

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 March 3, 2016.

FLAG SALUTE

Mayor Myhre asked everyone to stand for the flag salute.

ROLL CALL

Present for the Meeting:

John Hindman
Jack Opdyke
Caroline Scutt
William Sullivan

Absent from Meeting:

Cathy Leach
Michele Liebttag

Attorney Albert Cruz, and Borough Clerk, Brenda S. Shepherd, were present for the Meeting. 7 members of the public were also present. Mayor Myhre noted that Councilwoman Liebttag is ill this evening and Councilwoman Leach is on vacation.

PUBLIC HEARING

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

Council approved to open the public hearing on Ordinance #764. Having no public comments on the ordinance, Council approved to close the public hearing on Ordinance #764.

PUBLIC COMMENTS

The Council approved to open the public comment session.

Liz Johnson of 19 Second Street commended the Mayor and Council for investing in the police department and on moving forward on the Hilltop Sewer project. She asked for an explanation of “Carry the Falling Ruck March” and if a brief overview of the Executive Session matters could be given.

As to the “Carry the Falling Ruck March”, Mayor Myhre noted that a resident of Holland Township is organizing an event to raise awareness for veterans with PTSD. They come through Frenchtown as part of that march. They raised \$20,000 last year. They will coordinate the event with the police department. We are happy to be participants and help with that event.

As to the River Mills executive session matter, Mayor Myhre noted that it has nothing to do with a pilot and/or tax abatement program. It is about other matters which will be disclosed when the matter can become public. As to the Tomar matter, it is an ongoing discussion to close out the sewer plant project. As to the Third Round Housing and Fair Share Plan matter, it is the Borough’s ongoing litigation with respect to our COAH obligations with the State of New Jersey.

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 Jack Opdyke, seconded by John Hindman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the consent agenda approving the bills list of 3/2/16 as attached and Resolution #2016-35 as follows:

Resolution no. 2016 -35

Tax sale redemption

WHEREAS, the Tax Collector has been paid by Ocwen Financial Corporation to redeem Tax Sale Certificate No. 15-008 the amount of \$1222.25 on Block 33, Lot 1, and

WHEREAS, the lienholder paid a premium at the time of sale in the amount 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 the Chief Financial Officer be authorized to issue a check payable to US Bank Custodian for Pro Cap 4 & Crdtrs, LLC, 50 S. 16th Street, Philadelphia, PA, 19102, in the amount of \$1822.25.

Brad Myhre, Mayor

Attest

March 2, 2016

Brenda S. Shepherd, RMC
Borough Clerk

APPROVAL OF MINUTES

Special Meeting – January 29, 2016

On motion by Jack Opdyke, seconded by Caroline Scutt and carried by favorable roll call vote with William Sullivan abstaining, the Mayor and Common Council approved the minutes of January 29, 2016 Special Meeting.

Regular Meeting – February 3, 2016

On motion by William Sullivan, seconded by Jack Opdyke and carried by favorable roll call vote

with Jack Opdyke abstaining, the Mayor and Common Council approved the minutes of February 3, 2016 Regular Meeting.

Executive Session – December 30, 2015

On motion by Jack Opdyke, seconded by William Sullivan and carried by favorable roll call vote with Caroline Scutt abstaining, the Mayor and Common Council approved the minutes of the December 30, 2015 Executive Session.

Executive Session – February 3, 2016

On motion by John Hindman, seconded by William Sullivan and carried by favorable roll call vote with Jack Opdyke abstaining, the Mayor and Common Council approved the minutes of the February 3, 2016 Executive Session.

RESOLUTIONS

Resolution #2016-36 – Resolution authorizing Borough Engineer to prepare a pre-application for U.S.D.A. Rural Development - Water and Wastewater grant to install sanitary sewers and improve the roadways within the “hilltop” neighborhood including Ward Street, Maple Avenue, Chestnut Avenue & Hilltop Avenue

Mayor Myhre noted that he had a meeting about two weeks ago with the USDA Rural Development office, who partnered with us on the sewer plant project, and he spoke with them about extending the sanitary sewer in the hilltop neighborhood since we have the capacity for it. We are attempting to get into the federal funding cycle of 2017 for a low interest 40 year fixed rate loan and depending on the scoring of our application, we can qualify for 75% loan forgiveness. The fact that we partnered in the past and that there is an interest for the project and a financial burden for the Borough helps. It makes sense to do the 2017 funding cycle because most of the 2016 funding is done. We have an estimate from the Borough Engineer to do the pre-application and it should not exceed \$1,000.00. This resolution authorizes the Borough Engineer to prepare the pre-application.

On motion by William Sullivan, seconded by Jack Opdyke and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2016-36 as follows:

RESOLUTION #2016-36

RESOLUTION AUTHORIZING BOROUGH ENGINEER TO PREPARE A PRE-APPLICATION FOR U.S.D.A. RURAL DEVELOPMENT - WATER AND WASTEWATER GRANT TO INSTALL SANITARY SEWERS AND IMPROVE THE ROADWAYS WITHIN THE “HILLTOP” NEIGHBORHOOD INCLUDING WARD STREET, MAPLE AVENUE, CHESTNUT AVENUE & HILLTOP AVENUE

BOROUGH OF FRENCHTOWN, HUNTERDON COUNTY, NJ

WHEREAS, the Borough of Frenchtown (“Borough”) has determined that it desires to extend public sewers into the Hilltop neighborhood including Ward Street, Maple Avenue, Chestnut Avenue and Hilltop Avenue, as well as, improve the roadways to municipal standards; and

WHEREAS, there exists a grant opportunity through the U.S.D.A. Rural Development – Water and Wastewater Program to obtain grant money and low interest loans towards the construction of these improvements; and

WHEREAS, the Borough requires professional engineering services to assist in the preparation of the pre-application materials and coordinate with the U.S.D.A. Rural Development office; and

WHEREAS, the Borough has deemed it in its best interests to authorize the Borough Engineer to perform these services; and

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND BOROUGH COUNCIL OF THE Borough of Frenchtown that the Borough Engineer is authorized to prepare a pre-application to and coordinate as necessary with the U.S.D.A. Rural Development – Water and Wastewater Program to determine if the Borough is eligible for grant money and low interest loans. These services will be provided in an amount not to exceed \$1,000.00.

Certified as a true copy of the Resolution adopted by the Mayor and Council
On this 2ND day of March 2016.

Brenda 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 _____
(Clerk)
Brenda Shepherd
RMC, Borough Clerk

(Presiding Officer)
Brad Myhre, Mayor

Resolution #2016-37 – Resolution authorizing Borough Engineer to commence engineering design services at Police Headquarters Building

Mayor Myhre noted that the porch at the Police Department is in disrepair and needs to be done. He wants to see this accomplished. The Borough has an open bond ordinance although the cost may exceed what we allocated. We did not use all the money in that ordinance for the doors. The back safety escape is rotting as well. We are working with the Borough’s Landscape Architect Chris Pickell. It should be functional and does not need to be extravagant. This resolution is for engineering the design. It will go out to bid after.

On motion by John Hindman, seconded by William Sullivan and carried by unanimous favorable

roll call vote, the Mayor and Common Council approved Resolution #2016-37 as follows:

RESOLUTION #2016-37

**RESOLUTION AUTHORIZING BOROUGH ENGINEER TO COMMENCE
ENGINEERING DESIGN SERVICES AT POLICE HEADQUARTERS BUILDING**

BOROUGH OF FRENCHTOWN, HUNTERDON COUNTY, NJ

WHEREAS, the Borough of Frenchtown (“Borough”) has determined that the front porch and rear fire escape at the Police Headquarters building are in a state of disrepair and in need of replacement; and

WHEREAS, the Borough requires professional engineering services to design the improvements, and prepare construction plans and specifications for public bidding purposes; and

WHEREAS, the Borough has deemed it in its best interests to authorize the Borough Engineer to perform these services; and

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND BOROUGH COUNCIL OF THE Borough of Frenchtown that the Borough Engineer is authorized to perform engineering design services to prepare plans and specifications for improvements to the Police Headquarters building in an amount not to exceed \$5,000.00.

Certified as a true copy of the Resolution adopted by the Mayor and Council
On this 2ND day of March 2016.

Brenda 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 _____
(Clerk)
Brenda Shepherd
RMC, Borough Clerk

(Presiding Officer)
Brad Myhre, Mayor

Resolution #2016-38 – Hunterdon County Municipal Grants Program Allocation

Mayor Myhre noted that the Borough has money set aside in the County Open Space Trust Fund. In order to alleviate budget pressures, we want to draw down from this fund to pay the debt service on the 150 acre property.

On motion by Jack Opdyke, seconded by Caroline Scutt and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2016-38 as follows:

BOROUGH OF FRENCHTOWN

RESOLUTION NO. 2016-38

HUNTERDON COUNTY MUNICIPAL GRANTS PROGRAM ALLOCATION

WHEREAS, the Borough of Frenchtown has been allocated the amount of \$12,766.62 in the Hunterdon County Open Space, Recreation, Farmland and Historic Preservation Trust Fund Municipal Grants Program; and

WHEREAS, the Borough of Frenchtown will be applying for or utilizing the funds reserved to date for the repayment of indebtedness due for the acquisition of property known as Block 52 lot 29, Block 52 Lot 36.05, and Block 52 Lot 36.06 preserved in the year 2006, and/or for the acquisition of additional open space property;

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 provide the allotted funds of \$12,766.62 in the Municipal Grants Program as soon as the application is approved by the County for this year.

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 March 2, 2016.

Brenda S. Shepherd, RMC
Borough Clerk

**Resolution #2016-39 – Resolution authorizing public bidding for the Shared
Emergency Generator project between the Police Headquarters & Municipal Building**

Mayor Myhre noted that when he was the OEM Coordinator, he worked with FEMA post Superstorm Sandy to secure \$50,000.00 in a 100% reimbursable grant. We are now at the point where we can do something with that and we are working with Engineer Burr to design a project. We will have a back up generator located between Borough Hall and the Police Department and we will have power in the event of another hurricane. He also thanked Karen Harmon for doing a great job in leading the effort and for making sure we follow through on utilizing the money. This resolution authorizes bidding for the project.

On motion by William Sullivan, seconded by Jack Opdyke and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2016-39 as follows:

RESOLUTION #2016-39

**RESOLUTION AUTHORIZING PUBLIC BIDDING FOR THE SHARED EMERGENCY
GENERATOR PROJECT BETWEEN THE POLICE HEADQUARTERS &
MUNICIPAL BUILDING**

BOROUGH OF FRENCHTOWN, HUNTERDON COUNTY, NJ

WHEREAS, the Borough of Frenchtown (“Borough”) was awarded a grant from the Federal Emergency Management Agency (FEMA) through the NJOEM Hazard Mitigation Program to install an emergency generator at the Police Headquarters building and Municipal Building; and

WHEREAS, the Borough Engineer has prepared plans and specifications for the Emergency Generator Project, which requires public bidding; and

WHEREAS, the Borough Engineer has recommended March 29, 2016 at 11:30 am as a date/time to receive bids for the project;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND BOROUGH COUNCIL OF THE Borough of Frenchtown that the Borough shall advertise for public bids for the Emergency Generator Project in accordance with plans and specifications prepared by the Borough Engineer.

Certified as a true copy of the Resolution adopted by the Mayor and Council
On this 2ND day of March 2016.

Brenda 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

(Clerk)
Brenda Shepherd
RMC, Borough Clerk

(Presiding Officer)
Brad Myhre, Mayor

Resolution #2016-40 - Resolution requesting NJDOT extension of the Ridge Road Improvement project (Section II)

Mayor Myhre noted that he spoke to Engineer Burr and we are going out to bid on the project which includes Section II and Section II. The bid will be set up with and without sidewalks. We did not have money set aside for sidewalks in the grants. It is anticipated that we will award the bid at the April meeting. This resolution requests an extension from NJDOT for Section II.

On motion by Jack Opdyke, seconded by John Hindman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2016-40 as follows:

RESOLUTION #2016-40
RESOLUTION REQUESTING NJDOT EXTENSION OF THE
RIDGE ROAD IMPROVEMENT PROJECT (SECTION II)
BOROUGH OF FRENCHTOWN, HUNTERDON COUNTY, NJ

WHEREAS, the Borough of Frenchtown (“Borough”) was awarded a grant from the Municipal Aid portion of the Transportation Trust Fund in the amount of \$160,000.00 from the NJDOT for the Ridge Road Improvement Project – Section 2 as part of the FY 2014 program; and

WHEREAS, the Borough then learned that they had obtained another grant from the Municipal Aid portion of the Transportation Trust Fund in the amount of \$160,000.00 from the NJDOT for the Ridge Road Improvement Project – Section 3 (FY 2015 program); and

WHEREAS, the Borough decided to combine both sections of the project and bid the project(s) at the same time in order to attract more interest and competition amongst bidders; and

WHEREAS, due to difficult design issues and other coordination issues, the Borough was unable to meet the deadline to award a construction contract for the Section 2 portion of the project; and

WHEREAS, the Borough is proposing to advertise the project(s) in the near future and anticipates awarding a construction contract at its regularly scheduled Mayor & Council meeting in April 2016 provided competitive bids are received; and

NOW THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE Borough of Frenchtown that a request be filed with the NJDOT’s Division of Local Aid and Economic Development for a six (6) month extension of time on the Ridge Road Improvement Project; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the NJDOT’s Division of Local Aid and Economic Development.

Certified as a true copy of the Resolution adopted by the Mayor and Council
On this 2ND day of March 2016.

Brenda 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 _____

(Clerk)
Brenda Shepherd
RMC, Borough Clerk

(Presiding Officer)
Brad Myhre, Mayor

ORDINANCES:

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

On motion by Jack Opdyke, seconded by John Hindman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to adopt 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.

Brad Myhre, Mayor

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

Ordinance #765 – An ordinance to establish an Open Space Advisory Committee in the Borough of Frenchtown, County of Hunterdon and State of New Jersey (Introduction)
Mayor Myhre noted that he met with the Environmental Commission three weeks ago and the Open Space Advisory Committee was a conversation that came up. Part of the basis of this conversation was whether it was the 150 acres purchase or some of the other things that have happened in the Borough, we felt that it would be nice to have an Open Space Advisory Committee to guide the decisions such as does it make sense to purchase a property, what will we do with it and to have a plan for it. The 150 acres was a great addition. The Committee has to be created by ordinance. He used Hillsborough's ordinance and modified it. Attorney Cruz was helpful with that. The Committee will be five members appointed by the Mayor and approved by Council. It will include a member of the Planning Board and a member of the Environmental Commission. This will be good for talks with preserving the Thompson property if it is possible. He wants to make sure decisions are fully vetted. We have an Open Space Trust Fund. The Environmental Commission offered to be an active partner with the park restoration as well. That is the basis for Ordinance #765.

On motion by William Sullivan, seconded by John Hindman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to introduce Ordinance #765 as follows:

ORDINANCE #765

AN ORDINANCE TO ESTABLISH AN OPEN SPACE ADVISORY COMMITTEE IN THE BOROUGH OF FRENCHTOWN, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY

SECTION 1. Establishment of Open Space Advisory Committee: There is hereby established an Open Space Advisory Committee to review and recommend parcels of land and interests therein for acquisition and preservation as open space within the Borough of Frenchtown.

SECTION 2. Appointment; membership; term; compensation:

- A.** The Open Space Advisory Committee shall consist of five (5) members to be appointed by the Mayor with the consent of the Council. The membership in the Open Space Advisory Committee shall include:
 - 1. One member of the Planning Board of the Borough of Frenchtown.
 - 2. Four citizens of the Borough of Frenchtown, one of which shall be a liason to the Environmental Commission.
- B.** The member of the Planning Board shall have a term which corresponds with their term on the Planning Board. The citizens of the Open Space Advisory Committee shall serve for three-year terms. However, the initial term of two of the five citizen members shall be for two years.

SECTION 3. Duties and functions;

- A. The Open Space Advisory Committee shall prepare and submit to the Borough Council an Open Space Plan for the Borough of Frenchtown. It shall develop an inventory of open space properties within the Borough and evaluate and prioritize such open space properties through the development of appropriate criteria. Such plan shall consist of a parcel ranking as well as recommendations concerning the nature of the interests in such real estate to be acquired and the purposes for which such land should be utilized.
- B. The Open Space Advisory Committee shall assist the Borough in the establishment of an Open Space Tracking Program to catalog the state of privately owned open space in the Borough and record the Borough's progress with respect to open space preservation.
- C. The Open Space Advisory Committee shall provide guidance and support to the Borough Council and Planning Board on issues and matters of open space.
- D. The Open Space Advisory Committee shall periodically review its functions and submit a recommendation to the Borough Council as to whether additional duties should be assigned or delegated to the Committee.
- E. The Open Space Advisory Committee shall select from among its members a Chairperson and a Vice Chairperson to serve as the presiding officer in the absence of the Chairperson. The Committee shall also select a Secretary whose function shall be to maintain minutes of the Committee's meeting and records of the proceedings of the Committee.

SECTION 4. Review and Report on continuation of fund. In the event that no property is acquired or financed under this chapter for a period of five consecutive years, then the Borough Council shall conduct a review and issue a report with recommendations and conclusions concerning the continuation of the Open Space Trust Fund.

SECTION 5. This Ordinance shall take effect immediately upon its passage and publication according to law.

Brad Myhre, Mayor

Brenda S. Shepherd, RMC
Borough Clerk

RESOLUTIONS

Resolution #2016-41 – Resolution establishing Salary & Wages for certain officials and employees of the Borough of Frenchtown for the year 2016

On motion by John Hindman, seconded by Jack Opdyke and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2016-41 as follows:

RESOLUTION #2016-41

BE IT RESOLVED by the Mayor and the Common Council that the salaries and wages for certain officials and employees shall be as follows for 2016:

<u>Position</u>	<u>Salary & Wage</u> <u>Resolution</u>
Full-time Officer Murphy	\$ 62,980.07
	\$ 45.42/hour OT rate
Full-time Officer Young	\$ 43,848.00
	\$ 31.62/hour OT rate

BE IT FURTHER RESOLVED that this Resolution shall be retro-active to January 1, 2016.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Common Council of the Borough of Frenchtown at its regular meeting held March 2, 2016.

Brenda S. Shepherd, RMC
Borough Clerk

Resolution #2016-42 – Resolution to increase Officer Robert Young’s salary

On motion by William Sullivan, seconded by John Hindman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2016-42 as follows:

RESOLUTION #2016-42

RESOLUTION TO INCREASE OFFICER ROBERT YOUNG’S SALARY

WHEREAS, the Mayor and Common Council of the Borough of Frenchtown desire to increase the annual salary of Police Officer Robert Young to \$52,000.00 effective January 1, 2016 to more accurately reflect his experience as a law enforcement officer.

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

1. The annual salary of Police Officer Robert Young is increased to \$52,000.00 effective January 1, 2016.
2. The Mayor and Clerk are hereby authorized to sign the Side Bar Agreement in the form attached.
3. This Resolution shall take effect immediately.

Brad Myhre, Mayor

Attest:

March 2, 2016

Brenda S. Shepherd, RMC
Borough Clerk

NEW BUSINESS

Appoint Margaret Waldock to the Environmental Commission

Mayor Myhre noted that as part of his meeting with the Environmental Commission, there is a vacancy on that Commission. Margaret Waldock has offered to a member of the Environmental Commission. He is appointing Margaret Waldock to the Environmental Commission and wanted to let Council know. Margaret Waldock has a vast amount of knowledge on Open Space issues and she has offered to be an active participant in helping us write grants for the park.

Approve Raffle License Application for Fidelity Post #113 of the American Legion from May 1, 2016 through April 30, 2017 for pull tab raffle

Mayor Myhre noted that we received a letter from the Chief and there are no issues with the application. On motion by William Sullivan, seconded by Jack Opdyke, and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the Raffle License Application for Fidelity Post #113 of the American Legion from May 1, 2016 through April 30, 2017 for pull tab raffle.

Approve Christopher Sullivan as new member of the Frenchtown Fire Department

On motion by William Sullivan, seconded by Jack Opdyke, and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Christopher Sullivan as a new member of the Frenchtown Fire Department. Mayor Myhre stated that he appreciates Chris Sullivan's willingness to serve on the Fire Department.

Discussion of zoning permit requirements

Mayor Myhre noted that everyone that comes in for a building permit is required to obtain a zoning permit. When he spoke to the building official in Lambertville, the building official commented that they do not require it of any of their residents and it seems like an unnecessary burden on residents. When the DCA was the Borough's building department, we required a zoning permit on every application in order to have some level of control of know what was going on. Mayor Myhre added that he feels that he does not want to place an unnecessary burden on residents that is not serving much of a function for us at this point if we have this joint arrangement with Lambertville. He is open to discussion on this. Attorney Cruz noted that it is typical that you have a zoning application because someone has to make a determination as to whatever is being built is in conformance with zoning. For example, if you want to install a deck or an air conditioning unit, is that within the building envelope? If it is outside, you will need a variance. Or, someone may want to put a use in the zone that is not permitted. The zoning officer determines if that use is permitted in that zone. Attorney Cruz added that you may want to allow exceptions such as work being done

inside the home. The permit is free and it is a check to make sure that the application goes to Board if it is necessary. If the zoning officer makes a determination that something is allowed, the applicant can rely on that. The zoning officer determines if you can build whatever it is that is being proposed so it is consistent with the zoning. William Sullivan stated that he will look into it and come up with categories defining what is a structure, etc. and what would not need a zoning permit.

Discussion of a shared service with the County for Municipal Tax Mapping obligations

Mayor Myhre noted that this came from the County of Hunterdon to see if we are interested in doing tax map services as a shared service with the County. It does not hurt to say we are interested. Brenda Shepherd will let the County know that we are interested in looking into that.

Request to host “Carry the Fallen Ruck March” on May 15th or May 22nd

Mayor Myhre noted that this is an important event and one that he hopes we can be a partner in again. They will work with the Chief of Police. Chief worked with them last year and it was a good event. On motion by Jack Opdyke, seconded by John Hindman and carried by favorable voice vote, the Mayor and Council approved the “Carry the Fallen Ruck March” on May 15th or May 22nd.

COUNCIL COMMENTS

John Hindman reported that new trash carts will roll out Monday and Tuesday of next week. Raritan Valley will pick up any unwanted cans at the same time. He is putting a notice on the Borough website as well as Facebook. All the carts are the same color as the recycling carts so there will be a sticker on the trash carts. Raritan Valley will also pick up trash downtown. All trash carts are 95 gallons and they will deliver one trash cart per residence. There are smaller one but residents will have to request a smaller one.

Jack Opdyke noted that the plant went off line last Thursday due to high flow and silt coming into the plant. We had to get permission from the NJDEP to bypass the system. The system went back on line Sunday. We believe there is a break in the line that runs north to Second Street. Raritan Township will be coming in with a camera system and once we film that, we will talk to the engineer about fixing it. This problem is costly to the sewer plant. Victor Gilardi spent a lot of time on it and did a great job.

William Sullivan reported that Public Works is busy repairing potholes.

As to the Planning Board, William Sullivan noted that there are two interesting projects before the Board, one at the Two Buttons site where they are proposing a theatre with art centers. The other one is the Kerr Hatchery site where they are proposing a distillery and events center.

Mayor Myhre reported that he is hosting a Town Hall meeting on Sunday at 1:00 pm. He will inform the public on what is happening and will take suggestions and questions from the public.

CORRESPONDENCE/ANNOUNCEMENTS

Mayor Myhre made note of the following :

1. The request for the Relay for Life at the Delaware Valley Regional High School.
2. An update on the Zikus Virus from the Hunterdon County Board of Health.

3. The Frenchtown Elementary School is hosting a night out at Ardy's to raise money for the PTA. The raise money for programs and playground equipment.

EXECUTIVE SESSION

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

- A. Litigation-In the Matter of the Borough of Frenchtown for a Judgment of Compliance of its Third Round Housing Element and Fair Share Plan, Docket No. HUN-L-309-15
- B. Contract Negotiations – Tomar Construction Co., Inc.
- C. Contract Negotiations – Frenchtown Bridge Street, LLC.

Mayor Myhre noted that the Council will come out of executive session and may take action on Resolution #2016-44 which is a resolution to establish an escrow account for the Special Master, Richard Reading, appointed by the Court in the ongoing COAH Litigation.

On motion by Jack Opdyke, seconded by John Hindman and carried by unanimous favorable voice vote, the Mayor and Common Council approved to go into executive session at 8:13 pm and approved Common Council Resolution #2016-43 as follows:

RESOLUTION #2016-43

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-In the Matter of the Borough of Frenchtown for a Judgment of

Compliance of its Third Round Housing Element and Fair Share Plan,
Docket No. HUN-L-309-15

- b. Contract Negotiations – Tomar Construction Co., Inc.
 - c. Contract Negotiations – Frenchtown Bridge Street, 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 March 2, 2016.

Brenda S. Shepherd, RMC
Borough Clerk

Jack Opydke left the meeting prior to the discussion on Bridge Street LLC. due to conflict of interest.

The Governing Body came out of executive session at 9:45 pm.

Attorney Cruz noted that the Council discussed three topics in executive session. The Council will take action on making a payment to an escrow account for the Special Master, Richard Reading, for the Affordable Housing litigation.

RESOLUTION #2016 -44 - Resolution Establishing An Escrow Account For Special Master Richard B. Reading

On motion by William Sullivan, seconded by John Hindman and carried by unanimous favorable voice vote, the Mayor and Common Council approved Resolution #2016-44 as follows:

**BOROUGH OF FRENCHTOWN
RESOLUTION NO. 2016-44
RESOLUTION ESTABLISHING AN ESCROW ACCOUNT FOR SPECIAL MASTER
RICHARD B. READING**

WHEREAS, on July 6, 2015, the Borough of Frenchtown filed a Complaint for Declaratory Judgment captioned In the Matter of the Borough of Frenchtown for a Judgment of Compliance of its Third Round Housing Element and Fair Share Plan, Docket No. HUN-L-309-15; and

WHEREAS, a Joint Case Management Conference was held before Hon. Thomas Miller, J.S.C. on January 28, 2016, which Joint Case Management Conference included all other “Mt. Laurel” parties and counsel within Vicinage 13 (Somerset, Hunterdon and Warren Counties) (the “Vicinage 13 Municipalities”); and

WHEREAS, on February 5, 2015, an Omnibus Order was signed by Judge Miller whereby all of the “Mt. Laurel” cases filed by the Vicinage 13 Municipalities were consolidated “for the limited purpose of conducting the necessary hearing(s) to determine the appropriate methodology for establishing the state and regional need for low and moderate housing and allocating the appropriate portion of such need among the municipalities within the Counties of Somerset, Hunterdon and Warren”; and

WHEREAS, on February 5, 2016, an Omnibus Order Regarding Appointment of

Richard B. Reading as Special Regional Master (the “Special Regional Master Order”) was also signed by Judge Miller, whereby Richard B. Reading was appointed to assist the Court adopting an appropriate methodology for determining the state and regional need for affordable housing and for allocating the appropriate portion of such need among the municipalities within the Counties of Somerset, Hunterdon and Middlesex; and

WHEREAS, the Special Regional Master Order, a copy of which is annexed hereto, sets forth the fees and the procedure for payment of the Special Regional Master, and requires the establishment of an escrow account by the Vicinage 13 Municipalities for the payment of same.

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

1. The Borough of Frenchtown is hereby authorized to establish a special escrow account (the “Vicinage 13 Special Regional Master Escrow Account”) for the purpose of paying the fees of the Special Regional Master appointed by Judge Miller.

2. An initial deposit in the amount of Five Thousand (\$5,000.00) Dollars (the “Initial Deposit”) shall be established to fund the Vicinage 13 Special Regional Master Escrow Account.

2. The fees to be paid to the Special Regional Master shall be in accordance with the Schedule of Fees attached to the Special Regional Master Order as Exhibit B, and shall be paid pursuant to the procedures set forth in the Special Regional Master Order.

Brad Myhre, Mayor

Attest:

March 2, 2016

Brenda S. Shepherd, RMC
Borough Clerk

ADJOURNMENT

Being no further business to come before the Mayor and Council, the meeting was adjourned at 9:47 pm on motion by John Hindman, seconded by Caroline Scutt and carried by favorable voice vote.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk