridge Street LLC

Mayor Cooper noted that there was a general agreement to have Frenchtown Bridge Street LLC come back to the March Planning Board. Attorney Cruz noted that their proposal is to switch the COAH units from the third floor to the second floor, and the second floor office space to the third floor. Mayor Cooper added that he thinks he will get offices marketed from the view. Paul Michael was at the February meeting and they want to move forward. Attorney Cruz noted in reference to the Bond reduction, that under the municipal land development law, developers are required to place bonds for certain public improvements. Certain public improvements have been constructed and inspected by Engineer Robert Clerico. The Council has a memo dated February 25, 2014 from Engineer Clerico wherein he makes a recommendation to reduce the amount of the performance bond. What the Borough has on file is a letter of credit. Engineer Clerico is making a recommendation that the bond be reduced to \$553,894.80. One of the big items is the water service. That will be constructed by New Jersey American Water Company as part of their contract with the water company. Council noted that the numbers are different. Attorney Cruz stated that the Borough should go with the number on the tally sheet because it is higher and he will get clarification. To reduce the amount of guarantee requires an act of the Governing Body, a resolution approving it. Under the Municipal Land Use Law, municipalities have 45 days to act on that. Since it is close to the 45 days, Attorney Cruz recommended the Council entertain a resolution to reduce the bond using the higher number. Based upon the work done and inspected by Engineer Clerico, the Borough has enough to meet the Municipal Land Use Law. He recommended approving it this evening and doing a memorializing resolution at the next meeting. On motion by Brad Myhre, seconded by William Sullivan, and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the reduction in the Bond amount for Frenchtown Bridge St. LLC. (River Mills) in the amount of \$553,894.80 as recommended by Engineer Robert Clerico

in his letter dated 2/25/14.

Hilltop Streets

Mayor Cooper noted that this will be discussed in executive session.

Borough Administrator update

Mayor Cooper stated that he would like to share a few things in the public session. In the Borough Council packet is the Annual Financial Statement completed by the auditor. He asked Council to turn to sheet 21, on the left hand side to surplus, current fund year. Mayor Cooper noted that we began in 2013 with a surplus \$282,651.00 and we applied \$221,000.00 to the 2013 budget and reserving \$61,000.00. We ended this year with a surplus of \$336,818.78 including that \$61,000.00 that we did not apply to the budget. This puts us in pretty good shape. In addition, we had good fortune with collecting considerably more in taxes. We had based on last year, 94.46% collect in 2012 and we reserved \$236,000.00. This year because our tax collection rate went up 1.5 points or more, we collected all but \$154,000.00 which contributed to the surplus amount. We have those figures to work with for the question of whether we can afford a borough administrator. We are in a position to answer in a positive way. You also have the tax collector's amount. Cathy Leach commented that we had a spending freeze that contributed to that. Mayor Cooper noted that the Borough's efforts to make things financially better have been paying off. Going toward the route for paying for this position, the administrative committee met and identified lines that had significant amounts that were not spent. We can maybe use that in 2014 for the Borough Administrator. Both Auditor Korecky and CFO Diane Laudenschlager agreed that it was a reasonable strategy. It puts us in a more flexible position. Brad Myhre noted that we use part of the \$300,000.00 to offset the tax base. Last year, we held \$62,000.00 in reserve. Mayor Cooper suggested that the Borough do something similar in the 2014 budget. William Sullivan commented that the spending stopped in some of these line items because of the spending freeze. The Shade Tree Commission stopped spending because of the spending freeze and postponed the work until this year hoping to get the money this year. Mayor Cooper noted that the Shade Tree Commission has historically not used the amount budgeted in the last few years. In 2013, the spending freeze contributed to that. We also doubled the budget. We are talking about \$500.00 here and there. This is an example on how we can go about it and noted that we may not take \$1,000.00 from those line items. Cathy Leach commented that you are making an assumption that the budget could stay at the 2013 level. What are the 2014 projections? Mayor Cooper stated that we do not have all those projections yet. That will influence whether we take something from one area or not. This is a demonstration on how we can go about it. Michele Liebtag stated that we need to ask Auditor Korecky about last year's surplus being infused into this year's budget. Mayor Cooper stated that Auditor Korecky says we could use it. One question that is outstanding is if we can use surplus for the capital budget or any other items. He is waiting for confirmation. Responding to William Sullivan about whether the surplus is being used inside the budget cap, Mayor Cooper stated that one cap represents how much we can raise taxes, the levy cap which is 2%, and the budget cap is 3.5%. The point is to demonstrate that we have it within the budget to meet the amount needed. William Sullivan noted that we have a lot of problems with streets and road because we consistently cut out of the streets and roads budget. We did agree to put in the additional \$10,000.00 last year. We have to talk to Mike Reino. Responding to William Sullivan as to the police budget, Mayor Cooper stated that the police budget will include the full costs of the officer hired from the COPS grant. Brad Myhre noted that we reserved a portion from last year because the grant covered longer than we anticipated. William Sullivan asked what other expenses do we have to incorporate into this year's budget such as the ambulance, etc.? Brad Myhre stated that we have to incorporate those numbers.

William Sullivan noted that it is still \$36,541.00 and asked what we spent last year on that? Brad Myhre commented that he believes it was approximately \$25,000.00. William Sullivan responded that it will be an additional \$12,000.00 needed for that. Cathy Leach asked if this represents the salary that we want to offer. Mayor Cooper stated that if we set a hiring resolution, it would say shall not exceed. The discussion of salary we would have in executive session. Mayor Cooper added that he wants to point out that the sewer advisory committee was asked to look at their budget to see if that budget going into 2014 and 2015 could support a share of the expenditure of this position because we have debt to match going forward. Adam Liebttag and the committee have concerns that it may be tight. We talked about the possibility of using those funds in a limited way but as Jack Opdyke has said there is some portion of the Borough Administrator's job that will be overseeing that department. We do not know what that is yet. The \$12,500.00 represented a half of a day of this persons work. We will have a better idea at end of 2014 and we can adjust it going into 2015 when we have a more accurate representation. William Sullivan stated that he thought that the Council made a commitment that we would increasingly shrink the portion of the municipal budget that was funded by sewer. Mayor Cooper responded that the commitment we made was that we would make every effort to make sure that the portion of an employee's pay that was coming out of the sewer fund represented the time spent working on sewer related items. That is a task the administrative committee must take seriously in the budget discussion.

Brad Myhre stated that one of the things, if permissible, that he would like to do is use surplus to pay off the debt service that would be paid off in 2015. It would alleviate some of the burden on the sewer fund for meeting its obligations and paying for the new plant. Mayor Cooper stated that they posed that questions to Auditor Korecky's voicemail. Brad Myhre stated that it is important to note that the margin between what the sewer rents are bring in and the debt service is not a lot. Responding to Mayor Cooper as to the surplus in the sewer budget, Adam Liebttag noted that for 2013, the sewer budget ended with approximately \$13,000.00 of unspent money in the salary line item and about \$15,000.00 of unspent money in the operating budget line item. That is very tight. There is a \$42,000.00 existing debt payment in 2014 and another \$42,000.00 in 2015 and that debt will be paid off. We are building that into our revenue projections and expenses for this year and next year. If the Borough could dedicate perhaps \$42,000.00, we could retire all of that debt in 2014. Adam Liebttag added that since the rate increase is essentially one year behind as we missed a \$40.00 increase (\$40.00 x 880 units) which is approximately \$36,000.00, it would catch us up if we pay off the \$42,000.00. It would be nice to see Borough money come back to the sewer. If you had a good collection year in 2013, head you bets and pay off some debt now instead of putting it into reoccurring expenses. Cathy Leach asked if the fines for the violations come out of the 2014 budget? Brad Myhre stated that he thinks Victor Gilardi said that is what it will be. Mayor Cooper stated that it is an obligation but it can potentially come out of the 2013 budget. Cathy Leach expressed concern that we may not be recognizing other items that may be out there.

Mayor Cooper stated the he would like to after the discussion in executive session invite the candidate that we are recommending to meet the members of Council if we can come to a consensus as to whether or not we can fund this position. He would like to call a special meeting in two weeks from now for that purpose. Cathy Leach commented that before we figure out if we can fund this position, a meeting with the candidate seems premature. Mayor Cooper responded that we do not quite have enough information to build a 2014 budget but enough to indicate in his opinion that we can build a 2014 budget that includes the borough administrator position. Part of what he is trying to do is to identify a means by which that can occur. If we wait until we have a budget hammered out to the degree we submit it to the State and then try to add the Borough

administrator position then we are potentially looking to May. He thinks we are making a mistake to not have the Borough Administrator on hand to help develop the 2014 budget, and if that person were to help develop the budget, it would be more naturally the individual's responsibility to make sure that budget was followed. Also, we are missing months of oversights of the Borough operations and personnel that we agree we need. William Sullivan responded that we have been getting along this far just fine. Mayor Cooper commented that when John Butler was here he was not only the DPW Manager but also Sewer Operator and dug the ice skating rink all by himself with help from Jerry Case. It is not the way it was. We all agreed, this Council, the Council that preceded this one, and the former Mayor, that the town was not getting its best out of the Borough Council and the Governing Body and that could be bettered by having a Municipal Manager/Borough Administrator in place. We have a unique opportunity to hire that person now and he does not see any reason to delay any longer. He wants to hear how we are going to know that we cannot do this 5 month from now. We would have to budget the same amount or near the same amount because we would be facing the same problem in 2015 to try and build a budget that would stay within the caps. William Sullivan stated that we do not know about this \$12,500.00 and we may need another \$12,000.00 or more for the ambulance. He does not see how he could not make commitment until we have at least raw numbers. Brad Myhre recommended that the Council put a preliminary budget together. Maybe as of April, we could put together a proposed budget and incorporate the numbers. Seth A. Grossman commented that the Administrative Committee put together a preliminary budget, has done the work and it looks solid that we can afford to do this. It is a matter of affordability. We want the position. Cathy Leach stated that this is the first time she is getting a cost projection and did not know the cost was so high. It is nice we want it but maybe we cannot afford this right now. She was shocked at the number. It is high for part time. Brad Myhre responded that it has been a learning experience. We have gotten to the best point we have ever been at. It has taken a lot of time. He believes if the Council commits to another meeting, he will put the time in to put together a preliminary budget. William Sullivan commented that he knows the Administrative Committee put a lot of time and effort into it and asked if this is a position that is above a town our size, a position of that expense? Is this something that we should look at for shared service with another town? We want it this year but may not get it this year. This seems like an awful extravagant expense for a town of this size with the number of people this person is overseeing. Maybe the position is too grand for what we need. Brad Myhre noted that we were operating under the premise that council wants this position and get to a point where we show you how we can afford it. It is hard to share service with this position. Mayor Cooper noted that we interviewed a person who is operating under a shared service and it sounded to him like this person was trying to get out of it. William Sullivan stated that it sounds too grand. We need a truck. This winter will increase our cold patch need. This is a huge commitment. Mayor Cooper suggested we now have an opportunity from his perspective that we can replace the truck. Brad Myhre recommended putting together a budget to see the numbers. Michele Liebttag added that it is important to do a budget to see what will work. We can talk about moving surplus into the other areas so we have a real idea of what will work. Mayor Cooper stated that we have a budget in the works already. Brad Myhre stated that there will be no action tonight. Seth A. Grossman stated that the Administrative Committee has done a lot of good work. Mayor Cooper stated that we will get there and he knows this is a hard decision for everyone to make. Seth A. Grossman stated that the purpose of the public administrator is to get things done more effectively and efficiently, to save money and to get money, and this Borough Administrator will help get money or pick it up because we have no one to go after it and to get it done in a timely manner for example a repair job. Jack Opdyke said it best at the sewer meeting that when he was on Council in 1980, if he put in 2 hours a month that was a lot. He added that it is incredible the amount of work Council is expected to do.

The Manager works for us. They watch out for the interest of the Borough. We oversee them and the Manager implements things and manages us when it comes to projects. We have a lot of problems in that area and it is not because of everyone at this table is incompetent. We have an excellent Council but we can only do so much as volunteers. Mayor Cooper recommended that Council set up a meeting for March 18th at 7:00 pm. Council consented.

Generator for Public Works

Attorney Cruz noted that he was out of the office this afternoon but he did bring a resolution. The resolution is conditioned upon the CFO's certification. If you are having a meeting on March 18th, he would recommend doing a more formal resolution than as the CFO can provide a certification of funds for that meeting. Attorney Cruz added that he does have questions about the proposal. Responding to Mayor Cooper, Brenda Shepherd noted that they are waiting for the certificate of occupancy for the public works building before they install the generator.

MAYOR'S COMMENTS

Mayor Cooper reported that he scheduled the Mayor's Schmooze on February 20th. We had 12 groups represented. He will hold a second one on March 20th.

Mayor Cooper reported that he got notification that the snow removal and other costs associated with snow removal will be outside the CAP. He also mentioned that Holland and Alexandria Townships went through a property reassessment process. That will have implications on the school tax levy that Frenchtown will pay. We will need to talk about it going forward.

Mayor Cooper noted that the Interlocal Agreement with Lambertville expires June 30th. He thinks it is a good opportunity.

Mayor Cooper noted that he attended two of the Comprehensive Economic Development Strategy (CEDS) meetings. There is one before March 18th and one on March 26th.

Cathy Leach reported that she posted regulations on the Pavilion and the Borough's website for the use of the ice rink based on the insurance company's recommendations.

Cathy Leach also reported that the Green Team will head up the Park Clean Up. We want to do it April 5th to avoid disturbing any birds that might be nesting. The planting of the flower boxes will probably happen in May and perhaps the playground.

Seth A. Grossman reported as to Buildings and Grounds that he is putting together a list of what we need to have done in the buildings. He will prioritize what has to be done and put together a better Buildings and Grounds plan.

Seth A. Grossman also reported that the Downtown Revitalization Committee presented its third community presentation. He will make a final presentation and requested to make that presentation to Council. He will ask the committee to look for grant money. The proposal will be the guts of a grant proposal. Council will need to officially accept it.

Brad Myhre reported that Patrolman Murphy's mother passed away. He took 3 days off per the regulations. Borough can allow an additional 3 days. Patrolman Murphy asked that we give him the fourth day. On motion by Brad Myhre, seconded by Seth A. Grossman and carried by unanimous

favorable roll call vote, the Mayor and Common Council approved the request of Officer Murphy to allow an additional day of bereavement due to the death of his mother.

Michele Liebttag asked Council to save the date because Hunterdon Humane will be doing an open house on April 5th.

CORRESPONDENCE

Cathy Leach commented on the letter from the NJDEP in reference to the Borough's resolution that they are not going to waive the fine. Attorney Cruz noted that it is a very nice letter. The NJDEP did consider the Borough's request although they did deny it.

Cathy Leach also commented on the Municipal Court's information technology equipment. She asked if the Municipal Court will need that if they will be moving. Mayor Cooper stated that the Court committee discussed it but there is a snag. Attorney Cruz noted that it is for the computer system. Mayor Cooper noted that the Court Committee is going back and forth trying to hire a part timer to replace the woman that left last year. The Committee agreed to pay \$12.00 - \$15.00 per hour for that person. He will keep everyone posted on that.

EXECUTIVE SESSION

Property Acquisition – Hilltop Streets – Road Improvements Contract Negotiations – Borough Administrator

Mayor Cooper stated that the Council will have to go into executive session for 2 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 10:20 pm and approved Resolution #2014-42 as follows:

RESOLUTION #2014-42

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. Property Acquisition – Hilltop Streets – Road Improvements
 - b. Contract Negotiations – Borough Administrator

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: March 5, 2014

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

The Council came out of executive session at 11:12 pm.

ADJOURNMENT

Being no further business to come before the Mayor and Council, the meeting was adjourned at 11:12 pm on motion by Michele Liebttag, seconded by Brad Myhre and carried by favorable voice vote.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk