

CALL TO ORDER

Mayor Warren Cooper called the meeting to order at 7:30 a.m. and stated that in compliance with the “Open Public Meetings Act” this Meeting was duly noticed to the Hunterdon County Democrat on November , 2014 and the Express Times on November , 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 24 , 2014.

FLAG SALUTE

Mayor Cooper asked everyone to stand for the flag salute.

ROLL CALL

Present for the Meeting:

Robb Arent
Seth A. Grossman
Michele Liebttag
Jack Opdyke

Absent from Meeting:

Cathy Leach
William Sullivan

Borough Clerk, Brenda S. Shepherd, were present for the meeting. No members of the public were present.

PUBLIC COMMENTS

The Council approved to open the public comment session.

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

PUBLIC HEARING

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

The Mayor and Common Council approved to open the public hearing on Ordinance #753 by favorable voice vote. Having no public comments, the Mayor and Common Council approved to close the public hearing on Ordinance #753 by favorable voice vote.

RESOLUTIONS

Resolution #2014-104 – Resolution amending the 2014 Capital Budget

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 #2014-104 as follows:

RESOLUTION #2014-104

WHEREAS, the Borough of Frenchtown, County of Hunterdon, New Jersey desires to amend the 2014 Capital Budget of said municipality by inserting or correcting an item therein shown in the original Capital Budget as adopted on June 4, 2014.

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

Section 1. The 2014 Capital Budget of the Borough of Frenchtown is hereby amended by inserting thereto a Schedule to read as follows:

AMENDMENT NO. 1
CAPITAL BUDGET OF THE
BOROUGH OF FRENCHTOWN
NEW JERSEY

Projects Schedules for 2014
Method of Financing

<u>GENERAL PROJECT</u>	<u>EST. COST</u>	<u>BUDGET APPROP.</u>	<u>CAPITAL IMP. FUND</u>	<u>BONDS</u>
Installation of gas furnace for the Fire Department	\$25,000.00	-0-	\$1,250.00	\$23,750.00
Reconstruction of the Police Department porch	\$20,000.00	-0-	\$1,000.00	\$19,000.00
Installation of new doors on the Police Department Building	\$15,000.00	-0-	\$ 750.00	\$14,250.00

I, Brenda S. Shepherd, Borough Clerk of the Borough of Frenchtown do hereby certify that this is a true copy of the Resolution passed at the meeting held on November 24, 2014.

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2014-105 – Open Space Trust Fund Reserve

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 #2014-105 as follows:

BOROUGH OF FRENCHTOWN

RESOLUTION NO. 2014-105

HUNTERDON COUNTY MUNICIPAL GRANTS PROGRAM ALLOCATION

WHEREAS, the Borough of Frenchtown has been allocated the amount of \$4,836.867 in the Hunterdon County Open Space, Recreation, Farmland and Historic Preservation Trust Fund

Municipal Grants Program for the year 2013; and

WHEREAS, the Borough of Frenchtown intends to use the reserve in the future for the acquisition of new open space and/or payment of indebtedness for recently purchased open space; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the Borough of Frenchtown, County of Hunterdon, State of New Jersey to request the County to reserve the allotted funds of \$4,836.867 in the Municipal Grants Program for the next year.

Dated: November 24, 2014

Warren E. Cooper, Mayor

Brenda S. Shepherd
Borough Clerk

Resolution #2014-106 - Resolution to amend resolution #2014-95 as to refund of Street Opening Bond and Processing Fees

Robb Arent noted that he would like to have a discussion on this issue. Mayor Cooper asked for a motion in order to discuss the item. A motion was made by ----- and seconded by ----- to approved Resolution #2014-104. Mayor Cooper opened the floor for Council discussion. Robb Arent noted that the Borough needs to have a discussion with our professionals. These residents bought a house on S. Harrison Street and put the bond and escrow money up that was required in order to install a gas furnace. After numerous weeks of not hearing anything, they asked for their money back and installed a new boiler for heat. The professional charged the residents to review the application after being told not to. Brenda Shepherd noted that the street opening permit was sent to the engineer for review. The engineer went on vacation after that and had not reviewed the application for weeks. The Borough received a bill after the residents request to stop the application. The engineer may have already put time into the review. Seth A. Grossman stated that we need to look at these things. As soon you put in application, it is in. The Borough has the right to collect fees. We need to look at it to see if we can do anything. Having no further discussion, Mayor Cooper called a vote on the motion. The Mayor and Common Council approved by unanimous favorable roll call vote Resolution #2014-106 as follows:

RESOLUTION NO. 2014 - 106

**RESOLUTION TO AMEND RESOLUTION #2014-95 AS TO 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, an expense of \$95.00 was incurred for engineering review of the street opening permit from the processing fee; and

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

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 \$5,405.00.

WARREN E. COOPER, Mayor

Attest:

November 24, 2014

Brenda S. Shepherd, RMC
Borough Clerk

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 (Adoption)

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 adoption 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	\$60,000.00	\$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

NEW BUSINESS

Possible appointment of a qualified purchasing agent

Mayor Cooper noted that she asked CFO Diane Laudenbach to serve as Qualified Purchasing Agent through the end of the year for a \$600.00 fee. Michele Liebtag and he discussed what other projects we need to get done by the end of year. Seth A. Grossman stated that it is a good thing to have the appointment made and the Borough should pay attention to what degree we are allowed to do it. 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 #2014-105 as follows:

RESOLUTION NO. 2014-107

QUALIFIED PURCHASING AGENT APPOINTMENT

WHEREAS, the Local Public Contracts Law gives local contracting units the ability to increase their bid threshold up to \$36,000; and,

WHEREAS, N.J.S.A. 40A:11-3a permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed, as well as granted the authorization to negotiate and award such contracts below the bid threshold; and,

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and,

WHEREAS, Diane Laudenbach, who effectively services as Chief Financial Officer, also possesses the designation of Qualified Purchasing Agent, as issued by the Director of the Division of Local Government Services, in accordance with N.J.A.C. 5:34-5 et seq.; and

WHEREAS, the Chief Financial Officer, Diane Laudenbach, has agreed to hold the Qualified Purchasing Agent position until December 31, 2014 to exercise the duties of purchasing agent, pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to authority, responsibility and accountability of the purchasing activity of the contracting unit for the projects listed in ordinance #753 at a cost of \$600.00.

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 Diane Laudenbach be appointed as Qualified Purchasing Agent through December 31, 2014, to exercise the duties of purchasing agent, pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to authority, responsibility and accountability of the purchasing activity of the contracting unit for the projects listed in ordinance #753 at a cost of \$600.00;

BE IT FURTHER RESOLVED that the Mayor and Common Council of the Borough of Frenchtown, County of Hunterdon and State of New Jersey, hereby increase its bid threshold to \$36,000, and its quote threshold is fifteen percent (15%) of the approved bid threshold; and

BE IT FURTHER RESOLVED that, in accordance with N.J.A.C. 5:34-5.2, the Borough Clerk shall forward a certified copy of the within Resolution to the following:

Director of the Division of Local Government Services and Mark Pfeiffer, Deputy Director of the

Division of Local Government Services.

Warren E. Cooper, Mayor

ATTEST:

Brenda Shepherd, RMC, Borough Clerk

Approval of payment #29 for Tomar Construction LLC.

Mayor Cooper noted that payment must be made within 30 days of submission. On motion by Seth A. Grossman, seconded by Jack Opdyke and carried by unanimous favorable roll call vote, the Mayor and Common Council approved payment #29 for Tomar Construction LLC. in the amount of \$362,516.70.

ADJOURNMENT

Being no further business to come before the Mayor and Council, the meeting was adjourned at 7:45 am.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk