

**CALL TO ORDER**

Council President Brad Myhre 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**

Brad Myhre asked everyone to stand for the flag salute.

**ROLL CALL**

Present for the Meeting:

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

Absent from Meeting:

Mayor Cooper

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

**PUBLIC COMMENTS**

The Council approved to open the public comment session.

**Hunterdon Humane Society presentation**

Chadd Tindall, acting manager for the Hunterdon Humane and veterinarian, noted that we are doing our best to rectify the problems with Hunterdon Humane. The shelter at this time has a limited number of animals at this time and is 100% spotless. We are having an open house on April 12<sup>th</sup>. Animal Control is a problem. The Borough had a contract with Hunterdon Humane and when the SPCA took over, they decided to do away with the animal control for a number of reasons, one being that the staff was not adequate to do animal control. In the meantime, we subcontracted with Animal Control Solutions. The SPCA is willing to keep Animal Control Solutions on and cover the Borough until the Borough can find their own animal control. Animal Solutions has been paid through the first of May. We will keep them as the animal control until each township can find an alternative. The SPCA does not want to do holding at the Hunterdon Humane facility. He will push to get that back because it is a community shelter and a local shelter. In the meantime, he has a practice in Flemington that is a holding facility for several townships and he will take Frenchtown’s animals there. Responding to Brad Myhre as to the future of the facility, Mr. Tindall stated that the SPCA is in temporary receivership of the shelter. The Hunterdon Health Department gave us the clearance to open. He will push them to be a holding facility. St. Hubert’s in Branchburg is a holding facility. Once you pick an animal control company and you know where your holding facility is, please put the holding facility in the town bulletin so people know where to go. Responding to Brad Myhre, Dr. Tindall noted that there was a push for the County to do the animal

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control, but a lot of Townships do not want it because if it is a central control, it will have a central holding facility and some people will have to drive 45 minutes to pick up an animal. It is better to have smaller holding facilities around. Dr. Tindall noted that his holding facility is in Flemington on Route 202. It is a holding facility for 4 or 5 municipalities. He added that he likes Animal Control Solutions. They know his protocols and they seem to be the best of the ones that he has dealt with.

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

## **DEPARTMENT HEADS REPORTS**

### **DPW**

The Public Works Manager, Mike Reino, provided the attached report.

Responding to Mike Reino's comment as to not having a curbside brush clean up program, Michele Liebttag noted that she will address that issue in the newsletter. Cathy Leach commented that the Borough does the curbside pick up of brush only after major storms.

Mike Reino also reported that a tree came down on a car on Fourth Street. We used the backhoe to push a tree out of the way. We use the backhoe a lot. The backhoe is now 14 years old and 20 years is normal cut off. If we do not have one, we will have to rent one. We also need to keep maintaining the grader, the 1998 pick up truck, the 2006 pick-up truck and the 2010 mason dump. The next truck we will need is a mason dump which will be difficult to keep under \$50,000.00 with stainless steel to last. We need to plan to buy a backhoe in the next 4 to 5 years. A backhoe is about \$100,000.00. Over the years, he talked about all of this but money was never available. As to the Chief's old car, the Expedition at the DPW, he talked to Koches and there are issues with the vehicle but the sewer department could use it as transportation for a while. Brad Myhre noted that the Council will take a look at that. As to the budget, the Council is going through the budget trying to think long term. With the loss of tax collection, etc. over the past few years, the alternative was to cut back on equipment so we did not have to have layoffs. Brad Myhre added that this year's capital budget will increase but will not be back to the 2007 levels. Mike Reino noted that Eleventh Street will need to be repaved and the park bathroom repairs can be done by DPW. We will remove and replace pipes and put pipes where the water is running and damaging the area. Mike Reino also noted that as to the dirt roads on the hill, the vegetation is encroaching into the road and the cedar trees are entangled in the wires and he cannot push it back. He cannot get by with the plow anymore. William Sullivan commented that if the Borough ever takes those roads over, it would be a shade tree issue. We will need to look at that because none of the ordinances apply up there.

Mike Reino discussed the salary ordinance and the need to provide for advancement in order to motivate someone to want to do more. Given a better economy, Mike Reino stated that the Borough could lose people. His salary requests are not a large investment. He added that he talked about a lot of things and commented that the Council has goals. He is open to that discussion and if there are jobs the Council wants DPW to do, he can talk about it. He would like to talk about Council's long term goals and the need to come up with a plan.

Council thanked Mike Reino.

Brad Myhre noted that Dominikija Prostack was suppose to be here from the Green Team tonight.

### **Downtown Revitalization Proposal**

Seth A. Grossman noted that Downtown Revitalization Committee began this process in 2012. Later that year, we put together a planning document and in January 2013, we decided to take one recommendation in reference to the streetscape. On March 22, 2013 we signed a contract with Masur Consulting. This became a public private partnership. The Frenchtown Business and Professional Association put up half the money and the Borough put up the other 50% for Engineer William Burr of Masur Consulting at an excellent price to get a concept plan put together. We finished that in November and then we met with a number of community groups. We had a number of people come from different parts of the community. Seth A. Grossman provided a list of the members who are on the Downtown Revitalization Committee, Jonathon Perlstein and Michael Padovan, Co-Chairmans, Councilwoman Cathy Leach, Randi Eckel who is the Chairman of the Planning Board, John Hindman, resident and business owner, Diane Dalrymple who was President of the Business Association at the time, Dominikija Prostack who is Chairman of the Green Team, Michelle alotta, area business person, Dorsey Reading, major building owner. These committee members put in 2 years on this committee. Seth A. Grossman noted that there is a NJDOT grant available through the Transportation Alternative Program of up to \$1,000,000.00. That is what we need for a basic program. There will be a resolution later in the meeting on this. We have gone through an excellent process through the community and Council. He turned the floor over the Engineer William Burr for a power point presentation.

Engineer Burr presented the attached power point presentation. The details will get resolved in the engineering aspect. The plan is a basic concept. It is a collaboration of great ideas from the committee and community. Engineer Burr noted that the areas we focused on were Bridge Street from the river, up Bridge Street to Race Street to the public parking lot and then turned down Second Street. We also looked at improvements on Harrison Street between Bridge Street and Second Street and some lighting improvements down Front and Lott Street to the post office on Trenton Avenue. We also came down Route 12/Kingwood Avenue to the hardware store and Route 29/Trenton Avenue to Lovin Oven. The effort was to bring some sense of unification to those areas.

Engineer Burr noted that the focus was on decorative street lights, landscape trees, landscape planters, new signage, new street furniture, new trash and recycling and new bike racks. This is the streetscape improvements and then you have the burying of the overhead utilities. These were the goals the committee came up with and as we worked through the process, these were the important items to capture and enhance the small town charm and improving the walkability and safety of the downtown area along with unifying the outline areas of Kingwood Avenue, Trenton Avenue and Race Street with lighting. We wanted to eliminate the clutter with the overhead utilities and signage. Repairing some of the damaged sidewalks is part of the plan. There are still a lot of improvements that need to be made such as handicapped ramps, the trees upheaving the sidewalks,

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consolidate and improve signage and the overhead utilities. The street lights were the focus. By placing the street lights strategically in certain areas, it brings the areas together. One of the goals was to improve the walkability. The typical main street lighting, a shielded light about 12 feet tall, will be spaced 75' to 100' apart for an even distribution of lighting. We tried to make the bridges on Route 12 and Route 29 part of the attraction. We also tried to model the light poles with the sign posts bring everything together. Landscaping was the second component. Putting in landscape trees appropriate for the area and putting in additional landscape planters is part of the plan. There is a lot of opportunity. We also tried to add lighting to the parking lots and around Front Street and lighting to the Borough Hall building. The section from Bridge Street to the post office is very tight and will be difficult because of the retaining walls. Further down the road, we add more street lighting to the bridge and we are proposing a sidewalk extension to Lovin Oven with more lighting and landscape trees. We also talked about incorporating "Welcome to Frenchtown" signage at the 5 points into Frenchtown. The goal of the sidewalks was to keep the pavers but improve the area without pavers with pavers, areas with heaved pavers be reset and put in handicap ramp areas where there are none. There are many different options you can look at.

Engineer Burr noted that the other area we looked at was burying the overhead wires which is a huge expense. Perhaps we can sit down with the utility company to see what the cost would be. There is funding for the street improvements but he is not aware of funding for burying of overhead utilities. Burying the wires was a goal of the committee. There are benefits of doing it. Responding to Michele Liebtog, William Burr noted that you would bury the overhead lines at the same time you do the streetscape project so that you are not removing paver sidewalks, etc. later. Cathy Leach stated that we can work to remove some of the wires not in use and consolidate some of the wires. William Burr stated that it would be an important step. Getting the utility company to sit down and see what we can do to consolidate, upgrade transformers, etc. to enhance the appearance as an alternative is important.

As to a grant application, William Burr noted that the committee invested a lot of time putting this proposal together. If you choose to move forward with a grant application, it will weigh in your favor because you already invested a lot of time and effort in putting concept plans together and have already prepared cost estimates. There are other policies in town that were adopted and created that would carry weight in a grant application. There is no match required for the grant. It is a federal grant administered by NJDOT called the Alternatives Transportation Grant Program. It is a brand new grant. It is a hybrid program, a combination of several other grant programs that have been combined. It is intended for non-traditional type projects such as historical improvements, environmental, landscape and beautification, streetscape projects that emphasize pedestrian and bicycle facilities. That is one of the key objectives of the program. Federally funded applications are due on May 15, 2014 and are submitted electronically through the NJDOT as our road applications are submitted. There is no local match required. They say that you can request any amount from \$150,000.00 up to \$1,000,000.00 and they recommend that the municipality offer to cover the soft cost which includes engineering and legal expenses. They do not require it and you can include it in the grant application. If you do not cover the soft costs and you receive grant money, in order to award a contract, you have to go through the federal procurement process, which is a very strict public bidding process for professional services. Brad Myhre noted that such things

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as an RFP would be cumbersome and may be beyond our ability. Engineer Burr's recommendation is to cover the soft costs. The Borough would have to comply with all federal requirements and go through the federal eligibility process. You will need to have a full time employee dedicated to oversight of the project. You will need to show you can follow through with the key objects of the grant program. You will need to have a set of policies or standard operating procedures showing how the objectives will be met and how the process will be administered. If you get through the eligibility process, you will get the money. Engineer Burr stated that he is confident that the Borough can meet the eligibility process but it will be a lot of work on the Borough's end. A million dollars is a lot of money. Responding to Brad Myhre, Engineer Burr noted that in the grant application, the Borough would select what it is applying for such as construction, soft costs, etc. The grant program would not cover the utility costs or the full time employee. The grant is for \$1,000,000.00 of which \$200,000.00 may be soft costs. Responding to Seth A. Grossman as to the ability for soft cost to be covered by another source, William Burr stated that soft cost can be covered by another funding source and recommended looking for other funding for soft cost. William Burr noted that the deadline for the grant application is May 15<sup>th</sup> and recommended submitting the grant application and looking for other funding sources such as the Bridge Commission or the County in any of their programs to cover the soft costs. You can put in a two phase project and maybe they will give you the first phase for example the downtown area and then the second phase would be Trenton Avenue, etc. We can structure the application to give us the most flexibility. Brad Myhre stated that we do not have the staff in place to handle that like a larger town. We need to make the right decision going into the process. William Burr stated that it will be an effort for the town to prove eligibility to make sure that you have the resources in place to follow through with the grant. If you do not go for the application, you will not know if you are eligible. It is a lot of effort to put the grant application together. The Borough has the advantage of having done the plans and initial process which will keep the cost down. There is still a lot of work to be done to show that you met the intent of the program and to show proof of the benefits of this project. In his email, he put \$2,000.00 as the cost to put the application together. One of the things they ask for is letters of support. They ask for a maximum of five. He is confident that we can get more than five and submit the five most powerful letters. You can get letters from Hunterdon County, Hart Commuter Services, Sustainable Jersey, American Planning Association, New Jersey Transportation Planning Association, the Frenchtown Business and Professional Association and the schools. John Hindman, committee members, asked if it is possible for some of the Revitalization Committee members to help the process along to alleviate some of the time in developing the proposal? William Burr stated that there are definitely things the committee can do to help the process along. John Hindman stated that the committee is vested into the process and if there is a way to make this a reality, we would continue in this path. Seth A. Grossman stated that a letter of support from the Association will help. He added that we will include the soft costs into the project since the deadline is coming up soon but we will look for outside funding for the soft costs.

William Burr stated that he did prepare a draft resolution and Attorney Cruz reviewed the resolution. He added that if everyone is on board, he would like to get Council's approval tonight. The Borough has a realistic shot at the federal money. Brad Myhre commented that the Committee did an excellent job and thanked William Burr and Seth A. Grossman for the presentation. Brad

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Myhre added that he believes that since the ground work has already been done, it will help our application tremendously.

**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 Cathy Leach and carried by unanimous favorable roll call vote, the Common Council approved the consent agenda approving Resolutions #2014-45A, #2014-46 and #2014-51 as follows and the bills list dated 4/2/14.

**RESOLUTION NO. 2014-45A**

**TEMPORARY BUDGET APPROPRIATIONS**

**BE IT RESOLVED**, by the Mayor and Common Council of the Borough of Frenchtown, County of Hunterdon and State of New Jersey, that the 2014 Temporary Budget Appropriations be raised by the statutory one twelfth.

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Warren E. Cooper, Mayor

Attest:

Dated: 4-2-14

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Brenda S. Shepherd, RMC  
Borough Clerk

**RESOLUTION #2014-2-46**

**Governor's Council on Alcoholism and Drug Abuse  
Fiscal Grant Cycle July 2014-June 2019**

**FORM 1B**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Borough Council of the Borough of Frenchtown, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Hunterdon;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Frenchtown, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Delaware Valley Municipal Alliance grant for fiscal year 2014 in the amount of:

DEDR: \$20,777.00  
Cash Match: \$5,194.00  
In-Kind: \$15,582.75

2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED:

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Warren E. Cooper, Mayor

**CERTIFICATION**

I, Brenda S. Shepherd, Borough Clerk of the Borough of Frenchtown, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Borough Council on this 2nd day of April, 2014.

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Brenda S. Shepherd, Municipal Clerk

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**RESOLUTION 2014-51**

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**TONNAGE GRANT APPLICATION RESOLUTION**

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has

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established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a Resolution authorizing this municipality to apply for such tonnage grants for calendar year 2013 will memorialize the commitment of this municipality to recycling and to indicate the asset of the Common Council of the Borough of Frenchtown to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the Borough of Frenchtown that the Borough of Frenchtown hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Alan Dilley, Certified Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Borough of Frenchtown

By: \_\_\_\_\_  
Warren E. Cooper, Mayor

Dated: April 2, 2014

ATTEST:

\_\_\_\_\_  
Brenda S. Shepherd, RMC

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**APPROVAL OF MINUTES**

**Regular meeting – March 5, 2014**

On motion by Seth A. Grossman, seconded by Cathy Leach and carried by unanimous favorable voice, the Common Council approved the Regular Council meeting minutes of March 5, 2014.

**APPROVAL OF EXECUTIVE SESSION MINUTES**

**Executive Session – February 17, 2014**

On motion by Jack Opdyke, seconded by Michele Liebttag and carried by unanimous favorable voice vote, the Common Council approved the Executive Session meeting minutes of February 17, 2014.

**ORDINANCES**

**Ordinance #743 – An ordinance regulating the salary & wage of the officials and employees of the Borough of Frenchtown for the year 2014 (introduction)**

Council President Myhre pulled this item from the agenda as the Ordinance was not provided.

**RESOLUTIONS**

**Resolution #2014-47 – Resolution determining the form and other details of \$2,633,000 sewer bonds of 2014 and providing for their sale - part of bond for sewer project.**

On motion by William Sullivan, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Common Council approved Resolution #2014-47 as follows:

**RESOLUTION #2014-47**

**RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF  
\$2,633,000 SEWER BONDS OF 2014 OF THE BOROUGH OF FRENCHTOWN, IN THE  
COUNTY OF HUNTERDON, NEW JERSEY, AND PROVIDING FOR THEIR SALE.**

**BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH  
OF FRENCHTOWN, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than  
two-thirds of all the members affirmatively concurring), AS FOLLOWS:**

Amount and Title of Bond. Of the \$14,475,000 bonds of the Borough of Frenchtown, New Jersey (the "Borough"), authorized by virtue of a bond ordinance of the Borough finally adopted on July 6, 2011 and entitled: "Bond ordinance providing for the improvement of the sanitary sewerage system in and by the Borough of Frenchtown, in the County of Hunterdon, New Jersey, appropriating \$14,475,000 therefor and authorizing the issuance of \$14,475,000 bonds or notes of the Borough for financing such appropriation", \$2,633,000 shall be initially issued as a single bond designated "Sewer Bond of 2014" (the "Bond") and shall be numbered 2014-1.

Terms of Bond. The Bond shall be dated the date of delivery thereof, shall bear interest at the rate of three per centum (3%) per annum (based on a 365-day year), or such lesser rate as may be agreed to by the USDA (as hereinafter defined), shall be payable in seventy-nine (79) consecutive equal semi-annual installments of both principal and interest in the amount of \$56,742, or such lesser amount as may be agreed to by the USDA, and one (1) final installment in an amount equal to the unpaid principal balance thereof, plus interest accrued thereon, unless all or a portion thereof shall have been paid earlier in accordance with the terms thereof, payable semi-annually commencing six (6) months after the date of initial delivery thereof, shall be issued in registered form payable to the United States of America/Rural Development, or registered assigns, shall be payable as to principal and interest in lawful money of the United States of America, at the Office of the United States Department of Agriculture (the "USDA"), Rural Development, at 8000 Midlantic Drive, 5<sup>th</sup> Floor North, Suite 500, Mount Laurel, New Jersey 08054, or at such other address as may be specified by the USDA or the registered holder and shall be executed in the name of the Borough by the manual or facsimile signature of its Mayor and its Chief Financial Officer under the seal of the Borough affixed, imprinted or otherwise reproduced thereon and attested by the manual signature of its Borough Clerk.

Prepayment of Bond. The installments of principal of the Bond shall be subject to prepayment, in whole or in part, at any time without notice or prepayment premium, together with interest accrued on such principal amount to the prepayment date, and thereafter interest shall cease to accrue on the amount of the principal so prepaid.

Form of Bond. The Bond shall be in substantially the form of Exhibit A hereto with such insertions, omissions and modifications as may be approved by the Chief Financial Officer (such approval to be evidenced by the signature of the Chief Financial Officer on the Bond).

Award of Bond. The offer of the United States of America acting through the United States Department of Agriculture (the "Purchaser") for the purchase of the Bond be and the same is hereby accepted at the purchase price of \$2,633,000, plus an amount equal to the interest on the Bond accrued to the date of payment of the purchase price, if any, and the proper officials of the Borough are hereby authorized and directed to execute the Bond and to deliver it to the Purchaser upon receipt of payment therefor in accordance with the terms of this resolution.

Delivery of Related Documents. Upon the date of issue of the Bond, being the date of delivery of the Bond to the Purchaser and the payment of the purchase price thereof, the Chief Financial Officer, or such other Borough official as may be deemed appropriate, is hereby authorized and directed, as of the date of issue to deliver to the Purchaser (a) an arbitrage and use of proceeds certificate with respect to the Bond in such form as shall be

satisfactory to Hawkins Delafield & Wood LLP under and for the purposes of Section 148 of the Internal Revenue Code of 1986, as amended to said date of issue, and (b) such other documents as may be useful, necessary, convenient or desirable in connection with the issuance of the Bond.

Actions to be Taken on Behalf of the Borough. The Mayor, Deputy Mayor, Chief Financial Officer and Clerk, as applicable, are hereby authorized and directed to execute the Bond on behalf of the Borough and to do all matters necessary, useful, convenient or desirable to accomplish the delivery of the Bond to the Purchaser as promptly as possible.

Effective Date. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

**AYES:**

**NOES:**

**EXHIBIT A**

**FORM OF BOND**

**2014-1**

**\$2,633,000**

**UNITED STATES OF AMERICA  
STATE OF NEW JERSEY  
COUNTY OF HUNTERDON**

**BOROUGH OF FRENCHTOWN**

**SEWER BOND OF 2014**

The **BOROUGH OF FRENCHTOWN**, a municipal corporation of the State of New Jersey, situate in the County of Hunterdon (the "Borough"), hereby acknowledges itself indebted and for value received promises to pay to the United States of America, or successor thereto, acting through the United States Department of Agriculture, Mount Laurel, New Jersey, or registered assigns, the principal sum of Two Million Six Hundred Thirty Three Thousand Dollars (\$2,633,000) and to pay interest on the unpaid principal amount thereof at the rate of three per centum (3%) per annum (based on a 365-day year), payable in seventy-nine (79) equal installments of Fifty Six Thousand Seven Hundred Forty-Two Dollars (\$56,742) commencing on November 29, 2014 and on each May 29 and November 29 thereafter, and one (1) final

installment on May 29, 2054, in an amount equal to the unpaid principal balance hereof, plus interest accrued thereon to such date, unless all or any portion hereof shall have been paid earlier in accordance with the terms hereof.

Payments made on the indebtedness evidenced by this instrument regardless of when made, shall be applied first to interest due through the date of payment and next to the principal.

This bond shall be subject to redemption without penalty at any time prior to maturity at the option of the Borough by the payment of all the unpaid principal then due plus interest due to the date of redemption.

Upon surrender of this bond and the written request of the registered holder thereof satisfactory to the Borough, this bond will be transferred to a new registered owner. No transfer of this bond shall be valid unless recorded on the books of the Borough kept for this purpose in the office of its Chief Financial Officer and noted on the back of this bond.

The Bonds are authorized pursuant to: (i) the Local Bond Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented (the "Local Bond Law"); (ii) bond ordinance number 696 of the Borough, entitled: "Bond ordinance providing for the improvement of the sanitary sewerage system in and by the Borough of Frenchtown, in the County of Hunterdon, New Jersey, appropriating \$14,475,000 therefor and authorizing the issuance of \$14,475,000 bonds or notes of the Borough for financing such appropriation", duly and finally adopted on July 6, 2011, approved by the Mayor and published in accordance with the requirements of the Local Bond Law and (iii) a resolution adopted by the Borough Council on April 2, 2014.

The full faith and credit of the Borough are hereby irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that this bond, together with all other indebtedness of the Borough is within every debt and other limit prescribed by the Constitution or statutes, as permitted by Resolution of the Local Finance Board.

**IN WITNESS WHEREOF**, the **BOROUGH OF FRENCHTOWN** has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, and its corporate seal to be affixed, imprinted or reproduced hereon, and this bond and said seal to be attested by the manual signature of its Borough Clerk and this bond to be dated the 29th day of May, 2014.

**BOROUGH OF FRENCHTOWN**

**ATTEST:**

By: \_\_\_\_\_

Name: Warren Cooper  
Title: Mayor

By: \_\_\_\_\_

Name: Brenda S. Shepherd  
Title: Borough Clerk

By: \_\_\_\_\_

Name: Diane Laudenbach  
Title: Chief Financial Officer

**Resolution #2014-48 - Extension of budget introduction**

Council President Myhre noted that we are working on the budget but it will take time. We met and worked at length but we cannot introduce the budget at this time. We need to let the Division of Local Government Services know that we are not going to meet that deadline. On motion by William Sullivan, seconded by Jack Opdyke and carried by favorable voice vote, the Common Council approved Resolution #2014-48 as follows:

**R E S O L U T I O N #2014-48**

BE IT RESOLVED that due to the economic uncertainties of the day, the time for accumulating and preparing the necessary information for the 2014 Budget will exceed the time fixed by statute.

BE IT RESOLVED that the Mayor and Common Council of the Borough of Frenchtown is requesting an extension for introduction to May 7, 2014.

BE IT FURTHER RESOLVED that the Borough Clerk be and hereby is authorized and directed to forward two (2) certified copies of this resolution to the Office of the Director of Local Government Services and furnish said Director with any further information required to act upon

this matter.

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Warren E. Cooper, Mayor

Date: April 2, 2014

Attest:

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Brenda S. Shepherd, RMC

**Resolution #2014-49 – Authorizing Mayor, Clerk, Attorney, Auditor and other Borough Officials to sign any documents required to close on the USDA Bond for the Wastewater Treatment Plant**

On motion by Seth A. Grossman, seconded by William Sullivan and carried by favorable voice vote, the Common Council approved Resolution #2014-49 as follows:

**Resolution #2014-49**

**WHEREAS**, the Borough of Frenchtown will have a closing on the USDA Bond for the Wastewater Treatment Plant project; and

**WHEREAS**, certain documents including the RD400-1, RD400-4, RD442-21, RD442-22 and Certificates as to Payment under Contract must be executed prior to the closing; and

**WHEREAS**, the Common Council of the Borough of Frenchtown authorizes the Mayor, the Borough Clerk, the Attorney, the Auditor and any other Borough Official necessary to sign any documents required to close on the USDA Bond for Wastewater Treatment Plant.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the Borough of Frenchtown, County of Hunterdon and State of New Jersey that the Mayor, the Borough Clerk, the Attorney, the Auditor and any other Borough Official necessary of the Borough of Frenchtown are authorized to sign any documents required to close on the USDA Bond for the Wastewater Treatment Plant.

Borough of Frenchtown

By \_\_\_\_\_  
Warren E. Cooper, Mayor

Dated: April 2, 2014

ATTEST:

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Brenda S. Shepherd, RMC  
Borough Clerk

**NEW BUSINESS**

**Homestead House**

Council President noted that the Mayor did not know about the legal issues of a donation basket. Michele Liebttag noted that she spoke with Stefan from Tinicum Food Coop and they feel it is not worth the fuss or legal discussion for Council. Brad Myhre stated that he was going to reach out to the Lions Club. Jack Opdyke stated that he will match what the Lions Club donates instead of having the collection basket.

**Approval to submit a NJDOT grant application to do the streetscape improvements of the Downtown Revitalization Committee plan (Resolution #2014-50)**

Seth A. Grossman stated that the purpose of this resolution is to allow us to apply for the grant. It does not commit us to accept the grant. When the application is put together, we will need to approve to accept the federal requirements. Cathy Leach stated that the estimate for the engineer costs for grant application is up to \$2,000.00. That needs to be in resolution. On motion by Jack Opdyke, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Common Council approved Resolution #2014-50 as amended to include up to \$2,000.00 for engineering costs to prepare the grant application as follows:

**RESOLUTION #2014-50**

**RESOLUTION AUTHORIZING THE BOROUGH ENGINEER TO SUBMIT A GRANT APPLICATION AND AUTHORIZING THE MAYOR AND BOROUGH CLERK TO EXECUTE A GRANT AGREEMENT WITH NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR FUNDING UNDER THE 2014 TRANSPORTATION ALTERNATIVES PROGRAM FOR STREETScape IMPROVEMENTS**

WHEREAS, the New Jersey Department of Transportation (NJDOT) is accepting applications through May 15, 2014 for the 2014 Transportation Alternatives Program, which is being funded with federal funds;

WHEREAS, funds under the Transportation Alternatives Program are to be used for “non-traditional” projects designed to strengthen the cultural, aesthetic and environmental aspects of the nation’s intermodal system;

WHEREAS, projects must fall into one or more of the seven (7) eligible Transportation Alternatives Program categories that are described in a brochure developed by the NJDOT on the program;

WHEREAS, two (2) of the categories eligible for funding under the Transportation Alternatives Program are entitled “Provisions of Facilities for Bicycles and Pedestrians” and “Landscaping and Other Scenic Beautification”;

WHEREAS, there is an extensive streetscape/sidewalk area within the downtown business district in the Borough of Frenchtown including along Bridge Street, Race Street, Front Street, Lott Street, and portions of Route 12 (Kingwood Avenue), Route 29 (Trenton Avenue), Harrison Street and Second Street;

WHEREAS, on February 15, 2012, the Borough Mayor and Council created a Downtown Revitalization & Planning Committee whose main goal was to develop a report on downtown revitalization and economic development in Frenchtown;

WHEREAS, in March 2013, as a result of the report completed by the Downtown Revitalization & Planning Committee, the Borough hired the Borough Engineer to complete conceptual streetscape improvement plans;

WHEREAS, all work completed to date revealed a number of problems/issues with the sidewalks and streetscape in the business district including inconsistent and lacking streetscape furniture/features, lack of lighting for pedestrians, lack of adequate facilities for pedestrian and bicycle users, heaved sidewalks, non-compliant curb ramps, etc.;

WHEREAS, the Borough of Frenchtown would like to improve the aesthetics, safety, and comfort for pedestrians and business/property owners within the business district reflected above by constructing further improvements to the streetscape and sidewalks in accordance with the 2014 Transportation Alternatives Program;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council hereby approve the grant application being filed to further improve the streetscape area within the downtown business district;

BE IT FURTHER RESOLVED, that the Borough Engineer is hereby authorized to submit an electronic grant application to the NJDOT on behalf of the Borough of Frenchtown at a cost not to exceed \$2,000.00;

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreements on behalf of the Borough of Frenchtown, and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of a resolution adopted by the Mayor & Council on April 2, 2014.

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Brenda Shepherd, RMC, Borough Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST AND  
AFFIX SEAL

\_\_\_\_\_  
(Clerk)  
Brenda Shepherd, RMC

\_\_\_\_\_  
(Mayor)  
Warren Cooper

## **OLD BUSINESS**

### **Recycling – Food Waste recycling**

Michele Liebtag noted that there is nothing new to report.

### **Wastewater Treatment Plant Facility update**

Jack Opdyke noted that the weekly meeting was cancelled. The only meeting will be on a monthly basis with everyone including the NJDEP and USDA. The monthly meetings are productive. The project is proceeding with limited labor. Tomar Construction will be presenting us with a new updated schedule for completion.

### **Frenchtown Bridge Street LLC -**

Attorney Cruz reported that at the Planning Board meeting, the Board approved the change of floors for the retail and affordable housing units. The Deed restrictions have been received and the Deed is about to be recorded. The Deed for the open space lot will not be recorded yet. He wanted Robert Clerico to inspect the property and to wait recording of the Deed until that inspection occurred.

### **Hilltop Streets**

William Sullivan reported that he spoke to one of the homeowners and is getting ready to speak with other homeowners.

### **Borough Administrator update**

Brad Myhre noted that we have deferred on taking action. We had a meeting with the candidate and looked at the 2014 budget, etc. and into 2015. Right now, we do not feel confident on proceeding. We want to make sure it is a sustainable position. We want to get away from living year to year and we are looking at a 3 year position or a 5 year plan. We are asking a lot more of our CFO to be more engage in the process. We would like to have another Council meeting mid-month given that it is budget time. He recommended April 16<sup>th</sup> at 7:30pm. Council consented. Brad Myhre asked Clerk Shepherd to advertise for that meeting to discuss the budget and animal control and requested that the Administrator be left on the agenda.

## **COUNCIL COMMENTS**

William Sullivan reported that it looks like we are ready to put the Horseshoe Bend Road construction project out for bid.

Seth A. Grossman noted that he emailed a buildings and grounds form to the departments and will

be following up with a report summarizing what the staff has given him about repairs, etc. and he will be prioritizing. He should have it to be considered in the 2014 budget. Brad Myhre thanked Seth A. Grossman.

Cathy Leach reported that the spring Park Clean Up is this Saturday from 9am to Noon. The Lions Club is providing pizza and the PTA is providing snacks.

Cathy Leach also reported that she has been in weekly contact with Patty Wilson. Patty Wilson went before the Planning Board. Ms. Leach noted that she is going through Green Acres and does not believe we will need special approval. Brad Myhre noted that NJDEP has people in Green Acres that can answer questions.

Cathy Leach noted that she received a request from group that wants to do a family performance in the park on May 30<sup>th</sup> & 31<sup>st</sup> with rain date of June 1. Roving Nature also submitted a request for use of the park in July and August. They will get us their insurance. She will provide the information for approval at the next meeting.

### **CORRESPONDENCE**

Brad Myhre noted that Congress acted on the homeowner flood insurance affordability act. This will have consequences to homeowners. The League of Municipalities' notice provides a synopsis including reinstating the grandfathering of properties. It also talks about reimbursing policy holders, etc. If it has a major impact, we should do a public awareness. Brad Myhre noted that the lower streets were included at a much higher risk and their premiums increased.

Referring to the NJDEP, Division of Water Supply, letter dated March 14, 2014 in reference to NJ American Water, Cathy Leach asked if Frenchtown would be denied new connection permits. Brad Myhre asked Clerk Shepherd to send the letter to the engineer for clarification. He added that we talked about new fire hydrants being installed.

### **EXECUTIVE SESSION**

#### **Contract Negotiations – Local PBA 188**

#### **Personnel – Salary Negotiations**

Council President Myhre noted that the Council will not go into executive session this evening as there is nothing to discuss at this point.

### **ADJOURNMENT**

Being no further business to come before the Council, the meeting was adjourned at 9:15 pm on motion by Jack Opdyke, seconded by Michele Liebttag and carried by favorable voice vote.

Respectfully submitted,

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Brenda Shepherd, RMC  
Borough Clerk