

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 December 3, 2014.

FLAG SALUTE

Mayor Cooper asked everyone to stand for the flag salute.

ROLL CALL

Present for the Meeting:

Seth A. Grossman
Michele Liebttag
Jack Opdyke
William Sullivan

Absent from Meeting:

Robb Arent
Cathy Leach

Attorney Albert Cruz, and Borough Clerk, Brenda S. Shepherd, were present for the Meeting. 10 members of the public were also present.

PUBLIC HEARING

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

The Mayor and Common Council approved to open the public hearing on Ordinance #752 by favorable voice vote. Having no public comments, the Mayor and Common Council approved to close the public hearing on Ordinance #752 by favorable voice vote.

PUBLIC COMMENTS

The Council approved to open the public comment session.

Gazebo at Old Frenchtown Field – Patty Wilson

Patty Wilson noted that she previously presented her plan to Council. The purpose of the project is to build a gazebo. Her son, Luke Benjamin Smith died of liver cancer when she was living in Frenchtown. The Community was a tremendous help. She wants to give back to the community a place of solace where events such as music, etc. can be hosted and where events for the students of the school can have a place to work on projects, read or write. Mayor Cooper thanked Patty Wilson for her generous spirit in choosing to do this for the community. We are most appreciative. He asked her what the status is of her efforts? Patty Wilson noted that the status is at a standstill. She would like to start the gazebo in the spring and would like to get a team together and talk to some of the Eagle Scouts to see if they would work for their badges. Her vision is a 30 foot 12 sided gazebo, of cedar wood. It is safer for the environment. She envisions a butterfly garden. Butterflies have meaning of new life since she lost her son. For a fundraiser, she thought about pavers with other names of children who lost their battle with cancer. It can be children and/or adults. William Sullivan noted that he worked with Patty Wilson on starting the layout. She is looking tonight for our permission to move forward in order to start the fundraising. We have gone through the process with Green Acres and it is an allowed use for the property. It is okay with them

if it is okay with us. Patty Wilson stated that she is looking for permission to do the project. It is a prefabricated unit. They would like to put it in the lower section of Plessey Field. She would like to have it on a concrete slab. She does not know how the upkeep would work. She does not want to build a gazebo if there is no upkeep. It is love and legacy and she wants it to carry on so it is there for years. She does not know who would own it. William Sullivan noted that the town would own it and you could get a group together to paint it and take care of the area. Patty Wilson commented that she does not want to have anyone come in and start planting trees, etc. William Sullivan stated that it would have to come to the Council for approval. Mayor Cooper added that the DPW staff is responsible for maintaining the property. The Council would be amenable to hear what a group would want to do. As far as direct maintenance, you can be comfortable with that. If there is any additional help we can provide, and anything we can do to help move it forward, let us know. Patty Wilson stated that she may need a lot of help. It is a lot for one person. Chief Kurylka asked if the location was set in stone? William Sullivan stated that we can get input on that. Chief Kurylka noted that they have tried to start something with the Lions Club along Harrison Street. He supports Patty's project but if it is positioned in that area, it will be vandalized because it will be out of site. He wants to help her 100%. He always thought something up by Harrison Street would be an attractive center point. William Sullivan commented that vandalism did not cross our minds. We can sit down and discuss it. Attorney Cruz stated that the only question is the insurance. Mayor Cooper stated that once a plan is in place for the structure and location, we will share it with the insurance agent and they can advise us. William Sullivan stated that we will have a contractor with the required insurance. Responding to Patty Wilson, William Sullivan stated that the building permits will go through the town. The building department will need a set of blue prints. It is a permitted use through Green Acres. It does not need a variance, just permits. Mayor Cooper asked the Council for a voice consent that the Borough agrees in principle that it would be great for the town. Council consented. Council thanked Patty Wilson.

Caroline Scutt, representing the Business Association, noted that the Business Association is going to purchase and give the police department additional traffic cones. They have let us use their cones and to show our appreciation, we are giving them new traffic cones. The police have been terrific with all the events we have. Officer Murphy helped out with traffic at the tree lighting with the bank still open. Chief Kurylka thanked Caroline Scutt and noted that most of the traffic cones we have are damaged or no good.

Caroline Scutt, representing United Way, noted that she wanted to publicly thank Mayor Cooper for helping us with the project as part of the housing alliance. We got a group together to discuss the issue in the County. We put out a publication for awareness to the Community. Randi Eckel also participated. She thanked Frenchtown for their participation. The purpose was to contribute to CEDS from a community service perspective, thinking about where people will live and the County will look like in 10 years. We are working with the County Planning Board and moving forward with the CED committee. She official thanked the Mayor and Frenchtown. She appreciated the assistance.

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

DEPARTMENT HEADS REPORTS

Finance

Chief Financial Officer Diane Laudenbach submitted the attached report.

CFO Diane Laudenbach noted that this past month there were purchases made by the fire company and we are paying the fire company back. Did someone authorize a change in policy? Mayor Cooper responded that in past years, the vouchers were submitted from the fire company by the vendor. The concern is that the Borough has to issue a 1099 for any vendor where there is a purchase of \$600.00 or more. Our auditor would bring the issue to us if we do not have the documentation required. Michele Liebttag noted that she will take it back to the fire company. Diane Laudenbach commented that in the cumulative total it may be over the \$600.00 limit. She added that there was a charge made to Milford Frenchtown Auto Parts and we should pay Milford Frenchtown Auto Parts directly.

CFO Laudenbach also noted that as to the off duty police, she is concerned that the police officers are being paid off duty rate for work that the Borough is paying for. It is the Borough's money being spent. The water line project is for the sewer plant and the off duty expense is over \$10,000.00. Responding to Mayor Cooper, Chief Kurylka noted that the traffic pattern had to be what it had to be. They had equipment on one road and were dumping material on another road. How do you prevent people from going down there? Mayor Cooper asked if this is something we can do less expensively so that the taxpayer does not have to pay the bill? Chief Kurylka stated that he was under the impression that the costs were being satisfied by Hinkle and McCoy or the water company. Off duty is the only way he can make extra money. Jack Opdyke noted that the Borough is paying the water company. Mayor Cooper commented that in the future, if we can identify Borough projects ahead of time, we can determine how to move forward. Overtime would be less expensive for the Borough. Chief Kurylka noted that his overtime would exceed the \$65.00 per hour. Mayor Cooper stated that we could manage that so that we have less expensive officers on duty. Responding to Michele Liebttag, Clerk Shepherd noted that the contract is with Hinkle & McCoy. Chief Kurylka noted that his only concern is safety along with traffic and pedestrians. He added that he never knew about the preconstruction meeting and asked why he was not invited to that meeting. Mayor Cooper stated that we will look for a strategy so we can avoid it the next time it comes up. He added that it never occurred to him that the off duty services would accumulate to \$10,000.00.

Tax Collector Diane Laudenbach reported that tax collection is higher than last year. Delinquency notices went out Tuesday. Almost everyone paid the taxes before the tax sale. Mayor Cooper stated that as of the end of October, we were at 78%. The 22% not collected is \$191,000.00 which is slightly ahead of last year.

As to the budget line items, Diane Laudenbach noted that most are within the budget. There is still a negative number in health insurance but it will be covered by the deductions from October, November and December. That will bring us where we need to be. Diane Laudenbach also noted that Mike Reino will have an issue with his budget. There may be a little left in the legal line item and gasoline prices were lower this year. There is probably enough to transfer to the DPW salary and wage line item. Gasoline purchasing is about \$1,000.00 per month per department. Mike Reino noted that he had about 60 to 80 tons of salt and will not buy salt until 2015. Salt prices went up about \$17.00 per ton. Chief Kurylka asked if they will eventually be getting gas at the DPW? Mike Reino stated that he does not have any money in his budget to wire everything and he still does not have his fans done. To wire the pumps for the gas tanks will cost about \$350.00 and the fans will cost about \$2,300.00. Chief Kurylka responded that it would be a lot cheaper if we had the gas in town. They have to go to the County for the gas currently, in Flemington. Mike Reino stated that he borrowed a pump from Stem Brother for the diesel and has been purchasing diesel

from Stem. The gas pumps are not the highest priority to spend money on. William Sullivan asked if the Borough can look at getting the gas pumps going? Mike Reino stated that the electrician that quoted the work would do the installation of the fans and the gas pumps at the same time. He added that the Borough signed a share service purchasing agreement with the County and we may be purchasing it from the county. Mayor Cooper noted that at the League of Municipalities, he was talking with a group that does not charge a fee to join a co-op. Diane Laudenbach noted that you may want to look into ESC. Mayor Cooper stated that it is something we need to look into going forward even for budgeting purposes. Chief Kurylka asked if he could research Cranford as well because they have fuel, cars, etc.

Chief Financial Officer Diane Laudenbach stated that she is still waiting for the fix assets list. The police department is finalizing its list and she is still waiting for a list from sewer and the fire department. Victor Gilardi says he does not have anything to report. There is a master list which each department can review to delete or add items. Mayor Cooper asked that the master list be sent to Jack Opdyke, Michele Liebttag and himself.

Responding to Mayor Cooper, Diane Laudenbach noted that the finance software will be installed next week. She has training already on the program. There will be a chart of accounts and vendors lists. It is a simpler system that she can do in house which we do not have now. We can make a sub account up for each department. It is a way of alerting someone about their budget. Mayor Cooper added that the Council can determine how much fuel is being used from DPW, Police, etc. It will give the Council a birds eye view of what things are costing.

As to the Fire company furnace, Mayor Cooper thanked Diane for her help in getting the furnace process going. Looking toward 2015, he asked how the Qualified Purchasing Agent process can go smoother. The furnace process was cumbersome. Part of the delay was on our side. We did not know exactly what you needed. When we got something together, we then discovered that there was something else we needed. We need to make that process smoother. Diane Laudenbach asked if there are any projects planned for next year? Diane Laudenbach added that there is a list of item that you need for quotes which was provided to the contractor. Mayor Cooper asked that Diane Laudenbach provide them with information that they have stumbled with on this project so that it will be helpful in the future.

Department of Public Works

DPW Manager Mike Reino noted that as to the budget, we are on a spending freeze. We have been running as lean as possible. We had Mike Angeloni voted in as a 12 month part time employee. We were \$20,000.00 short on salaries and it ate up the budget. His total budget is enough to cover the total expenditures, salary and wages and other expenses. Diane Laudenbach stated that there is only \$2,000.00 left in the salary and wage line item and she will have to do a transfer as there are three more pays this year. Each pay runs approximately \$4,000.00 for a two week period. His entire salary and wage line item will be fully expended. The worse case scenario is that some of it gets charged to the 2015 budget. Mike Reino stated that he discussed with Diane Laudenbach using the money left in the other expense line item to cover the salary and wages. He had things he was planning on doing that he will not be able to do now such as fixing the door on the truck. Mayor Cooper commented that going forward it would be helpful if William Sullivan was in the loop on these conversations. William Sullivan added that when you asked to hire Mike Angeloni, you assured us that you could afford it. We did not impose it upon you. This is an additional tool but if we cannot afford him, we have to limit it. Mike Reino noted that the base salary request was

\$133,000.00. The winter ate up the budget. William Sullivan noted that to have another person work, using more materials, etc., we will have to see if we can afford it. You have to take that into consideration. Mike Reino stated that he is staying within his total budget. We had to use the operating budget to put into the salary budget. Mike Reino noted that he started to realize in August that he was not going to be giving hours to Mike Angeloni to the end of the year. Mayor Cooper asked how having the additional man freed him up to do administrative work he had not had time to do. Mike Reino responded that Mike Angeloni is indispensable to him. He would make him full time if the money was available. Mayor Cooper asked Mike Reino what he has been able to do that he could not do in the past? Mike Reino responded that they were able to plow snow with three guys without a lot of overtime or bringing in an outside contractor. If we need someone to work on Saturday, Mike Angeloni will work. We had been doing three catch basins a year but with Mike Angeloni, we did six this year. The landscaping has been perfect. We can do it quicker and more effectively. Mike Reino noted that he did not have to pick up public garbage this year. Mayor Cooper asked Mike Reino what he has been able to do this year in reference to managing the department that he has not been able to do in the past. Mike Reino responded that he has been organizing the new shop and an office and he is now on line. He will be able to develop a professional budget request. Going forward, he will have potential opportunities to seek grants. He did not do that this year. During the summer, he was able to operate two separate crews. In repairing one of the catch basins, a large square footage of black top was needed and it would have been a burden for two guys. From a safety aspect, one guy is able to scan traffic. The opportunity is that Mike Angeloni has a background in management and has a lot of licenses. He is willing to get more and he may be a future DPW Manager. William Sullivan recommended that he put that in his budget proposal. Mayor Cooper commented that in 2015, the construction will end and that will clear the year to put together a real workable public works yard including a recycling area. Those are the things we are talking about. Management is what will make the department efficient. Mike Reino responded that he can give a list of what he cannot do without Mike Angeloni. Mayor Cooper stated that the budget committee needs the information. It would be a significant increase in your budget but we need justification and we need to see if we can accommodate it. Mike Reino noted that DPW is on the verge of being proactive where we have been reactive. William Sullivan stated that we are on the verge of a budget crisis every year. You do a good job with what you have. It would be nice to have representation of what it is. Mike Reino stated that he takes what the Borough gives him and works with it. Michele Liebttag asked Mike Reino if he has a project list. Mike Reino responded that he has a short term list of projects on the chalk board. The most important area is a road survey. There are roads that need to be paved. Mayor Cooper noted that we are going to get that list from the engineer. Mike Reino stated that he has worked with Engineer Burr so the town does not have to pay the full fare on engineering.

Mike Reino also reported that the leaf machine is perfect although we still have maintenance. For a cost of \$1,755.00, we took a substantially similar engine and swapped it. It was sophisticated mechanical work that he is not qualified to do so he worked with Kochis. We did the wiring and installation in the shop. The total cost was \$3,000.00. It uses less fuel and does not leak. It is up to tie 3 for pollution control. A new machine is \$30,000.00. William Sullivan asked Mike Reino to give Council a fairly accurate assessment of what it costs the town to recycle leaves. He asked Mike Reino to break it down as to manpower, equipment, etc. Mike Reino stated that it costs approximately \$10,000.00 per year. A lot of leaf material is not going into the mulch. Responding to William Sullivan, Mike Reino noted that leaf collection is a cherished service. Mayor Cooper noted that it has come up on a number of occasions and we need to know the costs to make the public aware.

Mayor Cooper stated that we have a request from the Presbyterian Church on Fourth Street in reference to the catch basin in front of the church. Mike Reino responded that he has to order the supplies. The catch basin is cracked and has to be replaced. It will cost approximately \$400.00. The catch basin became a hazard. Mayor Cooper commented that out of the safety concern, we need to address it and accelerate that project.

Mayor Cooper stated that there was a request that we standardize the time sheets for payroll. Now that you have a computer to work with, we will try to put together a digital one so that you can transfer the information. You will still have to maintain the paper work for 7 years. You will sign off on the payroll like you did before. The time sheets will be standardized across the Borough. Mike Reino asked if the website information could be standardized so that Clerk Shepherd does not receive a million calls. Mayor Cooper stated that Mike Reino can be part of the training session for the website. Chief Kurylka stated that Public Works could put something on the police or OEM web page. Mike Reino stated that if DPW's schedule could be posted, the public could look at it.

Police Department

Chief Kurylka thanked the Frenchtown Business Association for their donation. He reported that Officer Robert Young is doing very well. He is out there greeting and meeting people. Chief Kurylka noted that he is getting a lot of positive feedback on Robert Young. Mr. Young is excelling rapidly. Chief Kurylka thanked Michele Liebttag for dealing with the monetary issues. She was a great help. We have a lot of budgetary issues that we will have to talk about. Do you want protection? Chief Kurylka reported that the call rates are up, vehicular traffic has increased tremendously and the town will be growing rapidly. We need to get together and figure out where we can go. Perhaps, we can get a federal grant for another officer. There is a part time position that is still open. He has to fill it. The work load is increasing. Officer Murphy did not take vacation in October to fill shifts. The work load is tremendous. Chief Kurylka noted that he attended classes in Atlantic City particularly on pedestrian safety. They implemented a boots on the ground policy for school safety. The current principal is coming up with a lot of great ideas. We are doing drills that have never been done before such as an evacuation from a classroom to the gym and a lock down during lunch time. Last year, we had a report of a gunman in Kingwood Township and we did a lock down in Frenchtown. We are all doing a great job with that.

Chief Kurylka reported that Officer Murphy and he attended a gang awareness training. One of the things brought up by the Hunterdon County Law Enforcement is that this area is becoming crime appealing. A guy came out of the fire house the other night, approached my wife and asked her for money and a phone, hours before trying to get money from someone else. This guy has an expensive criminal history. We have to provide safety and security for the town residents and the quality of life as expected. We are developing more on this individual. The description is the same as the individual who tried to get in a house on Cedar Street. This individual has done prison time in New York. He is putting the pieces together.

Chief Kurylka noted that OEM Coordinator Karen Harmon and he attended a training on Ebola. Within the last two weeks, two of his officers dealt with people who had MRSA. He suggested that the officers get medical advice. Paul Murphy noted that they tells us that as long as we are not in contact with bodily fluids, we should be okay. You have to wash your hands, clothes and boots in hot water. Chief Kurylka stated that we are trying to get a total contamination unit for the County. This is something for prevention. Karen Harmon stated that if you think you are exposed, you

would call the public health department. There is a protocol. Chief Kurylka stated that he spoke with the chief from Readington Township and they have a pack with decontamination chemicals. The cost of the pack is \$4,000.00. This item should be purchased for each department and the departments can split the cost. This unit could be used for decontamination. It is also good for the flu and common colds. He will be talking about it with the police committee.

Chief Kurylka reported that they are participating in the Christmas event at the Lodge this Saturday. We will be handing out toys to the kids.

Mayor Cooper asked the Chief how many hours the police department is covering between 10 pm and 6 am. Chief Kurylka responded that he would have to look. His concern is adequately having manpower on the streets when we have the most traffic. Mayor Cooper stated that one of the things we look at is how we distribute our officers' time. There is an opportunity with the state police nearby to increase coverage during the day time. Chief Kurylka responded that the heaviest traffic is occurring during the day. From 9 am to 6 pm, Everittstown Road has the heaviest traffic and from Noon to six on Harrison Street. Chief Kurylka added that when he gets complaints, he adjusts the schedule to put his officers out there. Responding to Mayor Cooper, Chief Kurylka noted that the State Police may be in Rocky Hill which takes an hour for them to get to Frenchtown. He added that accident rates are up and the call rates are higher. Mayor Cooper noted that it looks like we need to focus our attention on day time hours. William Sullivan commented that this assumes we just want traffic control and not everything else. Mayor Cooper responded that if we need more coverage, special details, meetings and training, those are the hours that need to be increased. Maybe four different shifts is a way to address it. Chief Kurylka stated that he agrees with the Mayor and noted that he has been questioned why we have three guys on during the day. He also noted that he is down two officers, one being David Voll. Mayor Cooper asked Chief Kurylka to give the committee an idea on how that has effected the department. Chief Kurylka noted that it has effected the department tremendously from lack of coverage, lack of enforcement, etc. They are not responding as in the past with the lack of manpower. Mayor Cooper commented that in lookin at the traffic and the municipal court report, the volume of disbursements to Frenchtown is 5 to 1 over the other two municipalities, Holland and Alexandria Townships. Chief Kurylka stated that the court report does not mean what was written last month. It could be from a month ago. Mayor Cooper stated that the department is doing a great job. Chief Kurylka commented that he holds his officers to a higher standard from the normal. You have authority of life and death and need to act with a correct decision. You will put in eight hours and want to go home in one piece. His department eradicated the gang activity because we were making ourselves know. We have violent people who are here. We want the Governing Body to be proud about what we are doing. Jack Opdyke noted that it was good to have an officer there when he had to call 9-1-1. Chief Kurylka responded that it is the benefit of a local police department. We want to be there for you. When an incident occurs during the night when the state police are on call, it is not always the State Police who responds. Jack Opdyke asked the Chief how he sees the future of the department? Chief Kurylka responded that he wants more education, etc. He wants to give the town this police department when he leaves. He is looking at moving ahead in the future with internal promotions. He does not want to give the town a dysfunctional department. He would want to see a Chief appointed because of the power that they have. It is going to be a positive and strong department. Mayor Cooper asked Chief Kurylka to lay out some of these things when he prepares his budget request for 2015.

Chief Kurylka noted as to his budget that he went through budget with overtime hours. He was

over budget this year because he was short a part timer and full timer. There was a rough number expected for over time when the budget was put together. If he had a part timer, he could put them on a holiday. The overtime was an increase in the salary and wage line item of 25% and we should not exceed it by 25%.

Chief Kurylka asked if we can do a Christmas gathering this year?

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 #2014-108, #2014-109, and Resolution #2014-112 as follows, and the bills list dated 12/3/14 as attached:

RESOLUTION NO. 2014-108

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
Tax Assessor – Other Expense
Buildings and Grounds – 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
Gasoline – 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	\$2,400.00
Police – Salary & Wages	\$1,650.00
Gasoline – Other Expense	\$2,000.00

TO:

Police – Other Expense	\$1,650.00
Tax Assessor – Other Expense	\$2,400.00
Buildings & Grounds – Other Expense	\$2,000.00

Warren E. Cooper, Mayor

Attest:

December 3, 2014

Brenda S. Shepherd, RMC
Borough Clerk

RESOLUTION NO. 2014 -109
APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION
(N.J.S.A. 40A:4-87)

WHEREAS, N.J.S.A. 40A:4-87 provides the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality where such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Borough of Frenchtown, in the county of Hunterdon, State of New Jersey, hereby requests the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$1006.11, which item is now available as revenue from the State of New Jersey, as a grant to the Borough of Frenchtown in the amount of \$1006.11.

BE IT FURTHER RESOLVED that the like sum of \$1006.11 is hereby appropriated under the caption “Body Armor Grant”; and

BE IT FURTHER RESOLVED that the above is a result of a grant of \$1006.11 from the State of New Jersey.

Attest:

December 3, 2014

Brenda S. Shepherd, RMC
Borough Clerk

Warren E. Cooper, Mayor

Resolution no. 2014 - 112

Tax sale redemption

Whereas, the Tax Collector has been paid by the Ocwen Loan Servicing LLC to redeem Tax Sale Certificate No. 13-005 in the amount of \$1733.38 on Block 33, Lot 1, and

WHEREAS, a premium in the amount of \$700.00 was paid at the time of sale.

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 Pro Capital III, LLC, 50 S. 16th Street, Philadelphia, PA, 19102, in the amount of \$2433.38.

Warren E. Cooper, Mayor

Attest

December 3, 2014

Brenda S. Shepherd, RMC
Borough Clerk

PRESENTATION OF VOUCHERS - Current Fund - Opdyke voucher

On motion by William Sullivan, seconded by Michele Liebttag 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 Regular Meeting – November 5, 2014

On motion by Seth A. Grossman, seconded by Michele Liebttag and carried by favorable voice vote, the Mayor and Common Council approved the minutes of the Regular Council meeting of November 5, 2014.

RESOLUTIONS

Resolution #2014-110 - Appointment of OEM Coordinator

On motion by Jack Opdyke, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-110 as follows:

BOROUGH OF FRENCHTOWN

RESOLUTION #2014-110

APPOINTMENT – EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, the Borough of Frenchtown is currently in need of an Emergency Management Coordinator; and

WHEREAS, Karen Harmon is qualified for this position;

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the Borough of Frenchtown to appoint Karen Harmon to the position of Emergency Management Coordinator for a 3 year term beginning 1/1/2015 and ending 12/31/2017.

Warren E. Cooper, Mayor

Dated: December 3, 2014

Attest:

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2014-111- Appointment of Deputy OEM Coordinator

On motion by Michele Liebttag, seconded by Jack Opdyke and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2014-111 as follows:

BOROUGH OF FRENCHTOWN

RESOLUTION #2014-111

APPOINTMENT – DEPUTY EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, the Borough of Frenchtown is currently in need of an Deputy Emergency Management Coordinator; and

WHEREAS, Amy Cochran is qualified for this position;

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the Borough of Frenchtown to appoint Amy Cochran to the position of Deputy Emergency Management Coordinator for a 3 year term beginning 1/1/2015 and ending 12/31/2017.

Warren E. Cooper, Mayor

Dated: December 3, 2014

Attest:

Brenda S. Shepherd, RMC
Borough Clerk

Mayor Cooper thanked both Karen Harmon and Amy Cochran for the extraordinary job they have done. He added that it made it easy to adopt these resolutions.

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 (Adoption)

On motion by Seth A. Grossman, seconded by Jack Opdyke and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the adoption 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
<u>Race Street</u>	<u>East</u>	<u>30 min.</u>	<u>8:00 a.m.</u> <u>to</u> <u>6:00 p.m.</u>	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

Proposal for preparation of Redevelopment Plan for the Eighth and Harrison Street Redevelopment Area from Planner Elizabeth McKenzie

William Sullivan recused himself on this matter. Attorney Cruz noted that as you recall, the Council designated an area in need of redevelopment. The next step is to develop a redevelopment

plan. He asked Planner McKenzie to submit a proposal to estimate the cost of a redevelopment plan for that property. He asked Ms. McKenzie because she is your planner, familiar with the town, and has worked on another redevelopment plan for the town and has worked with planning.

Attorney Cruz noted that he asked the clerk where redeveloper stood with his original escrow. The escrow was depleted. There was less than \$1,000.00 in the account and it is anticipated that other bills will be coming in. Attorney Cruz added that he asked the redeveloper to replenish the escrow and to make sure there is money for Planner McKenzie's work on the redevelopment plan. That amount, \$12,500.00, was received today. You have to decide if you want Planner McKenzie to start working on the redevelopment plan. The Redevelopment Resolution made Council the lead. There are two things to address, authorize Planner McKenzie to move forward on the redevelopment plan and to change the prior resolution to name the Planning Board as the lead. The Planning Board is better equipped for that. Planner McKenzie will work with the redeveloper to incorporate some of the developer's visions. Seth A. Grossman noted that the Planning Board has more experience. The Mayor is on the Planning Board. Attorney Cruz noted that the redevelopers plan has to come back to Council anyway in terms of an ordinance.

On motion by Seth A. Grossman, seconded by Jack Opdyke, and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the proposal from Planner McKenzie in the amount of \$12,500.00 to be paid by the redeveloper and authorized Planner McKenzie to work on the redevelopment plan with the redeveloper.

On motion by Seth A. Grossman, seconded by Jack Opdyke and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to amend Resolution #2014-96 to make the Planning Board the lead in the process to draft a redevelopment plan.

William Sullivan returned to the meeting.

Approval of the Share Service Agreement for interlocal construction code services -

Attorney Cruz noted that Items 1-4 of his memo can be addressed with Lambertville. The second set of Items, Items 1-9 are more for Council discussion, pointing out what may be of importance to the Council. Mayor Cooper noted that he spoke with Mayor Delvecchio about some of these things but not about clarifying 3(d). That refers to something that no longer exists and should be struck. As to compensation, Mayor Delvecchio agreed to 10%.

As to Item 1, Attorney Cruz noted that no one will be physically here on an as needed basis. Is that acceptable? Mayor Cooper stated that it has worked like that in the past. Dorsey Reading commented that there is cooperation between Lambertville and Frenchtown. Lambertville is here when you need them. Monday and Thursday is electrical inspections and Monday and Wednesday is all other inspections. Mayor Cooper added that he discussed a third day for inspection be provided but that has not been worked out. Jack Opdyke commented that there should be a complaint procedure. Attorney Cruz noted that the Borough can document a complaint and then the two mayors can discuss it. Jack Opdyke noted that there is a section in the agreement that says you can file complaints with the City Clerk. Attorney Cruz noted that as to Item 4, you are indemnifying them but they should be indemnifying you as well. The other 9 items are for your information. Mayor Cooper noted that the agreement reflects the discussions with Lambertville other than the number of days which he will discuss with Lambertville. Attorney Cruz stated that the Council can authorize the Mayor and Clerk to sign an agreement with the modifications

discussed and to be worked out. Mayor Cooper recommended taking action at the year end meeting.

PennEast pipeline Company – Community Connector Grants

Mayor Cooper noted that PennEast is offering grants of up to \$5,000.00 for those that will be effected by the proposed pipeline to support First Responders. Seth A. Grossman stated that the Council voted on a resolution to oppose the pipeline. Why would we accept their money.

Establishing a uniform payroll time sheet

Mayor Cooper noted that he discussed earlier with Clerk Shepherd about a uniform payroll time sheet. He asked that Daniele Lattig and Brenda Shepherd put together a proposed uniform payroll sheet and present it to the Administrative Committee. Then, the committee will bring it to Council.

Establishing a date for the year end meeting

Mayor Cooper stated that we must set a date for a year end meeting to pay the year end bills. He would like to wait until December 29th or 30th. Subsequent to discussion, the Council agreed to set the year end meeting for Tuesday, December 30th at 7:30 am.

Fire Company furnace proposals

Mayor Cooper noted that we need a certification from Michele Liebttag or Michael Atheras. Michele Liebttag noted that Michael Atheras is drafting the certification and will give it to Diane Laudenbach. Mayor Cooper noted that there are two other items of concern. We do not have all the documents from the lowest bidder requested by Diane Laudenbach and we have to wait 20 days after the adopted bond ordinance is published. We will need approval to award a contract to Cooper Plumbing and Heating subject to receipt of the documents required from the contractor, a certification from Michael Atheras that the proposals are consistent with the bid specs and that no challenges are received on the bond ordinance through December 16, 2014.

On motion by Michele Liebttag, seconded by William Sullivan and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to award a contract to Cooper Plumbing and Heating for the gas furnace for the Fire House building in the amount of \$21,600.00 contingent on receipt of documents required from the contractor and certification from Michael Atheras that the proposals are consistent with the bid specifications and that no challenges are received on the bond ordinance through December 16, 2014.

OTHER NEW BUSINESS

Mayor Cooper noted that he got an email from Engineer Timothy Bradley in reference to the DRBC application which is due by December 31, 2014. He asked if the application has ever been done by the Borough before? Jack Opdyke noted that Victor Gilardi asked to get authorization for Timothy Bradley to do the application since we do not have anyone that has done this before. Timothy Bradley will do it for a fee of \$5,000.00. Mayor Cooper asked Brenda Shepherd to email Diane Laudenbach to certify that the funds exists in the sewer account.

On motion by Jack Opdyke, seconded by William Sullivan and carried by unanimous favorable roll call vote, the Mayor and Council approved to authorize Engineer Timothy Bradley to complete the DRBC permit application due by December 31, 2014 in an amount not to exceed \$5,000.00 and contingent on a certification of funds from CFO Diane Laudenbach.

Attorney Cruz asked that Clerk Shepherd notify Engineer Bradley to complete the DRBC permit application in an amount not to exceed \$5,000.00.

OLD BUSINESS

Recycling – Food Waste recycling

No report was given.

Wastewater Treatment Plant Facility update

Jack Opdyke reported that Victor Gilardi wanted everyone to know that he has been in the same business for 28 years.

Jack Opdyke also reported that the new plant was seeded on the 14th and 15th of November. The Microorganisms are not multiplying as quickly as anticipated. They are installing a phone line at the plant. They will start training on the new oxidation ditch. The salesman will be installing the new locks on the facility. And, the flow meters will be looked at.

Hilltop Streets

Mayor Cooper reported that Attorney Cruz, Engineer Burr and Auditor Korecky met to discuss how the Borough will make this work. The Council agreed to allow Engineer Burr to come up with an estimate. Mayor Cooper stated that Engineer Burr had a draft estimate. There is a number for construction of the roads, infrastructure for water, sanitary sewer and drainage and engineering costs of about 2.5 million dollars. Engineer Burr broke it down in two phases. In a number of areas we have to look at 22 feet wide vs. 16 feet wide. The first phase is the infrastructure and the second phase is the roadway and curbing. The cost of the water lines is close to \$500,000.00. When Engineer Burr has the final numbers, he will write up a proposal. The Borough will also need legal work on this. We need to get agreements from all the property owners to sign onto this project. If we do not get 100% of property owners to sign on, the cost will not matter. It will let us know whether we will continue to work on this project.

Milford Road

Mayor Cooper noted that he spoke privately to several freeholders. They are divided. The Freeholders think it will cost them more money and they know we want it worse than they do. Their vote is split.

Sewer Committee recommendations re: Sewer rents and fees

Mayor Cooper noted that we are waiting on the launderette data.

Frenchtown 7, LLC – Redevelopment Plan

Mayor Cooper stated that this was discussed earlier in the meeting.

TD Bank Tax Appeal

Mayor Cooper noted that the TD Bank Tax Appeal has been moved to March of 2015.

Mayor Cooper reported that the Borough's insurance policies are up for renewal for 2015. We have yet to receive proposals from our current company. He has gone out to get proposals from other people. Mayor Cooper added that we let Groendyke know that if we do not have proposals by the 8th of December, we will go with the other proposal. Jack Opdyke recommended contacting Shenberger Insurance.

COUNCIL COMMENTS

Michele Liebttag noted that CFO Diane Laudenbach certified that we have appropriate funds for Officer Robert Young so his hire is effective October 8, 2014. Clerk Shepherd asked that a copy of the certification be provided to her for the record.

CORRESPONDENCE

Mayor Cooper noted that Jim Robinson from CenturyLink was fired. He is a good friend to Frenchtown and was the face of CenturyLink. He will be missed. Mr. Robinson has been on every board and committee at the County level and he was always there for us. His replacement is located in Pennsylvania. Mr. Robinson will be missed.

EXECUTIVE SESSION

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 10:15 pm and approved Resolution #2014-113 as follows:

RESOLUTION #2014-113

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) 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 December 3, 2014.

Brenda S. Shepherd, RMC
Borough Clerk

The executive session was concluded at 10:23 pm.

ADJOURNMENT

Being no further business to come before the Council, the meeting was adjourned at 10:23 pm on motion by Jack Opdyke, seconded by Michele Liebttag and carried by favorable voice vote.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk