

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 April 6, 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
Jack Opdyke
Caroline Scutt
William Sullivan

Absent from Meeting:

Attorney Albert Cruz, Auditor Warren Korecky and Borough Clerk, Brenda S. Shepherd, were present for the Meeting. 29 members of the public were also present.

PUBLIC HEARING

2016 Municipal Budget

The Council approved to open the public hearing on the 2016 Municipal Budget. Liz Johnson stated that she is glad to see the parking meter line item in the budget. She encouraged Council to look at additional revenue sources. She added that the Borough has more sewer capacity and encouraged Council to look for additional contracts for honey dippers to offset some of the costs. She also asked for an explanation of the CAP Ordinance and salary ordinances. Mayor Myhre noted that Auditor Warren Korecky is here this evening and can explain the CAP ordinance. Council approved to close the public hearing on the 2016 Municipal Budget.

Ordinance #768 – Cap Index Ordinance

The Council approved to open the public hearing on Ordinance #768. Auditor Korecky explained the Cap Ordinance. Having no other comments, Council approved to close the public hearing on Ordinance #768.

Ordinance #769 – 2016 Salary and Wage Ordinance

The Council approved to open the public hearing on Ordinance #769. Attorney Cruz noted that the salaries have to be establish by ordinance. The actually salary is set by resolution. Having no other comments, Council approved to close the public hearing on Ordinance #769.

Ordinance #770 – 2016 Court Salary and Wage Ordinance

The Council approved to open the public hearing on Ordinance #770. Mayor Myhre noted that the municipal court costs will go up. The municipalities’ percentages are based on the number of tickets issued and the Borough pays the highest percentage. While the ticket numbers went down,

the overall cost for the court is increasing. Having no other comments, Council approved to close the public hearing on Ordinance #770.

PUBLIC COMMENTS

The Council approved to open the public comment session.

Michael DeSapio from DeSapio law offices, on behalf of his client Rich Cahill of Big River Tattoo.

Rich Cahill started his business in town in 2009. When he went to open he realized per the zoning ordinance that tattoo studios are not a permitted use. The zoning officer instructed him to go for a variance which he did. The Planning Board at that time made great efforts to avoid what was like a typical tattoo parlor. They want to make it as stringent as possible so no other tattoo parlor could come into that space after Rich Cahill vacated it. His operation needed to be more like a gallery, no walk-ins were allowed and customers had to come by appointment only. There were limits on signage even more so than the sign ordinance. In 2015, Rich Cahill wanted to expand his hours. He is good at what he does and customers come from all over the state. He wanted to add an additional tattoo artist. He got an amendment to that resolution in 2015. Rich Cahill wants to put a simple sign outside because the customers that come from out of town have difficulty finding him. In the 2009 resolution of approval, no additional was allowed other than a three inch figure on the glass door. Rich Cahill is going to apply for an amendment to the variance for signage. We are here tonight to implore the Council to consider amending the zoning ordinance to allow tattoo studios as a permitted use. Municipalities throughout the state have been dealing with the antiquated view that tattoo studios had a negative connotation. Times have changed and the perception of what a tattoo studio is has changed. Tattooing is a free expression that Frenchtown celebrates and artistry and it is another medium of that. We do not see any reason why it could not be permitted in this zone. Business is good and in the future, Big River Tattoo would like to move to a different space and would like to avoid the expense of several thousands of dollars to go through the expense for something that should be permitted. The current R4A zone has 20 different uses listed of various uses that service customers and local tourists. He does not see why there should be any restrictions for a tattoo studio. It is protected under the First Amendment as free expression. We are looking for a reaction to institute that. He asked his client, Rich Cahill, to say a few words.

Rich Cahill stated that when he first came to town, he could tell that tattoo studios were not something that the Planning Board wanted. He got a variance for a private studio which was fine for the last six years. Business has grown and we have a new artist that is doing well. We have outgrown that space and want to move to another space. Last year, he looked at another space but has already put \$20,000.00 into getting the two variances so to move to another space, he cannot do it. He would like to see some relief by adding tattoo studio to Frenchtown's zoning. He thinks it is time. It is a form of art and an expression of art. Attorney DeSapio added that Rich Cahill was on the steering committee for the State of New Jersey. As far as the health and public safety aspect, Tattoo parlors are highly regulated by the State.

Liz Johnson of 19 Second Street stated that Rich Cahill is the second business owner in town that said their business is doing so well that they need to move to a different space. When you live in town that has so many for rent signs, it is not because people are leaving town but it is because it is prosperous and they need to move on. She encouraged Council to do what it can to keep these

businesses in town and to make it easier for them to stay. The Cahill's are very involved in the Community. They are tax payers in town in many different ways. Tattoo parlors have change dramatically. The Master Plan has not been reviewed in a long time and as a resident, she would like to see the Council encourage that kind of acceptance.

Ken Dunsing at 10 Bridge Street living directly above the Studio noted that Rich Cahill has always run a professional business. There is not any kind of what you would think is attached to a tattoo studio. He is very quiet. The young professionals are coming and it is not something we should look to keep out of town. Rich Cahill is a great neighbor and runs a great business. We support it.

Janice Freidman of upper Fourth Street noted that she has lived here for six and a half years and one of the things she loves most about this town is that it welcomes diversity. We welcome writers, artists, and painters. We should welcome what Rich has to offer as well. It is an art form. It makes the town a great place to live.

Kelly Pickary of Third Street stated that she did not know anything about tattooing and she is a great admirer of Rich's business accruement and element. When she went into his shop, she was blown away and it was beautiful. Tattoo is an artistic form and she would like to see him be able to have clients and it is mainstreamed as an art form. He is an admiral person.

Madison Westlake of 12th Street stated that she thinks a tattoo parlor is the new barbershop. She sometimes visits business owners and she always wanted to walk into Rich's tattoo parlor but it is not possible because it is so regulated. It is a nice part of our town and she would like to enjoy it directly. She got a temporary tattoo at Modern Love.

Gary Cahill, Rich's father, stated that Rich runs a professional tattoo shop.

Shannon O'Connell, assistant at Rich's shop, noted that people come into the shop and say they never heard of Frenchtown before. A lot of those people come back again and go get coffee in town or lunch afterwards. So many come from NY and Philadelphia and did not know Frenchtown was on the map. It is a great way to get people into town and to see what the town has to offer.

Mayor Myhre stated that he did have a conversation with the Planning Board Chairman, Attorney and Planner. What we will be doing going forward is forming a committee to review the sign ordinance, etc. There are areas in the ordinance that need improvement and some areas that need to be simplified and clarified. We will be doing that in the near future. In addition, we will take what you said tonight in advisement to make a tattoo shop a permitted use. Cathy Leach commented that we should not limit Rich Cahill's business to appointment only because we do not limit other businesses like that in town. The Council agreed.

Rich Cahill asked what the process is for amending the Land Use Ordinance to allow tattoo shops? Attorney Cruz noted that the change can be initiated from Council and referred to the Planning Board. He recommended that Rich Cahill make a formal request to Council that you would like it changed and how you want it changed. That could be referred to the Planning Board. The Master Plan has to be consistent with the zoning ordinance. The Planning Board will review it for consistency with the Master Plan and then it comes back to the Council.

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 Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the consent agenda approving the bills list of 6/1/16 as attached and Resolutions #2016-67 through #2016-70 as follows:

BOROUGH OF FRENCHTOWN

Resolution 2016-67

WHEREAS, the Plenary Retail Consumption Application of the Frenchtown Inn is complete in all respects; and

WHEREAS, the Applicant is qualified to be licensed according to all Statutory Regulations and Local Government ABC laws and Regulations; and

WHEREAS, the Applicant has disclosed, and the issuing authority has reviewed, the source of any additional financing obtained in the previous license term for use in licensed business.

NOW, THEREFORE BE IT RESOLVED that the Application of the Frenchtown Inn for renewal of Plenary Retail Consumption License #1011-33-002-007 for the year 2016-2017 be granted.

Dated: June 1, 2016

Brad Myhre, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC

Borough Clerk

BOROUGH OF FRENCHTOWN

Resolution 2016-68

WHEREAS, the Plenary Retail Distribution Application of H & S Liquors LLC trading a Frenchtown Wine & Liquors, LLC. is complete in all respects; and

WHEREAS, the Applicant is qualified to be licensed according to all Statutory Regulations and Local Government ABC laws and Regulations; and

WHEREAS, the Applicant has disclosed, and the issuing authority has reviewed, the source of any additional financing obtained in the previous license term for use in licensed business: and

NOW, THEREFORE BE IT RESOLVED that the Application of the Frenchtown Wine & Liquors, LLC. renewal of Plenary Retail Distribution License #1011-44-001-008 for the year 2016-2017 be granted.

Dated: July 1, 2016

Brad Myhre, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

BOROUGH OF FRENCHTOWN

Resolution 2016-69

WHEREAS, the Club License Application of the Fidelity Post 113 of the American Legion is complete in all respects, including submission of the Club Membership list; and

WHEREAS, the officers and directors are qualified to be licensed according to all Statutory Regulations and Local Government ABC laws and Regulations; and

WHEREAS, the Club maintains all records required by NJAC 13:2-88 “Special Events Open to Non-Club Members” and NJAC 13:8-12 “True Book of Accounts for Receipts and Disbursements”.

NOW, THEREFORE BE IT RESOLVED that the Application of the Fidelity Post 113 of the American Legion for renewal of Club License #1011-31-004-001 for the year 2016-2017 be granted.

Dated: June 1, 2016

Brad Myhre, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

BOROUGH OF FRENCHTOWN

Resolution 2016-70

WHEREAS, the Plenary Retail Consumption, Broad Package Privilege Application of the National Hotel, LLC is complete in all respects; and

WHEREAS, the Applicant is qualified to be licensed according to all Statutory Regulations and Local Government ABC laws and Regulations; and

WHEREAS, the Applicant has disclosed, and the issuing authority has reviewed, the source of any additional financing obtained in the previous license term for use in licensed business.

NOW, THEREFORE BE IT RESOLVED that the Application of the Frenchtown National Hotel, Inc. for renewal of Plenary Retail Consumption, Broad Package Privilege License #1011-32-003-011 for the year 2016-2017 be granted.

Dated: June 1, 2016

Brad Myhre, Mayor
Borough of Frenchtown

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

APPROVAL OF MINUTES

Special Meeting – April 20, 2016

On motion by Cathy Leach, seconded by Michele Liebttag and carried by favorable roll call vote with Jack Opdyke abstaining, the Mayor and Common Council approved the minutes of April 20, 2016 Special Meeting.

Executive Session – April 20, 2016

On motion by John Hindman, seconded by Caroline Scutt and carried by favorable roll call vote with Jack Opdyke abstaining, the Mayor and Common Council approved the Executive Session minutes of April 20, 2016.

Regular Meeting – May 4, 2016

On motion by Jack Opdyke, seconded by Michele Liebttag and carried by favorable roll call vote with John Hindman abstaining, the Mayor and Common Council approved the minutes of May 4, 2016 Regular Meeting.

Executive Session – May 4, 2016

On motion by Cathy Leach, seconded by Michele Liebttag and carried by favorable roll call vote with John Hindman abstaining, the Mayor and Common Council approved the Executive Session minutes of May 4, 2016.

Auditor Report on the Budget

Auditor Warren Korecky noted that the Borough's budget was approved by Trenton yesterday. It is a one cent increase. The Cap bank gives the Borough two years to expend the capacity on the appropriation side. The Borough needs to adopt that ordinance. The salaries have to be set by ordinance. Responding to Mayor Myhre, Auditor Korecky noted that the Borough is well below its debt limitation. There are notes that are outstanding and the Borough is paying off a good portion this year. The Borough is receiving cash from grants to offset the payments. There is no impact on the tax. As to the sewer project, the debt services is a huge number on the books for a number of years but should remain stable. He added that the tax increase last year was for the debt service on the Public Works building. It has to be paid through taxation. This debt will be there until 2030.

Jack Opdyke thanked Mayor Myhre for all the work he put on the budget and he appreciated the committee and Auditor Korecky's help. Michele Liebttag stated that working with Brad Myhre and his understanding of the budget and how we needed to get where we were going was an asset. There were no other questions or comments from the Council.

ORDINANCES:

Ordinance #768 – Cap Index Ordinance (Adoption)

On motion by Jack Opdyke, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to adopt Ordinance #768 as follows:

**ORDINANCE #768
CALENDAR YEAR 2016
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0.00% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Frenchtown, in the County of Hunterdon, finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$48,234.20 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Frenchtown, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Frenchtown shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$48,234.20 and that the CY 2016 municipal budget for the 3.5% be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

I, Brenda S Shepherd, Municipal Clerk, hereby certify that the above ordinance was adopted on June 1, 2016 at the regular Council meeting of the Frenchtown Borough Common Council.

Brenda S. Shepherd, RMC
Borough Clerk

Ordinance #769 – 2016 Salary and Wage Ordinance (Adoption)

On motion by Michele Liebttag, seconded by John Hindman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to adopt Ordinance #769 as follows:

ORDINANCE #769

**AN ORDINANCE
REGULATING THE SALARY & WAGE
OF THE 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. All prior Salary Ordinances of the Borough of Frenchtown are hereby repealed.
2. The following salaries for the year 2016 are hereby established for the following designated officials and employees of the Borough of Frenchtown:

Borough Clerk/Licensing Official/	
Assessment Search Officer Certified	\$ 60,374.47
Registrar -----	\$ 2,546.33
Deputy Registrar -----	\$ 213.26
Deputy Registrar (Certified) -----	\$ 640.86

Tax Assessor-----	\$ 9053.24
Collector of Taxes-----	\$ 13,985.40
Tax Search Officer-----	\$ 751.83
Collector of Sewer Rents-----	\$ 6,468.14
Chief Financial Officer-----	\$ 9,995.72
Asst to Collector of Taxes/Sewer----	\$ 550.36
Chief of Police-----	\$ 81,606.08
Secretary Planning/Zoning-----	\$ 10,681.86
Fire Marshall-----	\$ 5,000.00
Medical Benefits Administrator-----	\$ 1,035.30
Shade Tree Secretary-----	\$ 368.38
Sewer Treatment Operator-----	\$ 71,186.16
CPWM Stipend-----	\$ 1,056.01

The following hourly rates are hereby established:

Deputy Borough Clerk-----	\$ 20.96
Police Patrolman (Part-time Senior) \$	21.79
Police Patrolman (Part-time 1 yr exp)\$	20.38
Police Patrolman (Part-time new) --- \$	18.73
Click It or Ticket Patrol-----	\$ 50.00
Public Works Manager-----	\$ 29.63
Public Works Senior, heavy -----	\$ 22.13
equipment operator	
Public Works (Part-time) \$	15.61
Licensed Sewer Treatment Plant-----	\$ 29.03
assistant	
Sewer Dept. Maint. A -----	\$ 27.74
Sewer Dept. Maint. B-----	\$ 21.00
Sewer Dept. Maint. C-----	\$ 15.00
DPW Class A-----	\$ 15.30
DPW Class B-----	\$ 12.00
DPW Class C- CDL-----	\$ 11.75
DPW Class D – non-CDL-----	\$ 9.00
Deputy Fire Inspector-----	\$ 8.00
School Crossing Guard-----	\$ 10.00
Police Assistant-----	\$ 14.50
Library Assistant-----	\$ 11.00
Clerical Class A-----	\$ 15.00
Clerical Class B-----	\$ 12.00
Clerical Class C-----	\$ 8.00
Recycling Coordinator-----	\$ 9.00

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

Brad Myhre, Mayor

Dated: _____

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

Ordinance #770 – 2016 Court Salary and Wage Ordinance (Adoption)

On motion by Jack Opdyke, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved to adopt Ordinance #770 as follows:

ORDINANCE #770

**AN ORDINANCE
REGULATING THE SALARY & WAGE
OF THE OFFICIALS AND EMPLOYEES
OF THE JOINT MUNICIPAL COURT OF THE DELAWARE VALLEY
FOR THE YEAR 2016**

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

1. All prior Salary Ordinances of the Joint Municipal Court are hereby repealed.
2. The following salaries for the year 2016 are hereby established for the following designated officials and employees of the Joint Municipal Court:

Municipal Judge-----	\$	21,002.64
Court Administrator -----	\$	31,171.60
Prosecutor -----	\$	7,247.10
Public Defender -----	\$	1,360.01

The following hourly rates are hereby established:

Clerical Assistant to the Clerk-----	\$5.64 per hour
Violations Clerk -----	\$8.06 per hour
Bench Log and Court Clerk -----	\$49.60 per court session

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

Brad Myhre, Mayor

Dated: _____

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

RESOLUTIONS

Resolution #2016-71 – 2016 Municipal Budget – Adoption

On motion by Cathy Leach, seconded by Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2016-71 as follows:

**RESOLUTION 2016-71
MUNICIPAL BUDGET NOTICE
MUNICIPAL BUDGET OF THE
BOROUGH OF FRENCHTOWN,
COUNTY OF HUNTERDON
FOR THE FISCAL YEAR 2016**

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2016;

BE IT FURTHER RESOLVED, that said Budget be published in the Hunterdon County Democrat in the issue of May 12, 2016;

The Governing Body of the Borough of Frenchtown does hereby approve the following as the Budget for the year 2016.

RECORDED VOTE:

AYES:	(Leach (Liebttag (Opdyke (Scutt (Sullivan (NAYS (
ABSTAIN	(ABSENT(Hindman (

Notice is hereby given that the Budget and Tax Resolution was approved by the Mayor and Council of the Borough of Frenchtown, County of Hunterdon, on the 4th of May, 2016.

A hearing of the Budget and Tax Resolution will be held at The Borough Hall on the 1st of June, 2016 at 7:30 pm at which time and place objections to said Budget and Tax Resolution for the year 2016 may be presented by taxpayers or other interested persons.

EXPLANATORY STATEMENT
SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET
Year 2016

1. Budget Appropriations - Adopted Budget	1,980,208.49
2. Appropriations added by NJSA 40A:4-87	2,584.19
3. Emergency appropriations	
Total Appropriations	1,982,792.68
4. Expenditures:	
(a) Paid or charged (including reserve for uncollected taxes	1,853,087.82
(b) Reserved	129,576.45
5. Unexpended balances canceled	128.41
Total expenditures and unexpended balances cancelled	1,982,792.68

BUDGET MESSAGE

**LOCAL UNIT HEALTH BENEFITS PROGRAM IMPACT –
CHAPTER 2,P.L.2010**

Effective May 21, 2010 or on the expiration of any applicable labor agreement in force on that date, all employees must contribute a minimum of 1.5% of their current base salary towards their health benefits costs. This contribution is required of all employees who are members of any state or locally administered retirement system.

Projected Group Health Insurance Costs – 2016	166,468.00
Projected 2016 Employee Contributions	(15,000.00)
Net Group Health Benefits Appropriated – 2065	151,468.00

1977 APPROPRIATIONS “CAPS” CALCULATION

N.J.S.40A:4-45.1 et. seq. “The Local Government Cap Law” places limits on municipal expenditures. Commonly referred to as the “CAPS”, it is actually calculated by a method established by the law.

In general the actual calculation works as follows. Starting with the figure in the 2015 budget for Total General Appropriations certain 2015 budget figures are subtracted; including the reserve for uncollected taxes, debt service, State and Federal aid, etc. Take the resulting figure and multiply it by 1.50% and this gives you the basic “CAP” or the amount of appropriations increase allowed over the 2015 Total General Appropriations. The Total General Appropriations may also be increased by 3.5%, if prior, to the introduction of the 2015 budget an index rate ordinance is approved by the governing body.

In addition to the increase allowed above, any increase funded by increase valuations from new construction or improvements is also allowed.

Also, the "CAPS" may be exceeded if approved by referendum. The actual "CAPS" for this municipality will be reviewed and approved by the Division of Local Government Services in the State Department of Community Affairs, but the calculations upon which this budget was prepared are as follows:

Total General Appropriations for 2016	\$1,980,208.00
Add: Cap Base Adjustment	
Adjusted Total General Appropriations for 2015	\$1,980,208.00
Less Exceptions:	
Total Other Operations	\$ 9,408.00
Total Public & Private Programs	\$ 8,322.00
Total Capital Improvements	\$20,000.00
Total Municipal Debt Service	\$344,358.00
Total Deferred Charges	
Reserve for Uncollected Taxes	\$220,000.00
Total Exceptions	\$602,088.00
Amount on which percentage is applied	\$1,378,120.00
3.50% "CAP"	\$48,234.20
Allowable Operating Appropriations before Additional Exceptions per (N.J.S.A. 40a:4-45-3)	\$1,428,354.20
Add:	
Increase in Ratables from New Construction & Improvements	
Cap Bank	\$45,334.76
Maximum Allowable Appropriations After Modification	\$1,471,688.96

It is hereby certified that this is a true copy of the budget resolution adopted by the governing body on June 1, 2016.

Brad Myhre, Mayor

Attest:

Brenda S. Shepherd,
Borough Clerk

Resolution #2016-72 – Resolution awarding a contract for emergency that exists at the Wastewater Treatment Plant -

Mayor Myhre noted that we have a problem with the flows being down. It is an emergency situation because we are leaking sewerage somewhere. It is important to move forward to correct the problem. Michele Liebttag stated that we believe it is in the collection system. The pipes were put in in 1964. The flow is down by one quarter. Sewer Plant Operator, Victor Gilardi, added that

the flow meter is working correctly. He TV inspected the lowest line in the system of 1,600 feet and tested from Twelfth Street to the main. The best thing to do is clean the mains and then TV inspect them. The company will give us a disk of the report. As soon as we find the break, we will not go any further. We are assuming it is in the lower area of town. We will go day by day and estimate 2,500 feet per day. Any debris will be caught and disposed of. Mayor Myhre stated that he appreciates Victor Gilardi's work on this issue. The Borough will need to award a contract for the emergency services. On motion by Jack Opdyke, seconded by William Sullivan and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2016-72 as follows:

RESOLUTION #2016-72

Resolution to award a contract to Oswald Enterprises, Inc. in the amount not to exceed \$30,294.00 based on an emergency that exists at the Wastewater Treatment Plant for the loss of influent flow

WHEREAS, the Borough of Frenchtown hereby declares a emergency arising from the loss of flow at the Sanitary Sewer Treatment Plant, which loss of flow poses a threat to the health, safety and welfare of the residents of the Borough; and

WHEREAS, because of this emergency, the Borough of Frenchtown must proceed to determine the source of the loss of flow and undertake the necessary repair; and

WHEREAS, the Borough of Frenchtown solicited quotes to clean and inspect the sanitary sewer lines within the Borough to determine the location where the loss of flow is occurring; and

WHEREAS, two proposals were received as follows:

<u>Contractor</u>	<u>Quote</u>	
Oswald Enterprises, Inc. 161 East Road Belford, NJ 07718	Vac/Con truck per 8 hr. day	\$1,600.00
	TV Inspection Equipment w/operator per 8 hr. day	\$1,600.00
	CD with computer report per set	\$100.00
	Disposal fee of material per ton - at 3 tons per day	\$175.00 <u>\$525.00</u>
	Total daily cost at 2500 linear feet per day	\$3,825.00
	Cost per linear feet	<u>\$ 1.53</u>
	19,800 linear feet-Phase 1 & 2	\$30,294.00
Russell Reid 200 Smith Street Keasby, NJ 08832	Vac/Con truck per 8 hr. day	\$2,300.00
	TV Inspection Equipment w/operator per 8 hr. day	\$2,100.00

CD with computer report per set -included in TV inspection	
Disposal fee of material per ton -	\$225.00
at 3 tons per day	<u>\$675.00</u>
Total daily cost	
at 2500 linear feet per day	\$5,075.00
Cost per linear feet	<u>\$ 2.03</u>
19,800 linear feet -Phase 1 & 2	\$40,194.00

WHEREAS, Licensed Operator, Victor Gilardi III, has reviewed the submitted quotes and determined that Oswald Enterprises, Inc., 161 East Road, Belford, NJ 07718 submitted the lowest responsive quote;

WHEREAS, Licensed Operator, Victor Gilardi III, recommended that 19,800 linear feet of sanitary sewer line within the Borough of Frenchtown, considered Phases 1 and 2, be cleaned and inspected at a cost not to exceed \$30,294.00; and

WHEREAS, the Chief Financial Officer has certified that the funds are available from the Sewer Utility Fund account number 6-01-20-165-000-299;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Frenchtown that based on an emergency that exists at the Wastewater Treatment Plant for the loss of influent flow, the Contract be awarded to Oswald Enterprises, Inc. for their bid in the amount not to exceed \$30,294.00.

Brad Myhre, Mayor

Dated: June 1, 2016

ATTEST:

Brenda Shepherd, Clerk

**Resolution #2016-73 - Resolution Supporting Participation in the Sustainable Jersey®
Municipal Certification Program**

Mayor Myhre noted that the Green Team started in 2013 and members have dissipated. In order to maintain Sustainable Status, we need to get the process going again. Thanks to Margaret Waldo and Holly Low of the Environmental Commission, they will help us to revitalize the Green Team. They will be combining meetings. This resolution will authorize the Environmental Commission to establish Sustainable Frenchtown. On motion by Cathy Leach, seconded by William Sullivan and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2016-73 as follows:

Resolution #2016 –73
Borough of Frenchtown, New Jersey
Resolution Supporting Participation in the Sustainable Jersey® Municipal Certification
Program

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Borough of Frenchtown (hereinafter referred to as “the Borough”) strives to save tax dollars, assure high quality land, air and water resources, and improve working and living environments as essential to ensuring our community thrives well into the new century; and

WHEREAS, the Borough hereby acknowledges that residents desire a stable, sustainable future for themselves and generations to come; and

WHEREAS, the Borough of Frenchtown strives for a model of government which benefits current and future residents by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path the Borough of Frenchtown is pledging to educate itself and community members further about policies and actions that advance sustainability, and to develop initiatives supporting sustainable local government practices; and

WHEREAS, by working in collaboration and coordination with our neighbors in Hunterdon County as they also pursue sustainability initiatives we amplify the impact of our actions and contribute to a sustainable future for the broader Delaware Valley region; and

WHEREAS, as elected representatives of the Borough of Frenchtown we acknowledge our responsibility to provide leadership to pursue community-based sustainable solutions to strengthen our community and the region: NOW THEREFORE

BE IT RESOLVED, that to focus attention and effort within the Borough on matters of sustainability, the Frenchtown Borough Council wishes to develop goals and pursue local initiatives, policies, and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Frenchtown Borough Council that,

1. We do hereby authorize the Frenchtown Environmental Commission to establish “Sustainable Frenchtown”, a sustainability subcommittee of the Commission,
2. Sustainable Frenchtown will work to be inclusive and collaborative and include a diverse range of community participants including but not limited to members of the environmental commission, citizen volunteers, elected

- leaders, civic organizations, faith communities, business owners, and school representatives,
3. Sustainable Frenchtown will work to catalyze an understanding of what sustainability means in our community and will leverage the skills and expertise of members to develop plans, implement programs, and assist with educational opportunities that further the Borough's advancement as a sustainable community,
 4. Sustainable Frenchtown will serve as the Borough's agent for the Sustainable Jersey Municipal Certification process and complete the Municipal Registration on behalf of the Borough,
 5. Sustainable Frenchtown will be initially led and co-chaired by Environmental Commissioners Holly Low and Margaret Waldock, who will work to recruit inaugural members and affirm the mission and establish appropriate processes and guiding principles that reinforce inclusion, equity, and transparency.

Brad Myhre, Mayor

Dated: June 1, 2016

ATTEST:

Brenda Shepherd, Clerk

Resolution #2016-74 – Resolution authorizing the Borough of Frenchtown Safe Routes to School project and the application for Safe Routes to School Funding to make infrastructure improvements that will improve the walking and biking environment for students

Mayor Myhre noted that this is a grant program that recently came out. We want to improve the sidewalks from Bridge Street to the School including handicap ramps. He spoke with the school who will be a big part of this as we need to gather a lot of information. We are seeking \$25,000.00 to \$50,000.00. On motion by Michele Liebttag, seconded by John Hindman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2016-74 as follows:

RESOLUTION #2016-74

AUTHORIZING THE BOROUGH OF FRENCHTOWN SAFE ROUTES TO SCHOOL PROJECT AND THE APPLICATION FOR SAFE ROUTES TO SCHOOL FUNDING TO MAKE INFRASTRUCTURE IMPROVEMENTS THAT WILL IMPROVE THE WALKING AND BIKING ENVIRONMENT FOR STUDENTS

WHEREAS, the Borough of Frenchtown is applying for funding to construct pedestrian safety improvements along the school route for Frenchtown Elementary School within the Borough of Frenchtown; and

WHEREAS, the Borough of Frenchtown proposes to install sidewalk and other necessary pedestrian safety improvements along a portion of Harrison Street; and

WHEREAS, the grant application is identified as [TBD]; and

WHEREAS, the project will help to continue and improve the promotion and encouragement of pedestrian and bicycle access and safety for school children; and

WHEREAS, maintenance of the facility, once constructed, will be assumed by the Borough of Frenchtown with the exception of (1) local ordinances that places maintenance responsibility with each individual property owner, and (2) those crosswalks on State or County Highways;

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Frenchtown that it hereby supports the submission of a grant application for the Safe Routes to School Program within the State of New Jersey Department of Transportation and authorizes the Mayor and the Municipal Clerk to execute any and all documents necessary and related to the submission of said grant application or grant agreement.

Certified as a true copy of the Resolution adopted by the Frenchtown Borough Council at a duly convened meeting held on
On this 1st day of June, 2016

Municipal 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)

(Presiding Officer)

NEW BUSINESS

Approval of the Fifth Street Block Party on June 11, 2016

On motion by Michele Liebttag, seconded by John Hindman and carried by favorable voice vote, the Mayor and Common Council approved the Fifth Street Block Party on July 11, 2016.

Request for appointment to the Library Board – Jennifer Mechan

On motion by John Hindman, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the appointment of Jennifer Mechan to the Library Board.

Zoning Officer's Memorandum in reference to Zoning Permits

Mayor Myhre noted that the current building permit structure requires a zoning permit. William Sullivan noted that you need a zoning permit for installation of a water heater. This is using the zoning officer's time as we only have him two hours a week. He asked the zoning officer to make recommendations on what would speed up the process. The zoning officer suggested that we change the character of use of the property so anything that would change the character of use of the property, anything that would change the footprint, or anything that would modify the occupation of the residents would require a zoning permit. Attorney Cruz added that adoption of the standard would not require an adoption of a land use ordinance. He recommended that the Borough do it by ordinance so it would be standard and will not change from Council to Council.

Approval to set up email accounts for other Borough officials

Mayor Myhre noted that this is in regard to the Zoning Officer. William Sullivan noted that the Zoning Officer is user friendly and is willing to reach out by email. The cost to set up the email account would be \$6.00 per month and would be changed to a .gov email address since we are out of email addresses. Mayor Myhre noted that the zoning officer is checking with Lambertville to get an email. The new account must be paid by credit card. He is concerned with the continuity with it. He recommended that we go back to Rivernet.

OLD BUSINESS

None

COUNCIL COMMENTS

Caroline Scutt report that everyone liked the idea of batons coming back to Frenchtown for Bastille Day. It is a form of bocce. She talked to the Architect from Philadelphia about the possibility of permanent courts at the Bridge Park in the back corner. They are low maintenance courts. She added that she spoke with Mike Reino about the park and he does not want to do any more grading there. We need that graded in advance of the summer festivals. Mayor Myhre noted that we made a commitment to the Business Association and we need to get it ready. William Sullivan noted that he will speak to Mike Reino.

Cathy Leach noted that she reached out to Ray Boysenberry to see when they can meet at the park in reference to installing the well monitoring system. She added that she had not yet replied to the email from Holly Low about power washing the play structures at the park.

Michele Liebttag noted that Chief Kurylka report that the Memorial Day parade was a huge success and that the parade route will stay the same as it was this year. She also reported that The Click It or Ticket program is underway through June 5 and that Chief and Paul Murphy conducted a bike rodeo at the school and if they see children riding safely, they will be given a ticket for a free ice cream.

Michele Liebttag stated that we are in the process of scheduling a meeting with the vendors about options for larger receptacles for the park and park and ride.

Mayor Myhre reported that he will appoint the Open Space Committee members at the July meeting.

Mayor Myhre commended that there was a lot of tree work done at the park. He thanked the Shade Tree Commission for taking that on this year. There are stumps and logs there to take for free. This helps reduce the cost by making them free to the public.

Mayor Myhre thanked the American Legion Post, the Fire and Police Departments for their work in the Memorial Day parade. The route went from Old Frenchtown Field to the Bridge where it was completed. They did a ceremony at the cemetery at 9:00 am that morning. Great job to everyone that participated.

CORRESPONDENCE/ANNOUNCEMENTS

Mayor Myhre reported that the Freeholders will be hosting one of their meetings at Borough Hall. We are waiting for confirmation.

ADJOURNMENT

Being no further business to come before the Mayor and Council, the meeting was adjourned at 8:50 pm on motion by Jack Opdyke, seconded by Michele Liebttag and carried by favorable voice vote.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk