

CALL TO ORDER

Mayor Brad Myhre called the special meeting to order at 7:30 a.m. and stated that in compliance with the “Open Public Meetings Act” this Meeting was duly noticed to the Hunterdon County Democrat and the Express Times on August 11, 2016; the Agenda has been posted at Borough Hall and distributed to the newspapers on August 11, 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

Absent from Meeting:

Jack Opdyke
William Sullivan

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

PUBLIC COMMENT

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

ORDINANCE #777 – Bond Ordinance for various Borough projects (Introduction)

Mayor Myhre noted that the Borough did receive qualified bids for the porch and fire escape at the Police Department. We are amending the previous Bond Ordinance to include an additional \$30,000.00 to cover those costs. On motion by Michele Liebttag, seconded by Cathy Leach and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the introduction of Ordinance #777 as follows:

**BOROUGH OF FRENCHTOWN
ORDINANCE #777**

**BOND ORDINANCE AMENDING AND SUPPLEMENTING BOND
ORDINANCE NUMBER 753 FINALLY ADOPTED BY THE
BOROUGH COUNCIL ON NOVEMBER 24, 2014, TO INCREASE
THE APPROPRIATION THEREIN BY \$30,000 AND TO
INCREASE THE AUTHORIZATION OF BONDS OR NOTES
THEREIN BY \$28,500 TO FINANCE PART OF THE
ADDITIONAL COSTS THEREOF AND TO AMEND THE
DESCRIPTION THEREOF**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE
BOROUGH OF FRENCHTOWN, IN THE COUNTY OF HUNTERDON, STATE OF**

NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring)

AS FOLLOWS:

SECTION 1. The bond ordinance of the Borough of Frenchtown, in the County of Hunterdon, State of New Jersey (the "Borough"), heretofore finally adopted by the Borough Council on November 24, 2014, number 753, entitled: "BOND ORDINANCE APPROPRIATING \$60,000, AND AUTHORIZING THE ISSUANCE OF \$57,000 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS FOR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF FRENCHTOWN, IN THE COUNTY OF HUNTERDON, NEW JERSEY", (the "Original Ordinance"), is hereby amended and supplemented to the extent and with the effect as follows:

SECTION 2. For the improvements or purposes described in Section 3 of the Original Ordinance, as amended and supplemented hereby, there is hereby appropriated the additional sum of \$30,000, said sum being inclusive of \$1,500 as the amount of an additional down payment as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes. Therefore, the total appropriation contained in the Original Ordinance, as amended and supplemented hereby, shall be increased by \$30,000 from \$60,000 and shall equal the amount of \$90,000, said sum being inclusive of all appropriations heretofore made in the Original Ordinance, including the total amount of down payment increased by \$1,500 from \$3,000 to equal \$4,500. The total appropriation including the total amount of down payment is \$90,000.

SECTION 3. In order to finance the additional cost of the improvements or purposes set forth in Section 3 of the Original Ordinance, as amended and supplemented hereby, not covered by the additional down payment, additional negotiable bonds or notes of the Borough in the amount of \$28,500 are hereby authorized to be issued by the Borough for such improvements or purposes in Section 3 of the Original Ordinance, such that the total authorization of negotiable bonds or notes to be issued by the Borough for the improvements or purposes stated in Section 3 of the Original Ordinance, as amended and supplemented hereby, shall be increased by \$28,500 from \$57,000 and shall equal the amount of \$85,500.

SECTION 4. Section 3(b) of the Original Ordinance shall be amended to read in its entirety as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
“(b) Reconstruction of the Police Department porch <u>and fire escape</u> in and by the Borough all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved the <u>\$50,000</u> appropriation hereby made.	<u>\$50,000</u>	<u>\$47,500”</u>

SECTION 5. The Capital Budget of the Borough is hereby amended, as necessary, to conform with the provisions of this amendatory and supplemental bond ordinance and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs (the “Director of

the Division of Local Government Services”), will be on file in the office of the Clerk and will be available for public inspection.

SECTION 6. The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this amendatory and supplemental bond ordinance by \$28,500 and the said obligations authorized herein will be within all debt limitations prescribed by law.

SECTION 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by the Original Ordinance, as amended and supplemented hereby. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 8. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 9. The Borough Chief Financial Officer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document

to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Borough Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 9. The Borough covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under the Original Ordinance, as amended and supplemented hereby.

SECTION 10. Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

SECTION 11. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

ADOPTED ON FIRST READING
DATED: August 16, 2016

BRENDA S. SHEPHERD,
Clerk of the Borough of Frenchtown

RESOLUTION #2016-88 - Resolution supporting the Drive Sober or Get Pulled Over 2016 Statewide Crackdown

Mayor Myhre noted that the Police Department received a grant for this program. On motion by Michele Liebttag, seconded by John Hindman and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2016-88 as follows:

RESOLUTION #2016-88

*Supporting the Drive Sober or Get Pulled
Over 2016 Statewide Crackdown*

Whereas, approximately one-third of all fatal traffic crashes in the United States involve drunk drivers; and

Whereas, impaired driving crashes cost the United States almost \$50 Billion a year; and

Whereas, 27% of motor vehicle fatalities in New Jersey in 2013 (the last year for which complete data is available) were alcohol-related; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2016 Statewide Crackdown*; and

Whereas, the project will involve increased impaired driving enforcement from August 19 through September 5, 2016; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be it resolved that Frenchtown Borough declares its support for the *Drive Sober or Get Pulled Over 2016 Statewide Crackdown* from August 19 through September 5, 2016 and pledges to increase awareness of the dangers of drinking and driving.

Brad Myhre, Mayor

Brenda S. Shepherd, RMC
Borough Clerk

TRASH AND RECYCLING CONTAINER REPLACEMENT FOR THE DOWNTOWN

The company that is a state approved contractor does not have a comparable items that we settled on. John Hindman found another contractor that sells a side by side unit made from recycled materials but the contractor is not a state contractor. This unit would cut down on having two separate units per location. but that contractor is not a state approved contractor. We would have to bid it out. We will search to see if there are other vendors with a similar product that have a state contract. Mayor Myhre asked that Diane Laudenbach get a bid spec by the September meeting.

COUNCIL COMMENTS

Michele Liebtag noted that the Recycling Newsletter will be mailed shortly. She received input from the Environmental Commission and Shade Tree Commission for the newsletter

Mayor Myhre complimented the Police and Fire Departments on National Night Out. It was a great event and the fireworks were great.

ADJOURNMENT

Being no further business to come before the Mayor and Council, the meeting was adjourned at 7:40 am on motion by John Hindman, seconded by Michele Liebtag and carried by favorable voice vote.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk