

**CALL TO ORDER**

Mayor Myhre called the meeting to order at 7:30 p.m. and stated that in compliance with the “Open Public Meetings Act” this Meeting was duly noticed to the Hunterdon County Democrat on January 14, 2016 and the Express Times on January 14, 2016; 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 February 3, 2016.

**FLAG SALUTE**

Mayor Myhre asked everyone to stand for the flag salute.

**ROLL CALL**

Present for the Meeting:

John Hindman  
Cathy Leach  
Michele Liebttag  
Caroline Scutt  
William Sullivan (arrived at 7:39 pm)

Absent from Meeting:

Jack Opdyke

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

**PUBLIC COMMENTS**

The Council approved to open the public comment session.

Don Seigle of Everittstown Road noted that he was reading the Basis Redevelopment Plan. Mayor Myhre noted that Council has not yet seen it. Mr. Seigle noted that in the document there are proposals A and B. Proposal A says that this property should look like the rest of town. Proposal B is for higher density. They should not be together. They do not match each other. Proposal B is inviting people to come in and make a lot of money. It has to make sense for this town and our life style. If and when you get the document, you have to discern the differences. Why are they concentrating on B only. Mayor Myhre noted that the Planning Board did not get the revised Redevelopers Plan yet. The Planning Board will hold a special meeting on February 17<sup>th</sup> to discuss the redevelopment plan. It is possible that there will be a Redevelopment Plan for the public at that point.

Ed Jozowski of Cedar Street noted that in 2011 there was an ordinance with 111 units, then we look at the Master Plan which is a well written document. It was revised in 1994. The first thing under Land Use is to retain the attractive small town character of Frenchtown. Why did we go to 111 units in 2009? That is high density for this town. By the fiscal impact study, he does not know how the numbers can work. It did not follow the master plan of the town. He asked if our Master Plan is up to date? Attorney Cruz responded that the Master Plan is updated every 10 years. Mr. Jozowski also asked if the 2009 ordinance went through the Planning Board. Mayor Myhre responded that the Planning Board was split on the overall density question and sent it to Council. It was zoning overlay A and B. The higher density was granted because of the clean up costs for the site should it be developed. Mr. Jozowski stated that he hears different amounts for the clean up. Mayor Myhre noted that the Planning Board hires its own outside professionals for the Board that

review and vet everything that is produced by the developer. There was direction given to the developer that 130 units is too many. The developer asked for a special meeting to resubmit a new design in accordance with the comments from the public and the Board. Mr. Jozowski noted the proposal does not follow the town plan. He asked about green space. Mayor Myhre encouraged Mr. Jozowski to come to the Planning Board meeting. He added that the Planning Board does a thorough job and has been critical of what the development will look like, down to the details such as spindles, etc. We do have a COAH obligation so we have to stay in line with COAH so we are not subject to a builder's remedy law suit. The target number for new development was 20% and they give the town the number of units of obligation. Mr. Jozowski asked for that information. Cathy Leach stated that the information is on the Borough website.

Liz Johnson of 19 Second Street noted that she has a payment in lieu of taxes by the proposed developer. In August, River Mills approached the town with a proposal. We could not get the information because it was contract negotiations. If we can get the details of one developer's proposal and not the other, one is getting preferential treatment. That opens the town up for huge law suits and it will be a legal liability. What did River Mills propose? She will continue to press Council for that information. Mayor Myhre noted that there is no intention to give preferential treatment to anyone. With regard to the payment in lieu of taxes request, he hopes by next meeting the Borough will have some response for you. The payment in lieu by the proposed developer was proposed at the Planning Board. Pilot Programs are fairly new for Frenchtown and are used across the State. One of the things a pilot program does for the town is that the town does not pay County taxes. You can structure the program so you know how much of that money is retained by the Borough Government. The Borough will retain its own expert to review such programs.

Mike McCarthy of Maple Avenue noted that Maple Avenue has many deep pot holes and the entrance to Ridge Road is falling apart. You have to come to a complete stop before you make that right onto Ridge Road. Is there any plan to fill the pot holes? Mayor Myhre noted that the public works director put a lot up fill up there and then the snow storm came.

Mike McCarthy also noted that he understands that there is a senior citizens discount for Service Electric. When he called, Service Electric stated that Frenchtown has to offer it. Did we look into that? The cable rates keep going up and it would be nice to give the seniors a break. Mayor Myhre noted that he will look into it. Attorney Cruz stated that the Borough will have to look into its franchise with the cable company. The discount is income based so in order to qualify for a cable discount, you would have to also qualify for PADD. You have to have the income eligibility. Michael McCarthy stated that Service Electric said that Frenchtown does not have it. Attorney Cruz stated that he will look at the franchise documentation.

Mr. Jozowski stated that he walks behind the ceramics plant everyday and the roof is blown off. It is a mess. How come this property is never cleaned up. It would not take much to clean it up. No one else can keep their property like this in Frenchtown.

Having no other public comments, the Mayor and Common Council closed the public comment session.

#### **CONSENT AGENDA**

All matters listed on the Consent Agenda are considered to be routine by the Governing Body and

will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

On motion by Michele Liebtag, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the consent agenda approving the bills list of 2/3/16 as attached Resolutions #2016-30 through Resolutions #2016-33 as follows:

**RESOLUTION NO. 2016-30**

**2015 RESERVE BUDGET APPROPRIATION TRANSFER**

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

LEGAL SERVICES – OTHER EXPENSES  
SHADE TREE – OTHER EXPENSES  
GARBAGE AND TRASH REMOVAL – OTHER EXPENSES  
GARBAGE AND TRASH REMOVAL - CONTRACTUAL

WHEREAS, it appears that there will be for 2015 an unexpended balance in the following account:

POLICE – SALARY AND WAGES

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:

Police Salary and Wages \$ 10,450.00

TO:

Legal Services – Other Expenses \$ 2350.00  
Shade Tree – Other Expenses \$ 450.00  
Garbage and Trash Removal – Other Expense \$ 750.00  
Garbage and Trash Removal – Contractual \$ 6900.00

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Brad Myhre, Mayor

Attest:

February 3, 2016

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Brenda S. Shepherd, RMC  
Borough Clerk

**RESOLUTION NO. 2016-31`**

**2015 RESERVE BUDGET APPROPRIATION TRANSFER**

**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 the following transfers:

**From:**

Sewer Utility – Group Health Benefits \$ 5250.00

**To:**

Sewer Utility – Other Expense \$ 5250.00

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Brad Myhre, Mayor

Attest:

February 3, 2016

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Brenda S. Shepherd, RMC  
Borough Clerk

**Resolution no. 2016--32**  
**Tax sale redemption**

**WHEREAS**, the Tax Collector has been paid by COMERICA BANK to redeem Tax Sale Certificate No. 15-007 the amount of \$2,854.68 on Block 28, Lot 6, and

**WHEREAS**, at the time of the sale a premium was paid in the amount of \$1,300.00.

**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 Pro Cap 4 & CRDTRS, LLC, 50 S. 16<sup>th</sup> Street, Philadelphia, PA, 19102, in the amount of \$4154.68.

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Brad Myhre, Mayor

Attest

February 3, 2016

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Brenda S. Shepherd, RMC  
Borough Clerk

**Resolution no. 2016 - 33**

**Tax sale redemption**

**WHEREAS**, the Tax Collector has been paid by Corelogic to redeem Tax Sale Certificate No. 15-009 the amount of \$1476.21 on Block 47, Lot 3.02, and

**WHERAS**, the lienholder paid a premium at the time of sale in the amount of \$800.00.

**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 Pro Cap 4 & Crdtrs, LLC, 50 S. 16<sup>th</sup> Street, Philadelphia, PA, 19102, in the amount of \$2276.21.

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BRAD Myhre, Mayor

Attest

February 3, 2016

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Brenda S. Shepherd, RMC  
Borough Clerk

**APPROVAL OF MINUTES**

**Year End Meeting – December 30, 2015**

On motion by William Sullivan, seconded by John Hindman and carried by favorable roll call vote with Caroline Scutt abstaining, the Mayor and Common Council approved the Year End Meeting minutes of December 30, 2015.

**Reorganization and Regular Meeting – January 6, 2016**

On motion by Michele Liebttag, seconded by John Hindman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the minutes of the January 6, 2016 Reorganization and Regular meeting minutes.

**ORDINANCES:**

**Ordinance #764 - An ordinance regulating the Salary & Wage of certain officials and employees of the Borough of Frenchtown for the year 2016 (Introduction)**

Mayor Myhre noted that the Borough is under contract with the PBA and we have two patrolmen due a 1.5% COLA increase per the contract. On motion by Michele Liebttag, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to introduce Ordinance #764 as follows:

**ORDINANCE #764**

**AN ORDINANCE  
REGULATING THE SALARY & WAGE  
OF CERTAIN OFFICIALS AND EMPLOYEES  
OF THE BOROUGH OF FRENCHTOWN  
FOR THE YEAR 2016**

**BE IT ORDAINED** by the Mayor and Common Council of the Borough of Frenchtown as follows:

1. The following salaries for the year 2016 are hereby designated for certain officials and employees of the Borough of Frenchtown:

Police Patrolman- full time ----- \$35,000.00 to \$62,980.07

2. The following overtime hourly rates for the year 2016 are hereby designated for the following officials and employees of the Borough of Frenchtown:

Police Patrolman (full-time OT Rate) -----\$25.23 to \$45.42

This Ordinance shall take effect immediately upon Final Passage and action as required by law.

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Brad Myhre, Mayor

ATTEST:

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Brenda S. Shepherd, RMC  
Borough Clerk

### **NEW BUSINESS**

#### **Appoint John Hindman as SWAC Representative for the Borough of Frenchtown**

On motion by Michele Liebttag, seconded by John Hindman and carried by favorable voice vote, the Mayor and Common Council approved to appoint John Hindman as the SWAC Representative for the Borough of Frenchtown.

#### **Approval of the Rivernet Contract for 2016**

On motion by Cathy Leach, seconded by Caroline Scutt and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the Rivernet Contract for 2016.

### **OLD BUSINESS**

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

There was nothing new to report.

#### **Hilltop Streets**

Mayor Myhre noted that he reached out to USDA and will be setting up a conference call for next week to talk about potential funding opportunities that might exist and look at the structure of the funding for extending sanitary sewer to the hilltop streets.

#### **Frenchtown 7, LLC – Redevelopment Plan**

Mayor Myhre noted that there is nothing to report. The Redevelopment Plan is still before the Planning Board.

### **COUNCIL COMMENTS**

William Sullivan reported that Streets and Roads was very busy getting the snow removed. One of the trucks we were not using was very beneficial for snow removal. We will overhaul that truck. Now, we are fixing the damage caused from the snow removal.

Michael Liebttag stated that she wants to applaud the Fire Department, Police Department and DPW for their hard work around the clock with the storm.

Michele Liebttag noted that we are going to automated trash pickup beginning March 1<sup>st</sup>. We are reaching out to schedule drop off of the trash carts to the residents and coordinating the new trash receptacles for the downtown with Mike Reino. She will keep everyone posted.

Caroline Scutt commented that the storm clean up was great.

Caroline Scutt reported that the United Way does a free tax preparation program and they are adding valet service for those who cannot get there. They are all certified tax preparers and they specialize in senior issues such as tax rebates, etc. Mayor Myhre asked that the United Way flyer be posted on the Borough's website.

Mayor Myhre noted that he met with OEM Coordinator Karen Harmon and Deputy OEM Coordinator Amy Cochram. They did a great job throughout the storm as well as helping with the Homestead House. They took their own 2 days off of work to help and be there with the gentlemen. He was very appreciative and thanked them.

Mayor Myhre noted that we worked this weekend to put together costs for the storm clean up. Hopefully, a federal disaster declaration will be declared. It looks like they will only give a 48 hour window for which expenses will be eligible for reimbursement of 75%. We picked our 48 hours carefully to include the snow removal contractors and damages to the trucks. Mayor Myhre added that he also noticed damage to the roof at Borough Hall. That information has been sent to the Hunterdon County OEM. The State Police will be assessing the damages and putting together a total disaster declaration request for all 21 Counties. William Sullivan noted that it was especially difficult because the totals far exceeded what was predicated. If it was predicted, we would have planned differently.

Mayor Myhre also noted that the County will be auctioning off some dump trucks. They may offer them to the municipalities first.

#### **CORRESPONDENCE**

None was discussed.

#### **EXECUTIVE SESSION**

##### **Contract negotiations – Tomar Construction LLC**

Mayor Myhre noted that the Council will go into executive session to discuss the following:

- a. Contract negotiations – Tomar Construction LLC

On motion by William Sullivan, seconded by Cathy Leach and carried by unanimous favorable voice vote, the Mayor and Common Council approved to go into executive session at 8:01 pm and approved Common Council Resolution #2016-34 as follows:

#### **RESOLUTION #2016-34**

##### **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. Contract negotiations – Tomar Construction LLC
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 February 3, 2016.

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Brenda S. Shepherd, RMC  
Borough Clerk

Mayor Myhre noted that the Council has no plans to take action.

The Governing Body came out of executive session at 8:10 pm.

**ADJOURNMENT**

Being no further business to come before the Mayor and Council, the meeting was adjourned at 8:10 pm on motion by John Hindman, seconded by Caroline Scutt and carried by favorable voice vote.

Respectfully submitted,

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Brenda Shepherd, RMC  
Borough Clerk