

Frenchtown Planning Board
Reorganization & Regular Meeting
January 25, 2017
7:30 P.M.

Randi Eckel called the Reorganization and Regular Meeting to Order at 7:30 P.M. and stated that all the requirements of the “Open Public Meeting Law” have been met. The meeting has been advertised, the Agenda has been posted in the Borough Hall and copies distributed to the designated newspapers.

OATH OF OFFICE

Brenda S. Shepherd administered the Oaths of Office to William Sullivan (Class III). He accepted his Oath of Office.

ROLL CALL

Present:	Absent:
Case (Arrived at 7:50 pm)	Dougherty
DenBleyker	Weeks
Dragt	
Eckel	
Musolino	
Myhre	
Scott	
Sullivan	
Suttle	

NOMINATION OF CHAIRMAN

Mayor Myhre asked for nominations for Chairman of the Board. Cathy Suttle nominated Randi Eckel for Chairman of the Board. William Sullivan seconded the nomination. No other nominations were made. The Planning Board elected Randi Eckel Chairman of the Planning Board by unanimous favorable roll call vote.

Chairman Eckel took over chair of the meeting.

NOMINATION OF VICE-CHAIRMAN

Chairman Eckel asked for nominations for Vice-Chairman of the Board. William Sullivan nominated John DenBleyker for Vice-Chairman of the Board. Rocco Musolino seconded the nomination. No other nominations were made. The Planning Board elected John DenBleyker Vice-Chairman of the Planning Board by unanimous favorable roll call vote.

CONSENT AGENDA

All matters listed on the Consent Agenda are considered to be routine by the Planning Board 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.

Chairman Eckel noted that these resolutions will appoint the same team of professionals for the Board. Their fee amounts are the same as last year. Chairman Eckel noted that most fees are covered by escrows posted by applicants.

On motion by William Sullivan, seconded by Gordon Dragt, and carried by unanimous favorable roll call vote, the Planning Board approved the consent agenda approving Resolution #2017-01 - #2017-08 as follows:

**FRENCHTOWN BOROUGH
PLANNING BOARD**

RESOLUTION #2017-01

Dates, Time and Place for 2017 Regular Meetings and 2018 Reorganization & Regular Meeting

WHEREAS, Section 13 of the “Open Public Meeting Act”, Chapter 231, Public Law 1975, requires that at least once a year every Public Body shall post and mail to the newspapers designated by said body, a schedule of the location, date and time of each Regular Meeting of said Body during the succeeding year.

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

1. The Regular Meetings of the Planning Board of the Borough of Frenchtown, County of Hunterdon and State of New Jersey, shall be held at 7:30 p.m. at the Borough Hall, 29 Second Street, Frenchtown, New Jersey, on the Fourth Wednesday of each month, for the year 2017, with the exception of the months of November and December. The Regular Meeting for the month of November and December shall be the second Wednesday.

The Meeting dates and time of all Regular Meetings for 2017 and the Reorganization and Regular Meeting for 2018 are as follows:

January 25	7:30 p.m.	Regular Meeting
February 22	7:30 p.m.	
March 22	7:30 p.m.	
April 26	7:30 p.m.	
May 24	7:30 p.m.	
June 28	7:30 p.m.	
July 26	7:30 p.m.	
August 23	7:30 p.m.	
September 27	7:30 p.m.	
October 25	7:30 p.m.	
November 8	7:30 p.m.	
December 13	7:30 p.m.	
January 24, 2018	7:30 p.m.	Reorganization & Regular Meeting

2. This Resolution shall take effect immediately.

Dated: January 25, 2017

Brenda S. Shepherd, Secretary
Frenchtown Planning Board

**FRENCHTOWN BOROUGH
PLANNING BOARD**

RESOLUTION #2017-02

Designated Newspapers

BE IT RESOLVED that the following newspapers shall be designated for the advertising of Legal and Public Notices for the Borough of Frenchtown:

Hunterdon County Democrat, Flemington, New Jersey
The Express Times, Easton, PA
Courier News, Bridgewater, New Jersey
The Star Ledger, Newark, New Jersey

Dated: January 25, 2017

Brenda S. Shepherd, Secretary
Frenchtown Planning Board

**RESOLUTION #2017-03
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR AN
ATTORNEY TO SERVE AS PLANNING BOARD ATTORNEY FOR THE BOROUGH
OF FRENCHTOWN**

WHEREAS, the Planning Board for the Borough of Frenchtown has a need to acquire an Attorney to serve as Planning Board Attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Planning Board has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Archer & Greiner has submitted a proposal dated December 21, 2016 indicating they will provide that attorney services for the amount of \$200.00 per hour in addition to costs incurred for out of pocket and travel expenses; and

WHEREAS, Guliet Hirsch of Archer and Greiner has completed and submitted a Business Entity Disclosure Certification which certifies that Archer & Greiner has not made any reportable contributions to a political or candidate committee in the Borough of Frenchtown to the Mayor or Common Council or County Committees in the previous year, and that the contract will prohibit Archer & Greiner from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this annual contract as required pursuant to N.J.A.C. 5:30-5.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the Borough of Frenchtown will authorize the Chairman to enter into a contract with Archer & Greiner as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that notice of this action will be published in the Hunterdon County Democrat.

Dated: January 25, 2017

Brenda S. Shepherd,
Planning Board Secretary

RESOLUTION #2017-04
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR A PLANNER
TO SERVE AS PLANNING BOARD PLANNER FOR THE BOROUGH OF
FRENCHTOWN

WHEREAS, the Planning Board of the Borough of Frenchtown has a need to acquire a Planner to serve as Planning Board Planner as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Planning Board has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Elizabeth McKenzie has submitted a proposal dated December 15, 2016 indicating she will provide planner services for the amount \$175.00 per hour; and

WHEREAS, Elizabeth McKenzie has completed and submitted a Business Entity Disclosure Certification which certifies that Elizabeth McKenzie has not made any reportable contributions to a political or candidate committee in the Borough of Frenchtown to the Mayor or Common Council or County Committees in the previous year, and that the contract will prohibit Elizabeth McKenzie from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this annual contract as required pursuant to N.J.A.C. 5:30-5.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the Borough of Frenchtown authorizes the Chairman to enter into a contract with Elizabeth McKenzie as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that notice of this action will be published in the Hunterdon County Democrat.

Dated: January 25, 2017

Brenda S. Shepherd,
Planning Board Secretary

**RESOLUTION #2017-05
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR AN ENGINEER
TO SERVE AS PLANNING BOARD ENGINEER FOR THE BOROUGH OF
FRENCHTOWN**

WHEREAS, the Planning Board for the Borough of Frenchtown has a need to acquire a professional engineer to serve as the Board's Engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Planning Board has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Robert J. Clerico of Van Cleef Engineering has submitted a proposal dated 12/29/16 indicating they will provide engineering services for the amount of \$135.00 per hour; and

WHEREAS, Robert J. Clerico of VanCleef Engineering has completed and submitted a Business Entity Disclosure Certification which certifies that VanCleef Engineering has not made any reportable contributions to a political or candidate committee in the Borough of Frenchtown to the Mayor or Common Council or County Committees in the previous year, and that the contract will prohibit VanCleef Engineering from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this annual contract as required pursuant to N.J.A.C. 5:30-5.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the Borough of Frenchtown authorizes the Chairman to enter into a contract with Robert J. Clerico of VanCleaf Engineering as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that notice of this action will be published in the Hunterdon County Democrat.

Dated: January 25, 2017

Brenda S. Shepherd,
Planning Board Secretary

**RESOLUTION #2017-06
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR AN
ARCHITECT TO SERVE AS PLANNING BOARD ARCHITECT FOR THE BOROUGH
OF FRENCHTOWN**

WHEREAS, the Planning Board of the Borough of Frenchtown has a need to acquire an Architect to serve as the Planning Board Architect as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Planning Board has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Christopher Pickell of Pickell Architecture LLC. has submitted a proposal on 1/16/17 indicating they will provide architectural services for the amount \$150.00 per hour; and

WHEREAS, Christopher Pickell has completed and submitted a Business Entity Disclosure Certification which certifies that Christopher Pickell has not made any reportable contributions to a political or candidate committee in the Borough of Frenchtown to the Mayor or Common Council or County Committees in the previous year, and that the contract will prohibit Christopher Pickell from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this annual contract as required pursuant to N.J.A.C. 5:30-5.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the Borough of Frenchtown authorizes the Chairman to enter into a contract with Christopher Pickell as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that notice of this action will be published in the Hunterdon County Democrat.

Dated: January 25, 2017

Brenda S. Shepherd,
Planning Board Secretary

RESOLUTION #2017-07
RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR A
LANDSCAPE ARCHITECT TO SERVE AS PLANNING BOARD LANDSCAPE
ARCHITECT FOR THE BOROUGH OF FRENCHTOWN

WHEREAS, the Planning Board of the Borough of Frenchtown has a need to acquire a Landscape Architect to serve as the Planning Board Landscape Architect as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

WHEREAS, the Planning Board has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, Brian Bosenberg has submitted a proposal dated 12/13/16 indicating he will provide Landscape Architect services for the amount \$145.00 per hour; and

WHEREAS, Brian Bosenberg has completed and submitted a Business Entity Disclosure Certification which certifies that Brian Bosenberg has not made any reportable contributions to a political or candidate committee in the Borough of Frenchtown to the Mayor or Common Council or County Committees in the previous year, and that the contract will prohibit Brian Bosenberg from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this annual contract as required pursuant to N.J.A.C. 5:30-5.

