

CALL TO ORDER

Mayor 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 November 5, 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
Jack Opdyke
William Sullivan

Absent from Meeting:

Robb Arent

Attorney Paul Rizzo, and Borough Clerk, Brenda S. Shepherd, were present for the Meeting. 15 members of the public were also present.

Mayor Cooper congratulated Michele Liebttag and Caroline Scutt who were successful in getting the most votes.

PUBLIC COMMENTS

The Council approved to open the public comment session.

Gazebo at Old Frenchtown Field – Patty Wilson

Mayor Cooper noted that Patty Wilson is not in attendance this evening.

Green Team

Mayor Cooper asked Dominikija Prostack, Chairman of the Green Team to report to the Council. Dominikija Prostack, representing the Green Team, noted that a month ago, she spoke about the clothing shed to put up in the Borough by a firm. What this would do would be bring funding into the Green Team and help the Green Team to be sustainable and not have to ask Council for funding hopefully. Ms. Prostack noted that she spoke with Mike Reino and he was not ready for something like a shed to be put at Public Works. She would like to go forward and put it at Plessey field where the Good Will dumpsters are. If Council needs further information, please let her know. The insurance certificate was provided. Dominikija Prostack noted that she would be responsible to have the Good Will dumpsters removed. She will meet with Mike Reino to identify a place where the shed can be placed. Mayor Cooper noted that the general agreement from Council from the last time is that we move in that direction. Mike Reino is concerned that the recycling center is not set up. William Sullivan stated that it is the reason Good Will is up there now. We do not want unauthorized dumping. He does not see a problem with the shed but would ask that Mike Reino hurry to get the recycling center set up as he would like it set up at the Recycling Center so we can

keep an eye on it. Dominikija Prostack said that it would be put at the field temporarily. Mayor Cooper asked that as the Green Team gets this set up to let us know so we could put something on the website. He will send out an email as well. Council consented.

Skye Van Saun of Eighth Street commented that when she would go to brush area at the DPW Recycling Center, people would put boards out there. She misses it because she has taken some. Mayor Cooper noted that there is a problem with some of the kinds of materials dropped off because some are pressured treated. Mayor Cooper noted that we need to observe what is coming in because once we get it, we are stuck with it.

Skye Van Saun also commented that she is disappointed that the pipeline representatives have given up on coming to the town. Towns are approving resolutions against it. Does it have any pull? Mayor Cooper noted that it is a federal problem. The decisions about where the pipeline goes is not by Federal Energy Regulatory Commission (FERC). FERC holds hearings and will take into consideration that municipalities are putting forward resolutions including one we might do tonight. Skye Van Saun asked if the Borough can put something out when the pipeline meetings are scheduled. She added that she knows there is one November 13th. Mayor Cooper noted that he will put something on the website. Skye Van Saun added that the pipeline company showed a map of the proposed pipeline and if anything goes wrong, the entire town would have to be evacuated. This will lower property values and it is a safety issue. Mayor Cooper responded that we do not know the answers.

Skye Van Saun also commented that as to lower Eighth Street, a portion of the bed of Eighth Street was designed as an area in need of redevelopment. Lower Eight Street has been a town street to the towpath. She hopes a portion would continue to be public. She wishes some portion could stay open. Mayor Cooper responded that the developer has been made aware of that concern. You are not the only one who voiced it. He added that he found the developer to be reasonable and open minded. William Sullivan added that a right of way is a right of way. You cannot refuse a right of way. If we relinquish rights, we would maintain a right of way. Mayor Cooper added that we do not know if that is a solution that will be proposed. It is in the best interest of the developer to bring a proposal to us and we would be part of a redevelopment agreement. This designation does not change anything. It gives us more latitude in our influence on how the design goes forward.

EJ Collins, resident and member of Fire Department in Kingwood, noted that the 22nd Annual Turkey Trot is a 5K run and a 2 mile walk. He handed out some information and noted that he can email the information. The events is on Thanksgiving Day, November 27, 2014. You can participate or get a sponsor. EJ Collins noted that he will try it and needs team mates. You can email him at fireej@hotmail.com. Mayor Cooper noted that it is the largest of its kind in the state.

Lions Club – David Gano

David Gano of 25 Eighth Street noted that he is here on behalf of the Lions Club in reference to Christmas decorating in town. He has been a resident for 66 years and they have several problems that the town should address although the time lines are vague. One is the storage of the Christmas lights. Tim Fisher has been kind enough to let us have a garage for storage but sooner or later, we will lose that space. When that time comes, we will need a place to store them. We currently have 14 55 gallon barrels and 8 wreaths. It is a considerable amount of space that is needed. He spoke

to Robb Arent on Sunday and he will get in touch as far as a storage unit but we need a place to put it. William Sullivan noted that we will have some land at the sewer plant. Michele Liebttag commented that the fire company is still looking to use the sewer plant for their drills.

David Gano also noted that as to the installation of the Christmas Lights, in 1946, the fire company took over putting up the Christmas lights. In 1981, the fire company could not do it and Lions Club took over. We have installed the Christmas lights the last 26 years with Century Links help. There are two gentlemen that help us with the bucket truck and there is new administration coming into the telephone company. Century Link will get it done and will look the other way but the new administration is coming in the first of the year and Century Link may have a different attitude after the first of the year. They are putting the lights up on November 22nd but his concern is not getting them down after the first of the year. At that point, he does not know what to do. He needs direction from the town and to know what Frenchtown can do. It takes a few hours. Mayor Cooper asked that Mr. Gano gives the Council time to think about it. Mr. Gano noted that he would hate to see the lights not go up. A lot of the Christmas lights in other towns are hung on a pole or in a tree. Our lights give this town a lot of personality. Jack Opdyke noted that he puts up Milford's lighting using a forklift with a cage. That is an option if it will work for you. David Gano noted that he will look at that. Dominikija Prostack noted that she has used JCP&L to do things in the past. She has contact information. JCP&L wants to do things for the community. Skye Van Saun noted that Mike Padovan has something he uses to clean the gutters on his building.

PennEast Pipeline

John West of 49 Kingwood Avenue commented that he was hoping that the representative of Penn East would be here tonight. He asked Council to move forward with a resolution in opposition. It serves a purpose if we go on the record. Responding to John West, Mayor Cooper noted width of space for placement grazes the edge of the Borough. John West noted that there is an existing JCP&L easement. They will take the path of least resistance. There will be a second pipeline next to it by Williams Co. Williams Co. has a proposal to mirror PennEast and there will be 2 billion pressed gas per day. They have massive money and political power. It could have significant consequences. He thinks we will feel overwhelmed and apathetic. He recommended working with other municipalities to figure out what to do. He does not see the federal government helping. As to FERC applications, there is a website for concerned citizens against the pipeline. There is an open house at Hunterdon Central and they are compelled to do that according to FERC. He thinks a resolution in opposition lets them know we are not happy.

Mayor Cooper noted that we have proposed resolution #2014-103 in the Council packets. It is the same resolution adopted by neighboring municipalities. We were asked to present this resolution last month but we wanted to give PennEast an opportunity to appear before us and answer questions. He does not feel any reservation in asking Council to adopt a resolution in opposition. Mayor Cooper read the attached letter from PennEast to the Borough. They are required to hold meetings. These are one on one opportunities so they can break people into groups so they do not have a lot of problems. Cathy Leach asked if the Borough opposes the pipeline, does it affect the gas in town. Mayor Cooper noted that it is for huge transmission lines. Seth A. Grossman commented that the resolution is well written and addresses our key concerns of the Borough. We have significant environmental concerns. The Borough is surrounded by hills and farms and gives us an advantage to our quality of life and that is why people come here. This pipeline would

severely impact the environment around it. There are also concerns of the creeks. Mayor Cooper noted that this resolution is in response to residents in town who have come up to him on the street. On motion by Seth A. Grossman, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-103 as follows:

**BOROUGH OF
FRENCHTOWN
RESOLUTION NO. 2014-103
RESOLUTION OF THE BOROUGH OF FRENCHTOWN, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY, OPPOSING, AT THIS TIME, THE INSTALLATION
OF ANY GAS PIPELINE THROUGH THE BOROUGH OF MILFORD.**

WHEREAS, PennEast Pipeline Company, LLC, a joint project of AGL Resources; NJR Pipeline company, a subsidiary of New Jersey Resources; South Jersey Industries; and UGI Energy Services, a subsidiary of UGI corporation; (hereafter collectively referred to as “PennEast”) have proposed the construction of a new pipeline for the transmission and delivery of natural gas generated by deep well “fracking” in areas of Marcellus Shale in Pennsylvania; and

WHEREAS, the proposed pipeline is approximately one hundred (100) miles long and of either thirty (30”) or thirty-six (36”) diameter buried pipe which is to cross Luzerne, Carbon, Northampton and Bucks Counties in Pennsylvania, and Hunterdon and Mercer Counties in New Jersey; and

WHEREAS, as PennEast’s currently proposed plans for the pipeline indicate that the pipeline will circumvent the physical municipal boundaries of the Borough of Frenchtown, PennEast has indicated that the pipeline’s ultimate design and physical location are in flux and subject to change; and

WHEREAS, both members of Frenchtown Borough’s Common Council as well as residents of the Borough have expressed opposition to the Pipeline based on safety concerns, its potential harm to the Borough’s and Hunterdon County’s infrastructure, and its likely adverse impact upon future development within the Borough, especially along areas adjacent to the Delaware River where it is reasonably expected, for both economic and logistical reasons, that the Pipeline would be installed; and

WHEREAS, the Frenchtown Borough’s Common Council reasonably believes that should the Pipeline be situated along the Delaware River, either above ground or buried beneath an existing rail line, would cut across Quequacommissacong Creek a “C-1” stream including several of its tributaries, as well as Bridge Street, a heavily travelled thoroughfare linking New Jersey to Pennsylvania; and

WHEREAS, the Pipeline, should it pass through the Borough’s borders, would likely be in close proximity to the Borough’s critical infrastructure including the Borough’s Sewer treatment plant, the Borough’s water and sewer lines, the Borough’s fresh water wells and pumps, , all of which serve not only the Borough’s residents but the residents of both Holland and Alexandria Townships; and

WHEREAS, the wise stewardship of our natural resources involves protection of Frenchtown Borough's water, water supply, and other natural resources for generations to come;

WHEREAS, protection of Frenchtown Borough's water supply and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restoring degraded environments after the fact;

WHEREAS, the Frenchtown Borough Common Council is concerned about the hazards potentially created by the Pipeline due to the nature and volume of the flammable gases flowing through the pipeline in a community of approximately 1.3 square miles and a population density of 1,300 persons per square mile; and

WHEREAS, the New Jersey Board of Public Utilities and New Jersey Administrative Code, Title 14, Chapter 7, Subchapter 1 states, "No person shall install...a natural gas pipeline with a maximum operating pressure in excess of 250 psig within one hundred feet (100') feet of any building intended for human occupancy" and the Borough's Common Council believes that the Pipeline because of the Borough's limited physical envelope and population density will situate the Pipeline near to structures which are inhabited by residents and others which are operated as commercial establishments; and;

WHEREAS, the potential for a pipeline explosion could harm hundreds of people, the Frenchtown Borough Common Council has grave concerns about the safety of this project in its proposed form and demand assurances that the project will be protective of the health, safety, and welfare of our citizens; and

WHEREAS, the proposed Pipeline, should same run through the Borough of Frenchtown, may result in a loss of tax revenue for Frenchtown Borough based on a decline in the property values of homes along and adjacent to the new Pipeline and surrounding neighborhoods as a direct result; and

WHEREAS, the Council's responsibility is to provide a safe environment for its residents, and this pipeline raises serious safety concerns as described above; and

WHEREAS the pipeline project is being proposed based on speculative consumer demand and a glut of natural gas being supplied by drillers in the Marcellus Shale region; and

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

1. The previous recitals be and hereby are incorporated herein; and
2. The Frenchtown Borough Common Council opposes, at this time, the transmission of any gas, via either above-ground or buried pipeline, within the Borough of Frenchtown as the construction and operation of the Pipeline may: Significantly damage C-1 protected streams, wildlife habitat, existing both residential and commercial structures within the

Borough; imperil critical physical plants of the Borough including the water and sewer treatment plants and fresh-water wells; erode property values within the Borough; adversely impact the ability of both residents and non-residents, alike, to utilize the Delaware River for recreation; and, affect the overall quality of life within the Borough; and

3. The Frenchtown Borough Common Council, because this Pipeline may traverse and negatively impact numerous significant natural areas and the resources of the Borough, the Delaware River, and areas situate within the Highlands region, the Council requests that the Federal Energy Regulatory Commission (“FERC”) prepare a full Environmental Impact Statement (“EIS”) to assess the myriad environmental consequences attendant to this Pipeline should the Pipeline run through the Borough; and

4. The Frenchtown Borough Common Council, while cognizant of the fact that the Pipeline is currently not envisioned to pass through the Borough’s boundaries, is prepared to act as an Intervener and /or Objector to the Pipeline, should any modified Pipeline design entail the Pipeline’s passage through the Borough; and

5. The Frenchtown Borough Common Council shall exercise careful fiscal oversight with respect to any opposition deemed necessary by the Borough, and will, to that end, utilize to the greatest extent possible, any non-profit partners, local groups, and other similarly-situated municipalities in the opposition of the Pipeline; and

6. This resolution shall also be distributed to:
A. Senator Michael Doherty;
B. State Assemblyman John DeMaio;
C. State Assemblyman Eric J. Peterson;
D. Congressman Leonard Lance;
E. Delaware Riverkeeper Network, 300 Pond Street, 2nd Floor, Bristol, PA 19007;
F. The Hunterdon County Board of Chosen Freeholders; and
G. All Hunterdon County Municipalities.

This being submitted at the Council meeting held on Wednesday, November 5, 2014.

Warren E. Cooper, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

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

DEPARTMENT HEADS REPORTS

Police Department

Michele Liebttag noted that Chief Kurylka had a family commitment but has provided a printed report.

Administrative Department

Borough Clerk Brenda S. Shepherd provided the attached report to the Council.

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 William Sullivan, seconded by Jack Opdyke and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the consent agenda approving Resolutions #2014-93 – 2014-95, Resolutions #2014-99 - #2014-100 as follows, the bills list dated 11/5/14 as attached:

RESOLUTION #2014-93

WHEREAS, certain Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective Capital Improvement Fund, Capital Reserve, or credited to Surplus, and unused debt authorizations may be canceled;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Frenchtown, County of Hunterdon, State of New Jersey, that the following unexpended and dedicated balances of the Capital appropriations be canceled:

PROJECT

AMOUNT
CANCELLED

CANCELLED TO

676 – An Ordinance to provide for the replacement of the roof on the parks pavilion building for the Borough of Frenchtown, in the County of Hunterdon and State of New Jersey and appropriating \$3,000 from the Capital Improvement Fund

\$215.00

Capital Improvement Fund

677 – An Ordinance to provide for the purchase of a Dodge Durango – 4 Wheel Drive Truck for the Police Department, for the Borough of Frenchtown, in the County of Hunterdon, New Jersey, and appropriating \$35,000.00 from the Capital Improvement Fund

\$2113.00

Capital Improvement Fund

681 – An Ordinance to provide for the purchase of a mason dump truck for the Public Works Department, for the Borough of Frenchtown, County of Hunterdon, New Jersey and appropriating \$50,000.00 from the Capital Improvement Fund

\$2365.16

Capital Improvement Fund

692 – An Ordinance to provide for the repair of the Cupola on the roof of the Borough Hall Building for the Borough of Frenchtown, in the County of Hunterdon, New Jersey and Appropriating \$14,000 from the Capital Improvement Fund

\$1390.26

Capital Improvement Fund

I certify the above to be a true copy of a Resolution adopted by the Mayor and Council of the Borough of Frenchtown at a meeting held on November 5, 2014.

Borough of Frenchtown

Warren E. Cooper, Mayor

ATTEST:

November 5, 2014.

Brenda S. Shepherd, RMC
Borough Clerk

Resolution no. 2014 -94

Tax sale redemption

Whereas, the Tax Collector has been paid by Gaetano DeSapio trust Account to redeem Tax Sale Certificate No. 13-006 the amount of \$18,095.14 on Block 44, Lot 7, and

WHEREAS, the lien holder paid at the time of the sale a premium of \$8,500.00.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the borough of Frenchtown, County of Hunterdon and State of New Jersey, that the Chief Financial Officer be authorized to issue a check payable to US Bank Custodian for bvoo1 trust, 50 S. 16th Street, Philadelphia, PA, 19102, in the amount of \$26,595.14.

Warren E. Cooper, Mayor

Attest

November 5, 2014

Brenda S. Shepherd, RMC
Borough Clerk

RESOLUTION NO. 2014 - 95

REFUND OF STREET OPENING BOND AND PROCESSING FEES

WHEREAS, the owners of Block 55, Lot 7, Robert and Stacey James, placed a deposit of \$5,000.00 for a street opening bond and \$500.00 for processing fees for the installation of a gas line to their home, and

WHEREAS, the owners have decided to abandon the project and have requested the bond and fees be returned to them, and

WHEREAS, no expenses have been encumbered or are anticipated to be charged to the bond or processing fees.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Borough of Frenchtown, County of Hunterdon and State of New Jersey that the Chief Financial Officer be authorized to issue a refund check to Robert and Stacey James, 5 South Harrison Street, Frenchtown, New Jersey, 08825 in the amount of \$5,500.00.

WARREN E. COOPER, Mayor

Attest:

November 5, 2014

Brenda S. Shepherd, RMC
Borough Clerk

RESOLUTION NO. 2014-99

2014 BUDGET APPROPRIATION TRANSFER

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

Police – Other Expense

Buildings and Grounds – Other Expense
Heating Fuel – Other Expense

WHEREAS, it appears that there will be for 2014 an unexpended balance in the following account:

Police – Salary and Wages
Legal- Other Expense

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

FROM:

Legal- Other Expense	\$2,000.00
Police – Salary & Wages	\$1,000.00

TO:

Police – Other Expense	\$1,000.00
Buildings and Grounds – Other Expense	\$1,000.00
Heating Fuel – Other Expense	\$1,000.00

Warren E. Cooper, Mayor

Attest:

November 5, 2014

Brenda S. Shepherd, RMC
Borough Clerk

RESOLUTION NO. 2014-100

2014 BUDGET APPROPRIATION TRANSFER

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

Sewer – Disability Insurance

WHEREAS, it appears that there will be for 2014 an unexpended balance in the following account:

Sewer – Other Expense

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

FROM:

Sewer – Other Expense	\$ 100.00
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TO:

Sewer – Disability Insurance	\$ 100.00
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Warren E. Cooper, Mayor

Attest:

November 5, 2014

Brenda S. Shepherd, RMC
Borough Clerk

PRESENTATION OF VOUCHERS - Current Fund - Opdyke voucher

On motion by Seth A. Grossman, seconded by William Sullivan and carried by favorable roll call vote with Jack Opdyke abstaining, the Mayor and Common Council approved the Current Fund Opdyke vouchers attached to this set of minutes.

APPROVAL OF MINUTES – Special Meeting – September 10, 2014

On motion by Jack Opdyke, seconded by Michele Liebttag and carried by favorable roll call vote, the Mayor and Common Council approved the minutes of the Special Council meeting of September 10, 2014 with Cathy Leach and William Sullivan abstaining.

APPROVAL OF MINUTES – Special Meeting – September 17, 2014

On motion by Jack Opdyke, seconded by Michele Liebtag and carried by favorable roll call vote, the Mayor and Common Council approved the minutes of the Special Council meeting of September 17, 2014 with William Sullivan abstaining.

APPROVAL OF MINUTES Regular Meeting – October 1, 2014

On motion by Seth A. Grossman, seconded by Michele Liebtag and carried by favorable roll call vote, the Mayor and Common Council approved the minutes of the Regular Council meeting of October 1, 2014 with Jack Opdyke abstaining.

APPROVAL OF EXECUTIVE SESSION MINUTES - Executive Session – September 3, 2014

On motion by Michele Liebtag, seconded by Jack Opdyke and carried by favorable roll call vote, the Mayor and Common Council approved the Executive Session meeting minutes of September 3, 2014 with Cathy Leach abstaining.

RESOLUTIONS

Resolution #2014-96 – Resolution of the Council of the Borough of Frenchtown determining that the properties identified as Block 3, Lot 1 and 2; Block 10 Lot 1; and a portion of the bed of Eighth Street, be designated as an area in need of non-condemnation redevelopment

William Sullivan recused himself from this agenda item due to proximity.

On motion by Seth A. Grossman, seconded by Jack Opdyke and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-96 as follows:

**BOROUGH OF FRENCHTOWN
HUNTERDON COUNTY, NEW JERSEY
RESOLUTION NO. 2104-96**

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF FRENCHTOWN DETERMINING THAT THE PROPERTIES IDENTIFIED AS BLOCK 3, LOTS 1 AND 2; BLOCK 10, LOT 1; AND A PORTION OF THE BED OF EIGHTH STREET, BE DESIGNATED AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT.

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Law") authorizes municipalities to determine whether certain parcels of land located with the municipality constitute areas in need of non-condemnation redevelopment; and

WHEREAS, to determine whether Block 3, Lots 1 and 2; Block 10, Lot 1; and a portion of the bed of Eighth Street constitutes an area in need of redevelopment, the Borough Council

(the "Council") of the Borough of Frenchtown (the "Borough"), by way of Resolution No. 2014-75, authorized and directed the Borough of Frenchtown Planning Board (the "Planning Board") to conduct a preliminary investigation pursuant to the Redevelopment Law to determine whether the property identified as, Block 3, Lots 1 and 2; Block 10, Lot 1; and a portion of the bed of Eighth Street, as shown on the Tax Map of the Borough (the "Study Area"), constitutes an "area in need of non-condemnation redevelopment" in accordance with the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, on July 2, 2014, the Council authorized Paul N. Ricci, P.P., Lic. No. L1005570 (the "Planning Consultant") to conduct an investigation to determine whether the Study Area, or any portion thereof, constitutes an area in need of non-condemnation redevelopment in accordance with the Redevelopment Law, and to prepare a preliminary investigation report of the Study Area (the "Study"); and

WHEREAS, the Planning Consultant prepared the Study, titled "Redevelopment Study and Preliminary Investigation Report: Block 3, Lots 1 and 2; Block 10, Lot 1; and a portion of the bed of Eighth Street," dated September 1, 2014, which details the findings and recommendations relevant to whether the Study Area should be designated as an area in need of non-condemnation redevelopment, as well as a map of the Study Area; and

WHEREAS, the Redevelopment Law requires the Planning Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as an area in need of non-condemnation redevelopment, at which hearing the Planning Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

WHEREAS, the Redevelopment Law further requires the Planning Board, prior to conducting such public hearing, to publish notice of the hearing in a newspaper of general circulation in the municipality once each week for two consecutive weeks, with the last publication made not less than ten (10) days prior to such public hearing; and

WHEREAS, the Redevelopment Law further requires such notice to be mailed at least ten days prior to such public hearing to the last owner(s) of the relevant property(ies) and interested parties according to the Borough's assessment records; and

WHEREAS, the Planning Board caused the aforementioned notices to be published in the Borough official newspaper, and provided notice to the affected property owners and interested parties in accordance with the Redevelopment Law; and

WHEREAS, on September 24, 2014, at the time and date of the noticed public hearing, the Planning Consultant, being sworn and qualified as an expert in professional planning, made a presentation of the Study to the Planning Board; and

WHEREAS, in addition to the presentation of the Planning Consultant, at the public hearing the Planning Board heard testimony and evidence from members of the public, who also were given an opportunity to cross-examine the Planning Consultant and address questions to the

Planning Board concerning the potential designation of the Study Area as an area in need of non-condemnation redevelopment; and

WHEREAS, the Planning Consultant concluded that Block 3, Lot 1 satisfies criteria (a), (b), and (d); Block 3, Lot 2 is needed for the effective redevelopment of the Study Area; Block 10, Lot 1 satisfies criteria (c), and the bed of Eighth Street is needed for the effective redevelopment of the Study Area, of the Redevelopment Law, N.J.S.A. 40A:12A-5, and that the Study Area, as a whole, is an area in need of non-condemnation redevelopment; and

WHEREAS, the Planning Board did not receive any written comments or objections to the Study prior to or during the public hearing on September 24, 2014; and

WHEREAS, at the conclusion of the public hearing, the Planning Board found that the Planning Consultant's conclusions in the Study and his testimony provide substantial evidence to support the findings that Block 3, Lot 1 satisfies criteria (a), (b), and (d); Block 3, Lot 2 is needed for the effective redevelopment of the Study Area; Block 10, Lot 1 satisfies criteria (c), and the bed of Eighth Street is needed for the effective redevelopment of the Study Area, of the Redevelopment Law, N.J.S.A. 40A:12A-5, and that the Study Area, as a whole, is an area in need of non-condemnation redevelopment, that the public questions and comments did not erode the Planning Consultant's testimony or conclusions, and that the collective designation of the Study Area as an area in need of non-condemnation redevelopment is necessary for the effective redevelopment of the Study Area; and

WHEREAS, by a vote of 5 to 0, the Planning Board voted to recommend that the Borough Council of the Borough of Frenchtown find that Block 3, Lot 1 satisfies criteria (a), (b), and (d); Block 3, Lot 2 is needed for the effective redevelopment of the Study Area; Block 10, Lot 1 satisfies criteria (c), and the bed of Eighth Street is needed for the effective redevelopment of the Study Area, of the Redevelopment Law, N.J.S.A. 40A:12A-5, and that the Study Area, as a whole, is an area in need of non-condemnation redevelopment; and

WHEREAS, on October 22, 2014, the Planning Board adopted a Resolution memorializing the decision made on September 25, 2014; and

WHEREAS, the Planning Board submitted the memorializing Resolution, along with a copy of the Study and all exhibits presented at the September 25, 2014 public hearing to the Borough Clerk for distribution to the Mayor and Council for consideration thereof; and

WHEREAS, after review and consideration of the Planning Board's recommendation, including all documents submitted therewith, the Borough Council agrees with the conclusion of the Planning Board that the Study Area meets the aforementioned criteria for a non-condemnation redevelopment area designation, and the Borough Council finds that such conclusion is supported by substantial evidence; and

WHEREAS, the Borough Council further agrees with the recommendation of the Planning Board that the Study Area, collectively, be designated as an area in need of non-condemnation redevelopment pursuant to the Redevelopment Law, and

WHEREAS, the Borough Council now desires to designate the Study Area, collectively, as an area in need of non-condemnation redevelopment for the effective redevelopment of the Study Area, pursuant to N.J.S.A. 40A:12A-6; and

WHEREAS, the Borough Council further desires to authorize and direct the Planning Consultant work with the Borough Council to prepare a redevelopment plan for the Study Area and present same to the entire Borough Council pursuant to N.J.S.A. 40A:12A-7f.

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

1. The aforementioned recitals, including the Study and exhibits presented at the September 25, 2014 public hearing before the Planning Board are incorporated herein as though fully set forth at length.

2. The exhibits presented at the September 25, 2014 Planning Board hearing are identified and described as follows:

<u>Exhibit</u>	<u>Description</u>
A-1	Handout titled "Block 3, Lots 1 and 2, Block 10, Lot 1 Preliminary Investigation Report", prepared by Ricci Planning, LLC, dated September 24, 2014
A-2	Photograph display showing the building On Block 3, Lot 1
A-3	Map of Study Area.

3. The Borough Council hereby designates that Block 3, Lot 1 satisfies criteria (a), (b), and (d); Block 3, Lot 2 is needed for the effective redevelopment of the Study Area; Block 10, Lot 1 satisfies criteria (c), and the bed of Eighth Street is needed for the effective redevelopment of the Study Area, of the Redevelopment Law, N.J.S.A. 40A:12A-5, and that the Study Area, as a whole, is an area in need of non-condemnation redevelopment.

4. The Planning Consultant work with the Borough Council to prepare a redevelopment plan for the Study Area (to be hereinafter referred to as the Redevelopment Area), and present same to the entire Borough Council pursuant to N.J.S.A. 40A:12A-7f.

5. The Clerk of the Borough shall forward a copy of this Resolution to the Commissioner of the New Jersey Department of Community Affairs for review and approval by regular and certified mail (return receipt requested).

6. The Borough Clerk shall, within ten (10) days after the Council determination, serve upon all record owners of property located within the Study Area or Redevelopment Area, those whose names are listed on the Tax Assessor's records as interested parties, and upon each person who filed a written objection to the Study to the address listed on the written submission.

BE IT FURTHER RESOLVED that this Resolution shall take effect pursuant to law.

Warren E. Cooper, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

William Sullivan returned to the meeting.

Resolution #2014-97 – Resolution awarding a contract extension to Republic Services of NJ LLC doing business as Raritan Valley Disposal for the Borough of Frenchtown's 2015 Garbage Service

On motion by Michele Liebtag, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-97 as follows:

RESOLUTION #2014-97

RESOLUTION AWARDING A CONTRACT EXTENSION TO REPUBLIC SERVICES OF NJ LLC DOING BUSINESS AS RARITAN VALLEY DISPOSAL FOR THE BOROUGH OF FRENCHTOWN'S 2014 GARBAGE SERVICES

Whereas, the Borough of Frenchtown entered into a contract in the amount of \$45,771.36 with Republic Services of NJ LLC doing business as Raritan Valley Disposal for garbage services for the 2011 after receipt of bids; and

Whereas, this contract allows the Borough of Frenchtown to extend this contract with Republic Services of NJ LLC doing business as Raritan Valley Disposal for up to four (4) one (1) year terms under the same terms, conditions and price; and

Whereas, the contractor has performed in an efficient manner and that it is in the best interest of the Borough to extend the contract; and

Whereas, the Borough of Frenchtown wishes to extend this contract for a one year term with the Republic Services of NJ LLC doing business as Raritan Valley Disposal for the year 2015 under the same terms, conditions and price; and

WHEREAS, the Borough has appropriated sufficient funds to award the contract;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Frenchtown, County of Hunterdon, that the Garbage Contract with Republic Services of NJ LLC doing business as Raritan Valley Disposal be extended for a one year period from January 1, 2015 to December 31, 2015 under the same terms and conditions and in the total amount of \$45,771.36.

Warren E. Cooper, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2014-98 -Resolution awarding a contract to Republic Services of NJ LLC. doing business as Raritan Valley Disposal for the Borough of Frenchtown's 2015 Recycling Contract.

Mayor Cooper stated that he would like to hold off on approving this resolution as they would like to talk to Stockton Borough. Michele Liebttag noted that we would like to have a larger conversation about consolidation but this needs to be passed as the contract expires on December 31, 2014. On motion by Michele Liebttag, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-98 as follows:

RESOLUTION #2014-98

RESOLUTION AWARDING A CONTRACT TO REPUBLIC SERVICES OF NJ LLC DOING BUSINESS AS RARITAN VALLEY DISPOSAL FOR THE BOROUGH OF FRENCHTOWN'S 2015 RECYCLING PROGRAM

WHEREAS, the Borough of Frenchtown authorized the receipt of recycling quotes for the year 2015; and

WHEREAS, on November 4, 2014 quotes were received from Republic Services of NJ LLC doing business as Raritan Valley Disposal and Premier Disposal; and

WHEREAS, the proposal forms included quote requests for single stream collection once every

other week, single stream collection once every week, supply and collect weekly one (1) six (6) yard comingled glass, metal and plastic dumpster and two (2) eight (8) yard paper dumpster and supply of 65 gallon recycling carts to all residents; and

WHEREAS, after discussion of the Mayor and Council, it was decided that the same single stream system be maintained along with collections every other week and the supply of 65 gallon recycling carts to all residents; and

WHEREAS, Republic Services of NJ LLC is low bidder on each and every item; and

WHEREAS, per collection for single stream collection of recyclables curbside every other week, 26 collections per year and the price per collection is \$575.00 and the price for one year is \$14,950.00; and

WHEREAS, the Mayor and Council believe it is in the best interest of the Borough to make an award for single stream every other week collections, 26 collections per year which includes supplying 65 gallon recycling carts to all residents for the year for a total amount of \$14,950.00.

WHEREAS, the Borough has appropriated sufficient funds to award the contract;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Frenchtown, County of Hunterdon, that an award is made to Republic Services of NJ LLC doing business as Raritan Valley Disposal in the total amount of \$14,950.00 for the one year period January 1, 2015 to December 31, 2015.

Warren E. Cooper, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2014-101 – Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for Ridge Road – Section III Improvement Project

Mayor Cooper noted that the Borough received a grant from the State to do repairs and improvements to Ridge Road. The grant was \$150,000.00 which is not enough money to take care of the entire road. We can apply for a grant to receive a similar amount of money for the next section. This resolution will allow the engineer to apply for the next grant for the next section.

On motion by Seth A. Grossman, seconded by Jack Opdyke and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-101 as follows:

**BOROUGH OF FRENCHTOWN
RESOLUTION #2014-101**

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Ridge Road – Section III Improvement project.

NOW, THEREFORE, BE IT RESOLVED that Council of Frenchtown Borough formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Borough Engineer and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Ridge Road – Section 3- 00641 to the New Jersey Department of Transportation on behalf of Frenchtown Borough.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Frenchtown Borough 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 cop of the Resolution adopted by the Council on this 5th day of November, 2014.

Brenda S. 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 _____
Brenda S. Shepherd, RMC
Borough Clerk

Warren E. Cooper, Mayor
Presiding Officer

ORDINANCE

Ordinance #752 – An Ordinance amending Section 7-11 of the Revised General Ordinances of the Borough of Frenchtown titled “Parking Time Limited on Certain Streets” to add an additional street (Introduction)

Mayor Cooper commented that in response to a request by Dorsey Reading to make the parking spaces adjacent to motorcycle lot designated as short term parking, an ordinance has been proposed to make those parking space 30 minute parking. We had a discussion at the last meeting and have comments from the Police Chief who does not oppose the short term parking. William Sullivan commented that the Borough should keep it simple and make all four spaces the same time limits or there will be confusion. Seth A. Grossman noted that the original request was for 15 minutes spaces and the Council agreed that 30 minutes would be better. Cathy Leach added that the residents were in favor of a shorter time limit so that they could unload and load. As to the discussion of a handicap space, Cathy Leach stated that there is one across the street and the town

has over the amount of handicapped parking spaces needed. Mayor Cooper commented that he would like to see the town move all those spaces closer to the building and have the access to the motorcycle lot to the northern end of the lot. It would be safer. Council agreed and noted for the record that the time limit is for the 4 spots currently in front of the motorcycle lot. Council agreed to introduce the ordinance as submitted. On motion by Seth A. Grossman, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the introduction of Ordinance #752 as follows:

EXPLANATION: This Ordinance amends Section 7-11 of the Revised General Ordinances of the Borough of Frenchtown titled "Parking Time Limited on Certain Streets" to add an additional street.

ORDINANCE #752

AN ORDINANCE AMENDING SECTION 7-11 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FRENCHTOWN TITLED "PARKING TIME LIMITED ON CERTAIN STREETS" TO ADD AN ADDITIONAL STREET.

BE IT ORDAINED, by the Borough of Frenchtown Common Council, in the County of Hunterdon and State of New Jersey, as follows:

Section 1. Section 7-11 of the Revised General Ordinances of the Borough of Frenchtown titled "Parking Time Limited on Certain Streets" is hereby amended as follows:¹

7-11 PARKING TIME LIMITED ON CERTAIN STREETS.

No person shall park a vehicle for longer than the time limit between the hours listed on any day upon any of the streets or parts of streets described, except where other parking regulations have been provided for.

<i>Name of Street</i>	<i>Side</i>	<i>Time Limit</i>	<i>Hours</i>	<i>Location</i>
Bridge Street	Both	2 hrs.	8:00 a.m. to 6:00 p.m.	Between Race Street and the Delaware River Bridge
Race Street	Both	2 hrs.	8:00 a.m. to 6:00 p.m.	Between Second Street and Bridge Street

Trenton Avenue West 10 min. 8:00 a.m. to 6:00 p.m. Between South Harrison Street and Lott Street

Race Street East 30 min. 8:00 a.m. to 6:00 p.m. In front of Block 52 Lot 2 a/k/a 22 Race Street

Section 2. Severability. If any portion, paragraph, clause, sentence or phrase of this Ordinance is determined to be invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining portions of this Ordinance.

Section 3. Effective Date. This Ordinance shall take effect immediately upon publication of Notice of Final Passage in the manner provided by law.

Warren E. Cooper, Mayor

ATTEST:

Brenda Shepherd, RMC, Borough Clerk

NEW BUSINESS

Best Practices Checklist discussion

Mayor Cooper noted that the State for the last several years has distributed a checklist of 50 questions as to best practices guidelines. Each municipality has to be in compliance with 40 of them otherwise you lose a portion of your state aid. We have never lost state aid. That is true again for this year. There are a few items we are not in compliance with and it would be easy enough for us to come into compliance. With Council's permission he would like to bring those to Council to vote on. One is the requirements for Council members to attend some educational session to bring us up to date. There are several others that he believes we can accommodate quickly. We do not know what they will ask us next time. That would give us some wiggle room. Council discussed the checklist items and consented to the Mayor's recommendations.

Milford Road

Mayor Cooper noted that the speed limit on Milford Road use to be a 15 mph. At one time there was a discussion between the County and municipality. To make each of our lives simpler, the County wanted to give us Harrison Street from 7th Street and north toward Milford and they would take over Milford Road. There was a hang up with the speed limit on Milford Road because it was not in compliance. Before they would make the switch, they insisted that the Borough change the speed limit on Milford Road which we did. Now, they said “no” and that we could take Harrison Street. It does have an impact on the plans that the Eighth Street developer is proposing. Mayor Cooper asked David Meiskin, proposed developer, to tell the Council why it is important for the town to have the responsibility of Harrison Street. William Sullivan stepped down on this discussion.

David Meiskin noted that he had a meeting with the county, engineers and road department on the issue of the County Code in reference to access off of Harrison Street. They will not permit roads to be within a certain distance of each other. They would grant some waivers but they would not give waivers to allow the continuation of the town so Ninth Street could never exist. Eighth Street would be a signaled intersection and Twelfth Street would be a one way. Traffic would have to exit to Eighth Street which does not help them. It is coming up with a safety point of view with the elementary school. We came up with a road pattern that would look like the rest of Frenchtown but the County would not grant us waivers to do that. Mayor Cooper asked Mr. Meiskin to put that into paragraph form to the Council and he will approach Tom Matthew from the County. We would like to see the County take responsibility of what it had ask us to do. David Meiskin stated that he cannot go before the planning board because he does not know what road patterns he should have. Mayor Cooper noted that the general feeling is that we do not want to take on additional responsibility for maintenance, etc. of the road. He thanked Mr. Meiskin. William Sullivan returned to the meeting. Jack Opdyke noted that there has been push and pull with the County since he was on Council in the 1980s. Mayor Cooper stated that it was Tom Matthew who recommended it in the first place. William Sullivan recommended that the Council show up at a Freeholder’s meeting and noted that we acted in good faith and feel we have been unduly lead on. Now, it is their turn. They are saying Milford Road will need work. All it needs is sealing which is what the County’s specialty is. Attorney Rizzo noted that the Council can attend the Freeholder’s meeting as they will not be acting.

Resignation of Fire Official

Michele Liebttag noted that we received a letter from Fire Official, Bill Majewski, that he is looking to resign at the end of the calendar year. They are training a replacement for Franklin Township. Mike Atheras talked to Richard Zimenski, replacement for Franklin Township, and it is his position that the Borough hire Richard Zimenski. He asked him to provide a resume. We will have that for the December meeting and it should be a seamless transition.

River Road hydrant placement/waterline/police off duty coverage

Mayor Cooper noted that part of the sewer project included the need to provide fresh water to the new building. It was thought that we could do it with a well, and at some point, the engineer and Victor Gilardi suggested that we extend the water line. That

project is underway right now. Victor Gilardi noted that the water mains are put in down Washington Street and River Road. They will hook up the four houses on River Road and the hydrants on Friday. For safety purposes, the Police Chief determined that it would be necessary for the police to control traffic in the area of the community garden to the plant. Trucks have to cross over the bikepath. We parked the Tomar workers and residents at the DPW. Mayor Cooper asked why the Borough need that intense police coverage. The Borough is paying for its own police department standing guard over dirt piles. We will get those answers at the next meeting.

Establish a uniform \$500.00 limit for purchases within the departments without need for committee approval

Mayor Cooper noted that several years ago most of the department already had a \$500.00 limit for purchases. It was brought to our attention that one department was left out of that \$500.00 limit. We have left a handicap on the finance and administrative department and he is asking Council to approve a uniform purchasing policy of \$500.00. Seth A. Grossman stated that the commissioners should be notified. Mayor Cooper noted that the library buys books at \$53.00 a piece. Cathy Leach noted that the librarian does not need to ask permission. William Sullivan added that we have given the departments responsibility this long and we see the bills on the bills list. Mayor Cooper stated that it is to protect the Borough from any spending that may be unwarranted and would be costly. Most departments know what their budget will allow so we do not have to impose a lot of extra work for them to do their jobs. On motion by Jack Opdyke, seconded by Michele Liebttag and carried by favorable roll call vote, the Mayor and Common Council approved a uniform \$500.00 limit for purchases within the departments without the need for committee approval.

Vote on the motion:

Ayes: Leach, Liebttag, Opdyke and Sullivan

Nays: Grossman

Absent: Arent

OLD BUSINESS

Recycling – Food Waste recycling

Mayor Cooper received a call from Alan Johnson who thinks Lambertville may be willing to discuss picking up food waste in Frenchtown. He has a call into Mayor DelVecchio.

Wastewater Treatment Plant Facility update

Victor Gilardi reported that last week, they did a test for the generator. The NJDEP had to verify that the generator would start up and operate. NJDEP wants the call out box to call himself and the sewer operator assistant when the generator runs. He will need a phone line to do that. The two companies for phone line installation are Century Link and Verizon. It will be a landline with internet. NJDEP will have to verify that it works before we put water into the river. That is the final phase. Today, he had the last of the training on the Skader system. We will start the 48 hour test of clean water, controlling the plant through the computer for 48 hours. When the NJDEP is satisfied, we will add the seed sludge and start the new plant. The plant will still be a closed system. It may take 3 or 4 weeks for the seed to come up to the right process. When the NJDEP gives us final permission, we will discharge to the river. This will be done before Christmas.

Victor Gilardi also reported that we cannot demolish the old plant until the new plant is up and working. When the new plant is on line, we will take the old plant off line. Mayor Cooper asked what the fine is per day if we discharge? Victor Gilardi responded that once we break the pipe, we cannot go back. Mayor Cooper commented that the original plan included some time that the old plant would not come off line. Jack Opdyke responded that we can have Tim Bradley confirm that. It will be difficult to run the old plant. Mayor Cooper stated that we want to make sure we are not compromising the Borough's position to help the vendor get the old plant out of there. Victor Gilardi added that there is a three page plant start-up and water test procedure that we gave to Tomar Construction. It is a sound plan. Victor Gilardi noted that if we spill sewerage on the ground, there is a fine. Next week, we are breaking the pipe and connecting to the influent wet well. The influent wet well will be used for the new and old plants. We will have stand by pumps. Michele Liebtag recommended that Victor Gilardi talked to Tim Bradley about the time issue of the old plant coming off line and new one coming on line. Victor Gilardi noted that there was no plan of action in the bid specification.

Hilltop Streets

Mayor Cooper commented that as you know, we have been asked to address the issues of the hilltop streets. They are not municipal roads. The residents asked us to do municipal roads and we promised that we would look into it. He met with the engineer, the auditor and the Borough attorney. All of them would require that Council decide what a reasonable approach would be and how the project would be paid. We have a guestimate and it would be between a 2.25 and 2.5 million dollar project. The engineer submitted a proposal in order to do a better assessment for a cost of \$650.00 which includes taking measurements. As far as the auditors is concerned, the options are that the Borough take on debt or we create a special improvement that would require additional taxes be paid by those property owners who will benefit or some combination of the two. We would get advice from the auditor. There would be a benefit to the town. He hopes we will have that discussion. In addition, we need to know that everyone up there on the hilltop streets will agree to whatever plan we come up with. We have had residents act as street captains. What would be required of them would not only be additional taxes but they would have to provide some type of right of way easement to the Borough so we could access those properties. Each property owner owns to the middle of the street. We are in the process of getting a map from the County Clerk's office. It will cost additional legal fees and additional engineer fees. Before we can go any further, we need a better idea of how much that project will cost. He asked permission to allocate \$650.00 to have Engineer Burr start the work. Cathy Leach confirmed that there is \$800.50 left in the engineering line item. On motion by Jack Opdyke, seconded by Cathy Leach, and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the \$650.00 fee for Engineer William Burr to provide a cost estimate for the improvements of the streets within the "hilltop" neighborhood.

Sewer Committee recommendations re: Sewer rents and fees

Seth A. Grossman noted that the Sewer Advisory Committee needs to present a plan and draft ordinance.

Ordinance #753 – Bond Ordinance appropriating \$60,000, and authorizing the issuance of \$57,000 bonds or notes of the Borough, for various improvements for purposes authorized to be undertaken by the Borough of Frenchtown, in the County of Hunterdon, New Jersey

Mayor Cooper commented that the Borough has been struggling with two capital expenditure projects, the replacement of the furnace in the fire house and repair of porch on the police department building as well as the security doors. We verified with the auditor that we can introduce a bond ordinance for these projects. We are getting proposals for the cost of the furnace. The existing furnace at the fire house no longer works and there is no heat for the building and equipment. The law requires that we contribute 5% up front for the down payment so \$3,000.00 would come out of the capital improvement fund for the down payment and the bond ordinance would authorize \$57,000.00 in debt. We will try to expedite the project. A motion was made by Michele Liebttag to introduce Bond Ordinance #753. Cathy Leach seconded the motion. The Mayor opened the floor for Council discussion. William Sullivan commented that he does not recall plans for the porch. Seth A. Grossman responded that he got an architect to look at the porch and present a cost estimate. He sent that out to everyone by email. William Sullivan commented that he does not recall seeing anything on that and added that no one decided what we should do. We do need an architectural plan for the design and we would have to bid the project. Michele Liebttag noted that if the job is under a certain amount, we do not have to go out to bid. Jack Opdyke noted that we have been talking about fixing the porch. And, the doors have to be done and the furnace has to be done. He thinks the porch should be done too. Seth A. Grossman noted that he had Michael Mark provide an estimate for the porch. William Sullivan stated that it never came through committee. He recommended removing the \$20,000.00 for the porch from the ordinance and just do the furnace and the doors. The porch may need to be done but it does not mean we need to spend that money on it. Cathy Leach commented that it will be open for public comment and discussion at the public hearing. Michele Liebttag stated that she will email all the estimates for the furnace to the Council. Mayor Cooper noted that there will be a public hearing on the ordinance and we would like to try an expedite the project. He asked if Council could meet for a special meeting in the morning on the 21st of November if the publication of the ordinance can occur in time. Council agreed. On motion by Michele Liebttag, seconded by Seth A. Grossman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the introduction of Ordinance #753 as follows:

ORDINANCE # 753

BOND ORDINANCE APPROPRIATING \$60,000, AND AUTHORIZING THE ISSUANCE OF \$57,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS FOR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF FRENCHTOWN, IN THE COUNTY OF HUNTERDON, NEW JERSEY.

BE IT ORDAINED 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 thereof affirmatively concurring), AS FOLLOWS:

The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Frenchtown, New

Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$60,000.00 including the aggregate sum of \$3,000.00 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

For the financing of said improvements or purposes and to meet the part of said \$60,000 appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$57,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$57,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Installation of gas furnace for the Fire Department by the Borough, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved, the \$25,000.00 hereby appropriated.	\$25,000.00	\$23,750.00

(b) Reconstruction of the Police Department porch in and by the Borough all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved the \$20,000 appropriation hereby made.	\$20,000.00	\$19,000.00
(c) Installation of new doors on the Police Department building in and by the Borough all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved the \$15,000.00 appropriation hereby made.	\$15,000.00	\$14,250.00
Totals	<hr/> \$60,000.00	<hr/> \$57,000.00

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

The following additional matters are hereby determined, declared, recited and stated:

The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the

several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 11.98 years.

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$57,000.00, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

Amounts not exceeding \$10,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next

succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made.

Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

CERTIFICATION

I, Brenda S. Shepherd, Clerk of the Borough of Frenchtown, County of Hunterdon, do hereby certify the foregoing to be a true and correct copy of the Bond Ordinance introduced by the governing body of the Borough of Frenchtown on November 5, 2014.

Brenda S. Shepherd, RMC

COUNCIL COMMENTS

Jack Opdyke noted that he is feeling well and thanked everyone for the well wishes. He will meet with Victor Gilardi very soon.

William Sullivan reported that leaf pick up is underway. We got the parts and put the leaf machine back together.

William Sullivan reported that Horseshoe Bend Road is done. He does not know if Creek Road is complete.

Seth A. Grossman noted that he is submitting his resignation. The reason is that his work load has

been building up and it became prudent to step down so he will be stepping down on December 31, 2014. It is a privilege to serve on Council. Mayor Cooper responded that we appreciate your service, work and commitment. We will be sorry to see Seth A. Grossman go. Seth has made a tremendous contribution and he thanked Seth A. Grossman for taking on Council President. Jack Opdyke added that Seth will be missed. Council agreed.

Cathy Leach reported that she attended the library board meeting on Monday. The concern is that the public computer is very old. We are working with the County to see if they can provide more equipment. They are also interested in putting a sign over the library door that says "Frenchtown Library – Established 1919". Mayor Cooper stated that the Borough does not have to comply with the sign ordinance. William Sullivan recommended that the sign be wood or wood like. Cathy Leach noted that they have grant money that will pay for it. Cathy Leach added that the library board requested that front door be painted.

Cathy Leach also noted that the library board is having discussions about starting an 8th grade writing award and they will provide a \$500.00 scholarship. Also, residents that speak multiple languages will provide English classes.

Mayor Cooper noted that the Children Christmas party will be hosted by the Masons, Lions Club and the Amercian Legion at the Darcy Lodge this year. Santa will be there. It will be posted on the Borough website. Michele Liebttag noted that she will get the information for the Fire Company's Christmas party date.

Mayor Cooper noted that he was approached by the Rabbi about this year's menorah lighting. He would like us to put the menorah up again this year. It is scheduled for Monday, the 22nd of December at 6:00 pm. Mayor Cooper stated that he has not heard about the tree lighting.

CORRESPONDENCE

None discussed.

EXECUTIVE SESSION

Litigation – Harold Johnson vs. Frenchtown Borough

Anticipation Litigation – Delaware River Basin Commission – Notice of Violation and to show cause, Docket No. D-2010-021-CP-1

On motion by Michele Liebttag, seconded by Seth A. Grossman and carried by unanimous favorable voice vote, the Mayor and Common Council approved to go into executive session at 9:40 pm and approved Resolution #2014-102 as follows:

RESOLUTION #2014-102

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) Litigation – Harold Johnson vs. Frenchtown Borough
 - (b) Anticipation Litigation – Delaware River Basin Commission – Notice of Violation and to show cause, Docket No. D-2010-021-CP-1
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.

I, Brenda S. Shepherd, Borough Clerk, do hereby certify that the foregoing is a true copy of a resolution adopted by the Common Council of the Borough of Frenchtown at a meeting held on November 5, 2014.

Brenda S. Shepherd, RMC
Borough Clerk

ADJOURNMENT

Being no further business to come before the Council, the meeting was adjourned at 10:45 pm on motion by William Sullivan, seconded by Michele Liebttag and carried by favorable voice vote.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk