

**CALL TO ORDER**

Mayor Warren Cooper called the meeting to order at 6:00 p.m. and stated that in compliance with the “Open Public Meetings Act” this Meeting was duly noticed to the Hunterdon County Democrat on September 12, 2014 and the Express Times on September 12, 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 September 17, 2014.

**FLAG SALUTE**

Mayor Cooper asked everyone to stand for the flag salute.

**ROLL CALL**

Present for the Meeting:

Robb Arent (Arrived at 6:07 pm)  
Seth A. Grossman  
Cathy Leach  
Michele Liebttag  
Jack Opdyke

Absent from Meeting:

William Sullivan

Borough Clerk, Brenda S. Shepherd, were present for the Meeting. Two members of the public were present.

**PUBLIC COMMENTS**

The Council approved to open the public comment session.

Frenchtown Board of Education – Kate Nugent

Mayor Cooper noted that Kate Nugent is not here at this time. Council will go back to that item on the agenda.

Bob White of Milford Borough noted that they have been offered a bus for their Milford Alive event. He thinks there is a potential of 10,000 people. To keep congestion down, he asked if it is possible to get a bus at Old Frenchtown Field. It may not be needed but he would like the option to park people there. Mayor Cooper noted that the Borough would require an application for park use to be submitted. Cathy Leach noted that they would not be using the field. She noted that you must keep in mind that you cannot park in the old factory lot. Jack Opdyke told Mr. White that they are welcome to park in the lumber company. Mayor Cooper stated that we should run this past the Chief of Police. It also may be an issue of insurance. Cathy Leach noted that typically, we ask for an insurance certificate with 1,000,000 coverage. On motion by Jack Opdyke, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the use of Old Frenchtown Field for the Milford Alive Event on September 27, 2014 from Noon to 5:00 pm conditioned on approval from the Police Chief and providing the required insurance certificate.

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

**ORDINANCE**

**Ordinance #751 – An Ordinance to provide for the purchase of the MSCJ Finance Super**

**Suite I for the Borough of Frenchtown, in the County of Hunterdon, New Jersey and appropriating \$2,750.00 from the Sewer Capital Improvement Fund (Introduction)**

Mayor Cooper noted that the MSCJ Finance Super Suite I is the name of the software package recommended by the CFO, Diane Laudenbach, to replace the current Vital Software System. This is the cost to be picked up by the sewer budget. On motion by Jack Opdyke, seconded by Seth A. Grossman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to introduce Ordinance #751 as follows:

**BOROUGH OF FRENCHTOWN**

**ORDINANCE 751**

**AN ORDINANCE TO PROVIDE FOR THE PURCHASE OF THE MCSJ FINANCE SUPER SUITE I FOR THE BOROUGH OF FRENCHTOWN, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND APPROPRIATING \$2,750.00 FROM THE SEWER CAPITAL IMPROVEMENT FUND.**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FRENCHTOWN IN THE COUNTY OF HUNTERDON, NEW JERSEY, AS FOLLOWS:

Section 1. The improvement described in Section 2 of the ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Frenchtown, New Jersey. For the said improvement or purposes described in Section 2, there is hereby appropriated the sum of \$2,750.00, said sum being inclusive of all appropriations heretofore made therefore.

Section 2. The Borough of Frenchtown hereby authorizes the purchase of the MCSJ Finance Super Suite 1 for the Borough of Frenchtown.

Section 3. It is hereby determined and stated that the undertaking of the aforesaid work, acquisition or improvement is not a current expense of the Borough of Frenchtown, but rather a capital expense and the Borough of Frenchtown's estimated cost of said work, acquisition or improvement is \$2,750.00.

Section 4. The sum of \$2,750.00 is hereby appropriated for said purpose. The funding is provided by appropriating \$2,750.00 from the Sewer Utility Capital Improvement Fund of the Borough of Frenchtown for said purpose as required by law and now available therefore in one or more previously adopted budgets.

Section 5. No debt of any kind is authorized for this undertaking.

Section 6. This ordinance shall take effect immediately upon adoption according to law.

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Warren E. Cooper, Mayor

ATTEST:

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Brenda S. Shepherd, RMC  
Borough Clerk

## **NEW BUSINESS**

### **Appointment of Appraiser for Tax Appeal matter**

Mayor Cooper noted that we have a tax appeal pending that will be heard on November 12, 2014 with the Tax Court of New Jersey. The recommendation of our attorney and tax assessor is that we appraise the property to counter any claim they may have been seeking a lower tax evaluation. They are appealing the years 2012, 2013 & 2014. Attorney Cole noted that we have a court ordered obligation to exchange appraisals 30 days before the court hearing. We have to have the appraisal in by October 15<sup>th</sup>. He recommended a full appraisal. Responding to Robb Arent as to the full appraisal, Attorney Cole noted that if it goes to court, we do not want to delay because at this point, we do not have an option to do something cheaper with the time constraints. Attorney Cole noted that there are three quotes and Sopko is the lowest proposal for a full appraisal report. Although Sopko's hourly rate for court was not less, Attorney Cole did not think that the 10 hours for court fees would catch up to the appraisal report costs of the other quotes. His analysis is that Sopko is the lowest quote and he considers Sopko to be a responsible bidder and sees no reason not to approve him. He added that Sopko has worked for both sides and has a positive history. On motion by Robb Arent, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to employ Sopko Associates to provide a full appraisal report for property known as Block 39 Lot 5 and Block 40 Lot 2 for the purpose of a tax appeal hearing for the years 2012, 2013, and 2014 at a rate of \$2,400.00 for the full appraisal report and a rate of \$150.00 per hour for testimony/negotiations per recommendation of Attorney Cole that Sopko Associates is the lowest responsive bidder of the 3 proposals.

### **Ridge Road project's preliminary expense approval**

Mayor Cooper noted that this became a complicated issue. We can use the money left in the capital budget for the Ridge Road project so it is ready to roll out in the spring but that will drain the account. Should an emergency rise, we would have to take it out of the 2015 budget or we can use those funds as a down payment on a BAN that would cover all other project and we can postpone Ridge Road until next year. Michele Liebttag noted that we want to do the porch on the Police Department and the furnace at the Fire Department. Robb Arent stated that the furnace at the Fire Department has to be done. Responding to Robb Arent as to bidding process for the furnace, Mayor Cooper stated that he will ask Diane Laudenbach about charging us to do it or we can contract with the County. The council consented to have Diane Laudenbach do the bid specifications. Mayor Cooper added that he will reach out to Engineer Burr to see if payment on the Ridge Road project could be deferred.

### **Approval of Park Reservation for use of Old Frenchtown Field on October 19, 2014 by Delaware Valley Education Foundation**

Mayor Cooper noted that there is a park reservation request for use of Old Frenchtown Field for a 5

k run. Chief Kurlka has signed off and they have provided an insurance certificate. Seth A. Grossman noted that the insurance certificate does not name the Borough as additional insured. On motion by Cathy Leach, seconded by Michele Liebtag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the Park Reservation request for use of Old Frenchtown Field on October 19, 2014 by Delaware Valley Education Foundation subject to an amendment to the certificate of insurance naming the Borough of Frenchtown as an additional insured.

### **Other Business Items**

Mayor Cooper noted that we have received a second resignation from a member of the Shade Tree Commission. The Shade Tree Commission is now down three members. Chairman Robb Haver requested that we appoint Dimitry Levitsky of Fifth Street. On motion by Seth A. Grossman, seconded by Robb Arent and carried by favorable voice vote, the Mayor and Common Council approved Dimitry Levitsky as a member of the Shade Tree Commission.

Mayor Cooper stated that Tomar Construction is asking for approval of payment in the amount of \$683,540.00. There was a delay in getting the payment voucher to us. If we wait until the October meeting, we will not be in the 30 day window. They are asking for approval tonight. It is not clear what the delay was but Rory McRory did not get it to the Borough until September 2<sup>nd</sup>. On motion by Jack Opdyke, seconded by Seth A. Grossman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved payment #28 to Tomar Construction in the amount of \$682,540.00.

Mayor Cooper noted that there is a vote coming up on the school facilities project and he believes Kate Nugent wanted to fill the Council in on that. We got a presentation back in May. Michele Liebtag noted that the Department of Education is giving a grant for 40% of the projected cost. The projected cost of the project is 2.25 million. The changes have to be made and if you do not take advantage of the grant the costs will be more.

Michele Liebtag noted that she needs to get the Clean Up day flyer out and is awaiting additional email responses. Mayor Cooper stated that he will reach out to the Commissions, etc.

Jack Opdyke noted that the Borough did not take formal action on the parking by the sewer plant because they tried to clean up their act. One vehicle parked on the road was a visitor. Everyone made an honest effort. We asked that they park at the DPW site when the paving starts. Jack Opdyke also reported that they are running clear water through the plant. In the next 15 to 20 days, they will introduce gray water. It is getting close.

Cathy Leach reported that she heard back from Kevin from the NJDEP program about Patty Wilson's proposal. It does not require NJDEP approval because it is an open building. She asked Patty Wilson to do a presentation on October 1<sup>st</sup>.

Mayor Cooper reported that as to the Sustainable Jersey grant, we spoke to them about the \$20,000.00 food recycling grant and the difficulties we are facing. They asked us to put it in writing.

**ADJOURNMENT**

Being no further business to come before the Mayor and Council, the meeting was adjourned at 6:42 pm.

Respectfully submitted,

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Brenda Shepherd, RMC  
Borough Clerk