NOW THEREFORE BE IT RESOLVED that the Planning Board of the Borough of Frenchtown authorizes the Chairman to enter into a contract with Brian Bosenberg as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that notice of this action will be published in the Hunterdon County Democrat.

Dated: January 25, 2017

Brenda S. Shepherd,
Planning Board Secretary

**FRENCHTOWN BOROUGH
PLANNING BOARD**

**RESOLUTION #2017-08
PROFESSIONAL APPOINTMENTS**

WHEREAS there exists a need for the Planning Board to hire an Attorney to serve as the Board Attorney, an Engineer to serve as the Board Engineer, a Planner to serve as the Board Planner; a Landscape Architect to serve as the Board Landscape Architect and an Architect to serve as the Board Architect; and

WHEREAS the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. requires that the Resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contracts themselves must be available for public inspection; and

WHEREAS sufficient funds are available in the 2017 Temporary Budget and will be made available in the 2017 Municipal Budget for the Borough of Frenchtown for such services,

NOW THEREFORE BE IT RESOLVED by the Planning Board of the Borough of Frenchtown, County of Hunterdon, State of New Jersey, as follows:

1. The Planning Board Chairman and Board Secretary are hereby authorized and directed to execute an agreement with the following persons and/or firms for the year 2017:
 - a. Guliet Hirsch, Archer & Greiner, Attorney
 - b. Robert Clerico, Van Cleef Engineering, Engineer
 - c. Elizabeth McKenzie, Planner
 - d. Christopher Pickell, Pickell Architecture, LLC, Architect
 - e. Brian Bosenberg, B.W. Bosenberg & Company, Inc., Landscape Architect
2. These contracts are being awarded as described above without competitive bidding as “Professional Services” as defined under the appropriate section of the Local Public Contracts Law because each of the above mentioned individuals is a member in good standing of his respective profession.
3. Notice of this action shall be printed in the Hunterdon County Democrat.

Dated: January 25, 2017

Brenda S. Shepherd, Secretary
Frenchtown Planning Board

APPROVAL OF MINUTES

Regular Meeting – December 14, 2016

Gordon Dragt moved to accept the minutes of the December 14, 2016 Regular meeting. Rocco Musolino seconded the motion. The minutes of the December 14, 2016 Regular meeting were approved by favorable roll call with Cathy Suttle and John DenBleyker abstaining.

PUBLIC COMMENTS

Chairman Randi Eckel announced that before we start the public comment section, comments are welcomed on matters not listed on the agenda. Comments related to agenda items should be held until that specific item comes up on the agenda. Chairman Eckel opened the public comment session. Having no comments, Chairman Eckel closed the public comment session.

SIGN APPLICATION – BLOCK 52 LOT 32, 59 TRENTON AVENUE – GOLDBERG REALTY ASSOCIATES

Chairman Eckel noted that this item will be tabled until the end of the meeting. If the applicant shows up, the Board will hear the application. If not, the Board will carry the application to next month's meeting.

VOUCHERS

Brenda Shepherd, Board Secretary, presented the following vouchers for approval:

VOUCHER LIST 1/25/17

NJ Planning Officials	2017 Dues	\$ 370.00
Archer & Greiner	Professional Services for General Representation through 12/31/16	\$ 240.00
Archer & Greiner	Professional Services for General Representation through 12/31/16	\$ 240.00
Albert Cruz	Professional Services for Declaratory Judgement through 11/30/16	\$ 90.00
Elizabeth McKenzie	Professional Services for General Representation through 12/31/16	\$ 131.25
Elizabeth McKenzie	Professional Services for Affordable Housing through 12/31/16	\$ 918.75
Elizabeth McKenzie	Professional Services for General Representation through 12/31/16	\$ 131.25
Elizabeth McKenzie	Professional Services for Land Use Ordinance through 12/31/16	\$ 43.75

ESCROW ACCOUNT – BLOCK 59 LOT 4 – ArtYard

Archer & Greiner	Professional Services for Art Yard through	\$ 1,780.00
Van Cleef Engineering	Professional Services for Art Yard through 12/31/16	\$ 133.75
NJ Advance Media	Advertising for Art Yard on 12/29/16	\$ 20.88
Archer & Greiner	Professional Services for Art Yard through 12/31/16	\$ 40.00

On motion by William Sullivan, seconded by John DenBleyker, and carried by unanimous favorable roll call vote, the Planning Board approved payment of the above bills list.

OATH OF OFFICE – Gerry Case (Class II)

Gerry Case arrived at 7:50 pm. Brenda Shepherd administered the Oath of Office to Gerry Case. He accepted his Oath of Office.

CORRESPONDENCE, COUNCIL REPRESENTATIVE REPORT AND OTHER RELATED ITEMS

Chairman Eckel stated that the issue of pop up businesses was briefly discussed at the December meeting. She spoke with Planner McKenzie who noted that if we have retail to retail and they did not put up a sign, there is nothing we can do. It fits within the ordinance. If they put up a sign that does not fit within the ordinance, it is a problem. Although, they can put up a temporary sign for 30 days. We need to be careful about change in use. A salon to retail use is a change in use. When you get a change in use, it has to go through the zoning officer. If someone comes in that is not allowed in the zone, it is a problem. John DenBleyker stated that he does not have a problem with pop ups business as it keeps the stores full. It just has to be allowed in the zone and if it is a change in use, it has to go through the zoning officer. William Sullivan stated that the zoning officer needs to okay a use and the zoning officer will respond to complaints. Mayor Myhre noted that the zoning officer is very good and he is a Land Use Attorney by trade.

Mayor Myhre noted that the sign subcommittee is meeting February 9th and will start addressing these issues.

Referring to the affordable housing litigation, Chairman Eckel reported that the State Supreme Court handed down a decision and all municipalities are responsible for the gap period. Mayor Myhre noted that Council will have more to report at the February meeting. The Borough started settlement talks to reach a settlement. This is an option for those who are members of the vicinage. The Borough decided to do it as a means to control the costs. Attorney Cruz and Planner McKenzie will have a presentation at the Council meeting.

Mayor Myhre reported that the Borough is moving forward with rehabilitating our park. We will use some elements of a concept plan previously provided. Most people want it to be unique. We want the park to be used more. We will incorporate a trail from the parking lot into the park and may reconfigure the parking lot for more safety and a little more parking. We are looking at a \$200,000.00 project. We will involve the school in the process and will have a special meeting with the school and students. We will use financing through the Open Space Trust Fund. The bridge was redone with FEMA money 3 or 4 years ago, and there are historical markers with the history. The Pavilion will be part of the [stl rehab plan and we will install new grills and reuse the equipment that we can. Park equipment is costly. Mayor Myhre added that an Eagle Scout started a project in the bathrooms. He will make it ADA compliant. He had an architect design it and will install new toilets, sinks and the drainage pipe will be replaced because the pipe is broken and when it rains, the bathrooms flood. William Sullivan noted that the bathrooms are closed from November until March. Mayor Myhre also reported that we are considering a skating pond in Phase 2 with a dual use with a double basketball court and drainage in the center to plug it and fill it in the berms. Chairman Eckel asked that they consider fixing the water fountain.

Mayor Myhre noted that this year is the 150th anniversary of the Borough. He will be talking to the Lions Club about a community day. He would also like to take a photo.

Gordon Dragt asked if the sign committee can address his concern about the problem that exists downtown with tractor trailers making the turn from Race Street onto Bridge Street heading toward the bridge and has to turn onto Front and Lott Streets and the possibility of signage. It causes traffic problems and when ArtYard gets functioning in the hatchery and Thai restaurant, there will be no place for trucks to make those turns. Chairman Eckel noted that it has to be addressed by Council.

A member of the public asked to make public comments. Chairman Eckel noted that she will open up another public comment session.

Holly Low of upper Eighth Street noted that today, a contractor was removing a tank out of the ground on the property at the end of Eighth Street, the one with the small concrete building. Gordon Dragt noted that the property was under contract 3 or 4 years ago but when they discovered that there was a tank in the ground, they dropped out of the contract. William Sullivan added that it took years to get the tank removed. The EPA inspected the tank and for leaks. Rocco Musolino added that the building is open and unsecured. Whoever owns the property needs to manage better. Mayor Myhre stated that the Borough will reach out to the owner.

Having no other public comments, Chairman Eckel closed the public comment session.

Rocco Musolino asked what can be done about people leaving stuff on their property like a junk yard. Mayor Myhre stated that he can call the County Health Department to inspect the property.

Gordon Dragt commented that another unit was sold at River Mills. Mayor Myhre added that George Michaels says that sales are slow. The tax assessment came in and the first couple that bought a unit who relocated from Hopewell Township stated that the taxes are ranging from \$18,000.00 to \$22,000.00 per unit. The only way to address it is a tax abatement or pilot program and he does not know that there is a tolerance for that. Everyone is paying the same tax

rate. The land assessments for the units are interesting. The owners are paying a Home Owners Association fee which should be paying the land assessment.

ADJOURNMENT

Gerry Case moved adjournment at 8:12 PM, and William Sullivan seconded. The motion passed on favorable voice vote.

Brenda S. Shepherd
Planning Board Secretary