

CALL TO ORDER

Mayor Myhre called the regular 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 and the Express Times on January 9, 2020; the Agenda has been posted at Borough Hall and on the website and distributed to the newspapers with teleconferencing information to join the meeting.

FLAG SALUTE

Mayor Myhre asked everyone to stand for the flag salute.

ROLL CALL

Present for the Meeting:

Kandy Ferree
Liz Johnson
Michele Liebttag
Tami Peterson
Caroline Scutt
William Sullivan

Absent from Meeting:

Attorney Albert Cruz, and Borough Clerk, Brenda S. Shepherd, were present for the Meeting. 12 members of the public were also present.

Thank Dave Cahill for assisting with the hosting of the meeting and he appreciates DelVal for the zoon platform. He thanked Paul Tomko for helping with the zoon platform. If it works well, we will continue to use that platform.

Mayor Myhre noted that he will turn the program over to Borough Attorney Albert Cruz. Attorney Cruz stated that there are 3 ordinance and 2 resolutions for consideration this evening. One of the ordinances is for vacating a portion of Eighth Street, the second one is vacating the site triangle and the third is the adoption of the PILOT or financial agreements. Each ordinance will have its separate public hearing. The two resolutions, approving the redeveloper’s agreement and the second one is designating Country Classics as the redeveloper of the Ceramics Plant property.

On the 20th of May, the Mayor sent a letter to the council president approving the PILOT application. The Mayor pointed out that there was an error on the application regarding the apartments, which should provide 2% growth rate from years 11 through 30. That has been revised. The financial agreement also provides for interim audits at 6 month for the first three years along with the annual audit. The Mayor and Clerk will sign the financial agreements. Ordinance #850 implements the PILOT. It will be posted to the Borough website. Ordinances #848 and #849 are also scheduled for a public hearing. The vacation of a portion of Eighth Street with public access and the vacation of the site triangle, all contemplated by the redevelopment. These ordinances are posted on the Borough website and the additional remediation documents have also been posted on the website.

The other two matters are the redeveloper and the redevelopment agreement. These do not require a public hearing. These are the considerations for tonight. There will be public hearings on the three ordinances and the public should direct comments specific to each ordinance.

William Sullivan has to recused himself on all matters of the Ceramics Plant. William Sullivan stepped down for the public hearing items.

Mayor Myhre provided the following statements for the record.

Like you, we understand that we are living in very challenging and stressful times. The vast majority of us would have never imagined that a global pandemic would sweep across this country and fundamentally alter our way of life. We have witnessed neighbors lose their jobs, schools shuttered, favorite restaurants and bars no longer accessible, and greeting neighbors and loved ones from a distance behind our masks as the new normal. More tragic however, is the countless Americans that have become ill or lost their lives to COVID-19.

In addition to the COVID-19 public health emergency, we are now witnessing widespread civil unrest throughout our country in the aftermath of the killing of George Floyd. Like you, I watched in disgust as Mr. Floyd pleaded for his breath under the crushing weight of a law enforcement officer's knee on his neck. This is simply unacceptable. There is also no question that our country continues to struggle with systemic racism and that comprehensive reform and teachings of compassion and tolerance are needed now more than ever.

In addition, we are also aware, that the actions of few should not be indicative of the whole. There are many wonderful men and women in law enforcement throughout this country that go out everyday and serve the public with distinction and honor. Similarly, the protestors taking to the streets demanding action are rightfully exercising their constitutional rights that have been preserved on the battlefield, won at the voting booths, and reaffirmed in our courts. We should embrace this moment of change and work towards creating sound public policy that results in solutions to lingering problems with race and inequality in our society. We should also remember that we are united as Americans and that violence against one another is wrong. My comment is not addressed solely at looters looking to exploit a situation but also directed leaders at the highest level including the President that may wish to suppress the right of free men and women to gather peacefully.

As former President George W. Bush recently wrote, "America's greatest challenge has long been to unite people of very different backgrounds into a single nation of justice and opportunity. The doctrine and habits of racial superiority, which once nearly split our country, still threaten our Union. The answers to American problems are found by living up to American ideals — to the fundamental truth that all human beings are created equal and endowed by God with certain rights. We have often underestimated how radical that quest really is, and how our cherished principles challenge systems of intended or assumed injustice."

Yet despite this time of challenge and turmoil, we have also witnessed the resiliency and compassion of the Frenchtown community. Restaurants, business owners, and local food pantries continue to ensure that residents do not go without food and generous individuals have stepped forward to anonymously help with things such as utility bills, prescription copays, hot

meals, and ongoing donations of IGA gift cards. Frenchtown truly is a remarkable place!

It is during these unprecedented times that our community also finds itself at an important crossroads in its history. After nearly 12 years since the first developer conceived of a plan to turn the old porcelain factory into residential housing, we are now on the cusp of the most concrete and realistic transformation of this formerly blighted property into something that promises to contribute to the long-term sustainability of Frenchtown.

Yes, this development has RAISED VARIOUS ISSUES THAT HAVE NOT BEEN PART OF PRIOR DEVELOPMENT PROJECTS IN FRENCHTOWN: AN ENVIRONMENTAL REMEDIATION, ACCOMODATING AFFORDABLE HOUSING REQUIREMENTS, AND OTHER ISSUES. However, this development also represents a realistic bridge to the vibrant promise of Frenchtown's future. Despite the global pandemic, and the tough economic headwinds that we face, people still want to make a historic investment TO BUILD AND LIVE in Frenchtown Borough and that is something that we should all take pride in.

Do we wish that this redevelopment site was easier and didn't require extensive demolition and environmental remediation – absolutely! Would some prefer that Frenchtown didn't have to grow in size and build constitutionally required affordable housing – perhaps. Would all of us PREFER TO STABLIZE OUR SCHOOL FUNDING AND ENROLLMENT SITAUTION WITHOUT CUTS FROM THE STATE AND LEGISLATURE -- without a doubt!

However, this is where Frenchtown currently finds itself – a nearly vacant property undergoing ongoing environmental remediation, a court settlement to build 57 affordable housing units, and ongoing educational cuts to Frenchtown Elementary School thanks to LOW ENROLLMENT AND decreased state funding.

In addition to the above, EVERYONE OF US ON COUNCIL AND IN THE COMMUNITY WANT TO KEEP THE BURDEN OF PROPERTY TAXES AND SEWER RENTS AS LOW AS POSSIBLE. Borough operations currently equate to approximately 27% of your tax bill, and we take our responsibility as fiscal stewards very seriously. In fact, for 2020, the governing body has introduced a budget that keeps the 2020 municipal TAXES flat – NO INCREASE. Similarly, the governing body has worked to keep sewer rents flat over the last four years despite reductions in the number of overall sewer users. The stabilization of the sewer rents has been achieved through reducing personnel costs, decreasing sludge production at our plant, and overall better plant management in large measure due to our new sewer plant manager.

As a further measure of our commitment and seriousness toward delivering sewer relief, the governing body will be reinstating the sewer rate committee at this evening's meeting. The committee will be tasked with developing recommendations for the long-term fiscal sustainability of the sewer system. Furthermore, the committee will review utilizing a portion of the expected \$300,000 plus in new sewer connection fees and nearly \$100,000 in annual sewer rents from the proposed Country Classics project to provide real and meaningful relief to existing rate payers in Frenchtown Borough.

Also, on tonight's meeting agenda is an ordinance that will enable the sewer plant to accept septic sludge for a fee. Many plants across New Jersey already do this and it provides another

means of diversifying our revenue mix.

With the new PILOT revenue to the Borough of Frenchtown, we hope to make needed investments in public safety which includes attracting and retaining law enforcement officers. Like you, we are tired of watching neighboring municipalities hire our law enforcement personnel because we cannot compete financially.

In addition, it is our hope to apply the additional PILOT revenue toward needed investments in infrastructure such as paving streets and rebuilding crumbling sidewalks.

Finally, overall municipal debt reduction will also be a major pillar of our efforts going forward. Debt reduction will ultimately lead to the long-term fiscal health of our municipality.

We appreciate that not everyone shares our vision for what the Country Classics development may mean for the Borough of Frenchtown. However, despite our differing of opinions, our challenges still remain, and they must be confronted. Among them are:

- The Borough of Frenchtown must work towards developing 57 units of constitutionally required affordable housing;
- The Borough owes over \$8 million in sewer plant debt, and current residents will continue to carry that burden if we do not add more payers;
- Frenchtown Elementary School faces unprecedented fiscal challenges with a declining enrollment;
- Our municipal budget lacks the money to make needed infrastructure investments; and
- We need to address police turnover and enhance coverage to the residents of Frenchtown.

We believe that the Country Classics redevelopment provides a true pathway forward for addressing some of the challenges outlined above. We also believe that we have a wonderful community that is capable of embracing the change that will lead to a better tomorrow. We urge you to be mindful of fear tactics and misinformation. When someone says the Country Classics redevelopment plan is no good, you should ask them, “what is your plan for addressing Frenchtown’s challenges?”

We want you to know that we have worked very hard to develop a comprehensive redevelopment plan that includes many of the recommendations that the public has put forth such as guarantees that the site will be remediated to residential standards, clear and concise deadlines for sewer connection fees and PILOT payments, and commitments on the delivery of affordable housing units.

Frenchtown is truly a wonderful place and we feel confident that together, we can build a strong and vibrant community for the future. With nearly \$2 million in grants secured over the last four years, a brand-new theatre going up in our downtown, and the potential redevelopment of a formerly abandoned and dilapidated factory – our best days are just ahead of us.

Kandy Ferree thanked Mr. Cruz for the notes and stated that we would be remiss if we did not acknowledge the work that the Mayor, Council President and other Council members did. One of the reasons she chose to run for Council was that the Ceramics Plant PILOT was one of the most important decisions on behalf of Frenchtown. She provided a 7 page document to Mr. Cruz and Council listing considerations and inclusions into the financial agreement and the redevelopers agreement. The additional three audits were included which is a cost to the developer. She is grateful to the Council, attorney Cruz and the developer for making the efforts to include the requests as they are far beyond what is required by statute.

Mayor Myhre noted that Todd VanCleaf will provide Council an update. Todd VanCleaf stated that they started 3 years ago when we purchased the Ceramics Plant Property. We demolished the buildings and worked with the LSRP to remove contamination and it continues today and will continue until the NJDEP approves it. They will provide affordable housing and there will be new users for the WWTP and residents to support the commercial businesses. They look forward to being a part of the community and the long term relationship with the town. Construction will start this summer.

PUBLIC HEARING

Ordinance #848 - An Ordinance of the Borough of Frenchtown, County of Hunterdon, Authorizing the Vacation, Release and Extinguishment of the Public Rights-of-Way Identified as a Portion of Eighth Street at the Former Ceramics Plant Site

The Council approved to open the public hearing on Ordinance #848. Having no comments, Council approved to close the public hearing on Ordinance #848.

Ordinance #849 - An Ordinance of the Borough of Frenchtown, County of Hunterdon, Authorizing the Vacation, Release, Extinguishment and Replacement of Sight Triangle Easements Fronting on Harrison Street at the Former Ceramics Plant

The Council approved to open the public hearing on Ordinance #849. Having no comments, Council approved to close the public hearing on Ordinance #849.

Ordinance #850 - An Ordinance of the Borough of Frenchtown, County of Hunterdon, Authorizing the Borough of Frenchtown to enter into Financial Agreements (Payment in Lieu of Taxes Program "PILOT") with CC at Frenchtown APT Urban Renewal, LLC and CC at Frenchtown FS Urban Renewal, LLC for the Former Ceramics Plant Site

The Council approved to open the public hearing on Ordinance #850.

Holly Low thanked the Mayor and Council for the hard work. She appreciates the volunteering and commitment and seriously taking into consideration the public comments. She thanked the public and residents for asking questions and pushing for more information. She is grateful that the PILOT is better and the redevelopment agreement. She provided a petition requesting a shorter term. There were 57 signatures She asked how year one was determined. Anthony Inverso stated that once the CO is issued, the PILOT starts. Calculations will be engaged so payment can start. The property is not on the regular tax rolls. There will be monitoring of payments under the PILOT . The payments will be collected by the CFO and monitored by the

Borough.

Mayor Myhre noted that the public engagement was a good thing. The Council worked hard to be inclusionary. We readjusted the PILOT on the for-sale units from 15 to 11 years and the rental is 30 years which accelerates each year. There are 17 affordable housing units in the apartment buildings with a 30 year deed restriction.

Having no other comments, Council approved to close the public hearing on Ordinance #850.

PUBLIC COMMENTS

The Council approved to open the public comment session.

Kandy Ferree noted that she received a permit application for Sunbeam Park for Saturday to hold a peaceful vigil in honor of lives lost in regard to police brutality. It is not a march or protest. They will be gathering at 3 pm with an opening statement, a series of speeches and songs. It will end around 5 pm and they should be out of the park by 6 pm. Police Commission, Michele Liebttag, was consulted as well as the public safety director. This is typically handled administratively. They are requesting waivers of the fee and insurance certificates. She is bringing it to Council for approval. Michele Liebttag recommended approval. On motion by Michele Liebttag, seconded by Kandy Ferree and carried by unanimous favorable roll call vote, the Mayor and Council approved the use of Sunbeam Park on Saturday, June 6th from 3 to 6 pm for a vigil and waiving the fee and insurance certificate requirements.

Having no comments, Mayor Myhre 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 Liz Johnson, 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 6/3/20 as attached, and Resolution #2020-74 as follows:

**BOROUGH OF FRENCHTOWN
COUNTY OF HUNTERDON, NEW JERSEY**

**RESOLUTION 2020-74
AUTHORIZING THE TAX COLLECTOR TO PROCESS THIRD QUARTER
“ESTIMATED” TAX BILLS, DUE AUGUST 1, 2020**

WHEREAS, in light of the disruption caused by the coronavirus outbreak, the State delayed the adoption of the State Fiscal Year 2021 Budget to September 30, 2020; and

WHEREAS, the Division of Local Government Services (DLGS) cannot certify State Aid allocations to municipal budgets until State Aid Appropriations are known; and

WHEREAS, the DLGS cannot approve municipal budgets and the County Board of Taxation cannot certify taxes until long after the June 30, 2020 deadline to process third quarter tax bills due August 1, 2020; and

WHEREAS, without an adopted 2020 Municipal Budget and without a 2020 Certified Tax Rate, the Tax Collector cannot process the final 2020 Tax Levy; and

WHEREAS, the DLGS “*strongly recommends*” under Local Finance Notice 2020-07 “*that municipalities prepare to issue estimated property tax bills for 2020;*” and

WHEREAS, the Tax Collector, in consultation with the Chief Financial Officer, computed and certified an estimated Tax Levy necessary to bill third quarter taxes due August 1, 2020

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Frenchtown, in the County of Hunterdon and State of New Jersey on this 3rd day of June, 2020 that the Tax Collector is hereby authorized and directed to process estimated tax bills for the third quarterly installment of 2020 taxes; and

BE IT FURTHER RESOLVED that, the third quarterly installment of 2020 taxes shall not be subject to interest until the later of August 10, 2020 or the twenty-fifth (25) calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

Dated – June 3, 2020

Brad Myhre, Mayor

Attest:

Brenda S. Shepherd,
Borough Clerk

MINUTES

Regular meeting – May 6, 2020 and Executive Session – May 6, 2020

On motion by Liz Johnson, seconded by Tami Peterson and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the minutes of the Regular Council meeting of May 6, 2020 and the Executive Session minutes of May 6, 2020. .

ORDINANCES

Ordinance #848 - An Ordinance of the Borough of Frenchtown, County of Hunterdon, Authorizing the Vacation, Release and Extinguishment of the Public Rights-of-Way Identified as a Portion of Eighth Street at the Former Ceramics Plant Site (Adoption)

On motion by Michele Liebttag, seconded by Caroline Scutt and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the adoption of #848 as follows:

**BOROUGH OF FRENCHTOWN
ORDINANCE #848**

AN ORDINANCE OF THE BOROUGH OF FRENCHTOWN, COUNTY OF HUNTERDON, AUTHORIZING THE VACATION, RELEASE AND EXTINGUISHMENT OF THE PUBLIC RIGHTS-OF-WAY IDENTIFIED AS A PORTION OF EIGHTH STREET AT THE FORMER CERAMICS PLANT SITE

WHEREAS, there exists in the Borough of Frenchtown a public right-of-way identified as a portion of Eighth Street; and

WHEREAS, N.J.S.A. 67-1(b) and N.J.S.A. 40:67-19 authorize a municipality, by ordinance, to vacate, release and extinguish the public's rights in any portion of a public street, highway, lane or alley, and any portion of property dedicated as a public street, where the public interest will be better served by releasing those lands or any part thereof from such dedication; and

WHEREAS, the Borough Planner recommended the vacation of a portion of Eighth Street to allow the integrated redevelopment of Block 10, Lot 1, and Block 3, Lot 1 as shown on the Borough Tax Map and as described in the "Eighth Street Redevelopment Plan" provided that a public access easement is excepted for access to the tow path along the Delaware and Raritan Canal; and

WHEREAS, the portion of Eighth Street to be vacated, released and extinguished is more particularly described by metes and bounds description titled "Vacation Plan of a Portion of Eighth Street, Frenchtown Borough, Hunterdon County, New Jersey" prepared by Pamela Mathews, PE, LS, dated March 6, 2019, attached as Exhibit A, and as delineated on a map titled "Vacation Plan of a Portion of Eighth Street, Frenchtown Borough, Hunterdon County, New Jersey", prepared by Pamela Mathews, PE, LS, dated March 6, 2019, attached as Exhibit B (hereinafter the area to be vacated shall be referred to as the "Road Vacation Area"); and

WHEREAS, the Common Council of the Borough of Frenchtown does hereby determine that the public right-of-way being a portion of Eighth Street is no longer needed for public purposes; and

WHEREAS, the Common Council of the Borough of Frenchtown does hereby determine that the vacation, release and extinguishment of the public rights-of-way to Eighth Street will better serve the public interest by allowing an integration redevelopment of Block 10, Lot 1, and Block 3, Lot 1 as shown on the Borough Tax Map and as described in the "Eighth Street Redevelopment Plan".

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

1. Subject to the conditions set forth herein, the right of the public in and to a portion of Eighth Street are hereby released, extinguished and vacated.

2. The Road Vacation Area shall be conveyed to the owners of, and shall merge, consolidate with, and become a part of the adjacent properties identified as Block 10, Lot 1, and Block 3, Lot 1 as more particularly shown on the Tax Map of the Borough of Frenchtown, as set forth below; and

3. Title to the lands vacated hereby shall revert to the fee simple property owners of the

adjacent properties as follows:

A. The public rights in and to that portion of the Road Vacation Area indicated by crosshatch on Schedule B shall be extinguished, released and vacated, and that portion shall be conveyed to the owners of Block 10, Lot 1; and

B. The public rights in and to that portion of the Road Vacation Area indicated by crosshatch on Schedule B shall be extinguished, released and vacated, and that portion shall be conveyed to the owners Block 3, Lot 1.

4. Expressly reserved and excepted from this Ordinance are all rights and privileges heretofore possessed by public utilities as defined in N.J.S.A. 48:2-13, and any cable television company as defined in the "Cable Television Act," N.J.S.A. 48:5A-1, et seq., to maintain, repair or replace existing utility facilities, if any, in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated.

5. Expressly reserved and excepted from this Ordinance are all rights and privileges heretofore possessed by the Borough of Frenchtown to own, maintain, repair or replace any sanitary sewer line in the Road Vacation Area.

6. Expressly reserved and excepted from this Ordinance is a public access to the tow path along the Delaware and Raritan Canal.

7. After introduction, this Ordinance shall be referred to the Planning Board of the Borough of Frenchtown for review and comment pursuant to N.J.S.A. 40:55D-26, because the closing of a public street constitutes a change to the official zoning map pursuant N.J.S.A. 40:55D-32 and-33.

8. At least seven (7) days prior to the time fixed for consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance shall be considered for final passage, shall be given by the Borough Clerk by certified mail, return receipt requested, to the owners of all real property located within 200 feet in all directions of the subject property, as shown on the current Borough Tax Map.

9. At least ten (10) days prior to the time fixed for final passage of this Ordinance, a copy of this Ordinance, together with a notice of its introduction and the time and place when it shall be further considered for final passage, shall be published at least once in a newspaper published and circulated in the Borough, or printed in the county and circulating in the Borough as required by N.J.S.A. 40:49-6.

10. The Borough Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance, certified under the seal of the Borough to be a true copy thereof, together with proof of publication thereof, on the office of the Clerk of the County of Hunterdon to be recorded in the book of vacations in accordance with the provisions of N.J.S.A. 40:67-1.

11. Prior to adoption of this Ordinance, notice shall be given to the County of Hunterdon and the Township of Alexandria as required by N.J.S.A. 3:4-8.

12. After passage and final adoption, the Borough Clerk shall send a copy of this Ordinance to the Commissioner of the New Jersey Department of Transportation as required by N.J.S.A. 3-4:8.

13. This Ordinance shall take effect upon final passage, adoption and publication according to law, and the recording of this Ordinance in the Office of the Hunterdon County Clerk.

14. If any section or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

ATTEST: BOROUGH OF FRENCHTOWN

Brenda S. Shepherd, RMC, The Honorable Brad Myhre, Mayor
Borough Clerk

Ordinance #849 - An Ordinance of the Borough of Frenchtown, County of Hunterdon, Authorizing the Vacation, Release, Extinguishment and Replacement of Sight Triangle Easements Fronting on Harrison Street at the Former Ceramics Plant (Adoption)

On motion by Tami Peterson, seconded by Liz Johnson and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the adoption of #849 as follows:

**BOROUGH OF FRENCHTOWN
ORDINANCE #849**

**AN ORDINANCE OF THE BOROUGH OF FRENCHTOWN,
COUNTY OF HUNTERDON, AUTHORIZING THE VACATION,
RELEASE AND EXTINGUISHMENT OF THE SIGHT TRIANGLE
EASEMENTS FRONTING ON HARRISON STREET AT THE
FORMER CERAMICS PLANT**

WHEREAS, there exists in the Borough of Frenchtown sight triangles fronting Harrison Street at the former ceramics plant; and

WHEREAS, N.J.S.A. 67-1(b) and N.J.S.A. 40:67-19 authorize a municipality, by ordinance, to vacate, release and extinguish the public’s rights in any portion of a public street, highway, lane or alley, and any portion of property dedicated to support a public street, where the public interest will be better served by releasing those lands or any part thereof from such dedication; and

WHEREAS, the Borough Planning Board Resolution 2020-09 recommended the vacation of sight triangles located at Block 3, Lot 1.01 and Block 3, Lot 1; and

WHEREAS, the sight triangle to be vacated, released and extinguished is more particularly described by metes and bounds description titled “Metes and Bounds Description for the Termination of the Sight Easement Located on Lot 1, Block 3, Frenchtown Borough, Hunterdon County, New Jersey” attached as Exhibit A and “Metes and Bounds Description for the Termination of the Sight Easement Located on Block 3, Lot 1.01, Frenchtown Borough, Hunterdon County, New Jersey” attached as Exhibit B, both prepared by Christopher A. Melick, P.L.S., and dated April 28, 2020, and the plan titled “Termination of Sight Easements Located on Existing Lot 1 in Block 3 and Lot 1.01 in Block 3, Frenchtown Borough, Hunterdon County, New Jersey” attached as Exhibit C, prepared by Christopher A. Melick, P.L.S., dated April 28, 2020 (hereinafter the area to be vacated shall be referred to as the “Sight Triangle Vacation Area”); and

WHEREAS, the Common Council of the Borough of Frenchtown does hereby determine that Sight Triangle Vacation Area is no longer needed for public purposes; and

WHEREAS, the Common Council of the Borough of Frenchtown does hereby determine that the vacation, release and extinguishment of the Sight Triangle Vacation Area will serve the public interest by allowing the implementation of the Planning Board memorialized by Resolution 2020-09.

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

1. Subject to the conditions set forth herein, the right of the public in and to the Sight Triangle Vacation Area are hereby released, extinguished and vacated.

2. The Sight Triangle Vacation Area shall be conveyed to the owners of, and shall merge, consolidate with, and become a part of the adjacent properties identified as Block 3, Lot 1, and Block 3, Lot 1.01 as more particularly shown on the Tax Map of the Borough of Frenchtown, as set forth below; and

3. Title to the lands vacated hereby shall revert to the fee simple property owners of the adjacent properties as follows:

A. The public rights in and to that portion of the Sight Triangle Vacation Area indicated by the gray triangle on Schedule C shall be extinguished, released and vacated.

4. Expressly reserved and excepted from this Ordinance are all rights and privileges heretofore possessed by public utilities as defined in N.J.S.A. 48:2-13, and any cable television company as defined in the "Cable Television Act," N.J.S.A. 48:5A-1, et seq., to maintain, repair or replace existing utility facilities, if any, in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated.

5. Expressly reserved and excepted from this Ordinance are all rights and privileges heretofore possessed by the Borough of Frenchtown to own, maintain, repair or replace any sanitary sewer line in the Sight Triangle Vacation Area.

6. At least seven (7) days prior to the time fixed for consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance shall be considered for final passage, shall be given by the Borough Clerk by certified mail, return receipt requested, to the owners of all real property located within 200 feet in all directions of the subject property, as shown on the current Borough Tax Map.

7. At least ten (10) days prior to the time fixed for final passage of this Ordinance, a copy of this Ordinance, together with a notice of its introduction and the time and place when it shall be further considered for final passage, shall be published at least once in a newspaper published and circulated in the Borough, or printed in the county and circulating in the Borough as required by N.J.S.A. 40:49-6.

8. The Borough Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance, certified under the seal of the Borough to be a true copy thereof, together with proof of publication thereof, on the office of the Clerk of the County of Hunterdon to be recorded in the book of vacations in accordance with the provisions of N.J.S.A. 40:67-1.

9. Prior to adoption of this Ordinance, notice shall be given to the County of Hunterdon and the Township of Alexandria as required by N.J.S.A. 3:4-8.

10. After passage and final adoption, the Borough Clerk shall send a copy of this Ordinance to the Commissioner of the New Jersey Department of Transportation as required by N.J.S.A. 3-4:8.

11. This Ordinance shall take effect upon final passage, adoption and publication according to law, and the recording of this Ordinance in the Office of the Hunterdon County Clerk.

12. If any section or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

ATTEST: BOROUGH OF FRENCHTOWN

Brenda S. Shepherd, RMC, The Honorable Brad Myhre, Mayor
Borough Clerk

Ordinance #850 - An Ordinance of the Borough of Frenchtown, County of Hunterdon, Authorizing the Borough of Frenchtown to enter into Financial Agreements (Payment in Lieu of Taxes Program “PILOT”) with CC at Frenchtown APT Urban Renewal, LLC and CC at Frenchtown FS Urban Renewal, LLC for the Former Ceramics Plant Site (Adoption)

Liz Johnson noted that her vote will reflect the terms sentiment. She supports the development but the terms are too long. She looks forward to working with the developer and going from an us versus them to a we position. This development will benefit the town. She thanked Country Classics for working collaboratively with the town, addressing the public concerns.

On motion by Tami Peterson, seconded by Liz Johnson and carried by favorable roll call vote, the Mayor and Common Council approved the adoption of #850 as follows:

**BOROUGH OF FRENCHTOWN
ORDINANCE NO. #850**

AN ORDINANCE OF THE BOROUGH OF FRENCHTOWN, COUNTY OF HUNTERDON, AUTHORIZING THE BOROUGH OF FRENCHTOWN TO ENTER INTO FINANCIAL AGREEMENTS (PAYMENT IN LIEU OF TAXES PROGRAM “PILOT”) WITH CC AT FRENCHTOWN APT URBAN RENEWAL, LLC AND CC AT FRENCHTOWN FS URBAN RENEWAL, LLC FOR THE FORMER CERAMICS PLANT SITE

WHEREAS, by Resolution No. 2017-59 adopted on January 26, 2017, the Common Council of the Borough of Frenchtown (“Council”) designated certain real property located at Block 3, Lots 1 and 2 and Block 10, Lot 1 and a portion of the Eighth Street right-of-way as shown on the Tax Map of the Borough of Frenchtown as “a non-condemnation area in need of redevelopment” (“Redevelopment Area”); and

WHEREAS, by Ordinance No. 833 adopted on August 7, 2019, the Borough adopted the Eighth Street Redevelopment Plan (“Rede-velopment Plan”) for the Redevelopment Area; and

WHEREAS, by Resolution 2019-93, adopted on August 7, 2019, the Council designated Country Classics at Frenchtown, LLC (“Country Classics”) as the conditional redeveloper of the

Redevelopment Area in accordance with the Local Redevelopment and Housing Law; and

WHEREAS, Country Classics intends to redevelop the Redevelopment Area by constructing a residential development consisting of two apartment buildings and duplex townhomes, containing the following unit mix: Building 1, 52 total units with 9 affordable housing rental units; Building 2, 40 total units with 8 affordable housing rental units; 19 duplex townhomes; representing an aggregate of 111 units and other amenities and site improvements thereon (“Development”); and

WHEREAS, CC at Frenchtown APT Urban Renewal, LLC (“APT Urban Renewal”) and CC at Frenchtown FS Urban Renewal, LLC (“FS Urban Renewal”) are wholly owned subsidiaries of Country Classics; and

WHEREAS, CC at Frenchtown APT Urban Renewal, LLC (“FS Urban Renewal”) is, or is about to be, the owner of a portion of the Property upon which it, together with Country Classics, its owner, will develop a portion of the Development that is proposed to consist of Building 1 (52 total units with 9 affordable housing rental units) and Building 2 (40 total units with 8 affordable housing rental units) (“Rental Component”); and

WHEREAS, CC at Frenchtown FS Urban Renewal, LLC is, or is about to be, the owner of a portion of the Property upon which it, together with Country Classics, its owner, will develop a portion of the Development that is proposed to consist of 19 duplex townhomes (“Townhome Component”); and

WHEREAS, Country Classics and the Borough are about to enter into a Redevelopment Agreement; and

WHEREAS, the Council has determined that the Development will qualify for a tax exemption under the Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (“LTTEL”) by virtue of the fact that is located in a Redevelopment Area; and

WHEREAS, in accordance with the LTTEL, APT Urban Renewal and FS Urban Renewal have filed with the Mayor of the Borough an application (“Application”) for approval of a long term tax exemption (“Exemption”) for the Development, which Application is hereby incorporated by reference as if fully-set forth herein; and

WHEREAS, the Mayor submitted the Application to the Council with his recommendation for approval; and

WHEREAS, the Council approved the Application by Resolution No. 2020-72 dated May 20, 2020; and

WHEREAS, as part of the Application, APT Urban Renewal and FS Urban Renewal submitted to the Borough a form of Financial Agreement for each of the Rental Component and Townhome Component (respectively, the “Financial Agreements”), to be executed by the Council and APT Urban Renewal and FS Urban Renewal, respectively, establishing the rights, responsibilities and obligations of APT Urban Renewal and FS Urban Renewal relative to the Rental Component and Townhome Component in accordance with the LTTEL; and

WHEREAS, the Council has authorized the transfer of a portion of the Development, Country Classics’ rights under the Redevelopment Agreement, and the property comprising the Redevelopment Area from Country Classics to APT Urban Renewal and FS Urban Renewal, respectively, to the extent such transfer is required in order for Country Classics, APT Urban Renewal, and FS Urban Renewal to carry out and implement the Development and the Redevelopment Plan; and

WHEREAS, the Council makes the following findings in accordance with N.J.S.A. 40A:20-11.a and N.J.S.A. 40:20-11.b regarding the relative benefits and costs of granting the Exemption for the Development, and the importance of the Exemption in realizing the

implementation of the Development:

The Borough finds that the Exemption granted pursuant to the Financial Agreements will benefit the Borough and the community by assuring the success of the redevelopment of the Redevelopment Area, which has exhibited the statutorily recognized redevelopment criteria for years. The benefits of granting the Exemption will substantially outweigh the costs, if any, associated with the Exemption. The Exemption is important to the Borough and Country Classics, APT Urban Renewal, and FS Urban Renewal, because without the incentive of the Exemption, it is unlikely that the Development, which will address a portion of the Borough's affordable housing obligation, would be undertaken. The high costs associated with the development and construction of the Development and the real estate taxes that would otherwise be levied upon the Development would operate as a disincentive to the redevelopment of the Property, and would therefore frustrate the goals and objectives of the Redevelopment Plan and would make the Development materially less competitive in the marketplace.

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

1. The Mayor and Borough Clerk are hereby authorized to execute the Financial Agreements in substantially the form attached hereto as Exhibits A and B, respectively.

2. Executed copies of the Financial Agreements shall be certified by and be filed with the Office of the Borough Clerk.

3. Within ten (10) calendar days following the later of (i) the effective date of this Ordinance following its final adoption by the Borough Council approving the Exemption or (ii) the execution of the Financial Agreements by APT Urban Renewal and FS Urban Renewal, respectively, the Borough Clerk shall file certified copies of this Ordinance and the Financial Agreement with the Tax Assessor of the Borough and the Chief Financial Officer of Hunterdon County and to Hunterdon County Counsel, in accordance with N.J.S.A. 40A:20-12.

4. The Mayor and Borough Clerk are hereby authorized to take such action and to execute such other documents on behalf of the Borough as is necessary to effectuate the terms of the Financial Agreements, as deemed advisable by the Borough Attorney.

5. This Ordinance shall take effect upon adoption and publication according to law.

ATTEST: BOROUGH OF FRENCHTOWN

Brenda S. Shepherd, RMC, The Honorable Brad Myhre, Mayor
Borough Clerk

Vote on the motion

Ayes – Ferree, Liebttag, Peterson and Scutt

Nayes – Johnson
Recused - Sullivan

William Sullivan returned to the meeting.

ORDINANCE #851 - AN ORDINANCE OF THE BOROUGH OF FRENCHTOWN, COUNTY OF HUNTERDON, AUTHORIZING THE BOROUGH'S WASTEWATER TREATMENT PLANT TO ACCEPT ID-73, SEPTIC TANK CLEAN-OUT WASTES (Introduction)

Liz Johnson noted that she had a great idea to raise additional revenues which led me to run for office. She is happy to see this ordinance being introduced. It will bring in additional money to the town. She is working with the Borough employees to put a process in place. She thanked Mark Wood for all the work he did putting this together, the application, ground rules, etc. She is asking for Council's support. Michele Liebttag asked who sets the rate in the agreement. Liz Johnson responded that it is based on the survey or area of the sewer plants. We have discretion to increase the rates, having to do with cost incurred by the Borough associated with the hauler and we have the ability to collect damages as a result which includes legal fees. The hauler signs a contract with the Borough. Mayor Myhre thanked Liz Johnson, Mark Wood and Albert Cruz for getting this done.

On motion by Liz Johnson, seconded by William Sullivan and carried by unanimous favorable roll call vote, the Mayor and Common Council approved the introduction of #851 as follows:

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**BOROUGH OF FRENCHTOWN
ORDINANCE #851**

**AN ORDINANCE OF THE BOROUGH OF FRENCHTOWN,
COUNTY OF HUNTERDON, AUTHORIZING THE BOROUGH'S
WASTEWATER TREATMENT PLANT TO ACCEPT ID-73, SEPTIC
TANK CLEAN-OUT WASTES**

WHEREAS, the Borough of Frenchtown owns and operates a Wastewater Treatment Plant; and

WHEREAS, the Borough WWTP is authorized by New Jersey Pollutant Discharge Elimination System General Permit No. NJG0211907 to accept ID-73, septic tank clean-out wastes; namely, pumping from septic tanks and cesspools; and

WHEREAS, the Borough WWTP has sufficient treatment capacity to accept ID-73 from third party haulers; and

WHEREAS, the Borough Mayor and Common Council desire to authorize the Borough WWTP to accept ID-73 from third party haulers for a fee; and

WHEREAS, the Borough Mayor and Common Council desire to amend Chapter 16, titled "Sewers", of the Revised General Ordinances of the Borough to add a Section 16-12, titled "Acceptance of ID-73, Septic Tank Clean-Out Wastes".

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Borough of Frenchtown, County of Hunterdon, State of New Jersey, that Chapter 16 of the

Revised General Ordinances of the Borough of Frenchtown, titled “Sewers”, is hereby amended to add a new Section 16-12 titled “Acceptance of ID-73, Septic Tank Clean-Out Wastes, as follows:

Section 1.

§16-12 Acceptance of ID-73, Septic Tank Clean-Out Wastes

§16-12.1 Authorization to Accept ID-73

The Borough of Frenchtown Wastewater Treatment Plant is hereby authorized to accept ID-73, Septic Tank Clean-Out Wastes, in accordance with applicable law and State of New Jersey, Department of Environmental Protection rules and regulations from third party haulers.

§16-12.2 Rates

The rates for disposal by third party haulers of ID-73, Septic Tank Clean-Out Wastes at the Borough WWTP shall be as follows:

<u>Category</u>	<u>Rate (\$/Gallon)</u>
a. Holding Tank	\$0.020/Gallon
b. Septic Tank	\$0.045/Gallon
c. Portable Toilet	\$0.060/Gallon

§16-12.3 Borough of WWTP Regulations

a. The Borough WWTP may accept ID-73 for disposal from third party haulers licensed by the NJDEP for that purpose.

b. Third party haulers, in addition to being licensed by the NJDEP, must also obtain a “Hauled Waste Permit” from the Licensed Operator of the Borough WWTP and comply with the “Borough of Frenchtown Waste Hauler Operating Guidelines.”

c. The form of the Borough of Frenchtown “Hauled Waste Permit” shall be authorized by Resolution of the Borough Common Council, but issued by the Borough WWTP Licensed Operator. The Borough Common Council may periodically amend, modify, revise or repeal the form of “Hauled Waste Permits” in its sole discretion.

d. The form of the “Borough of Frenchtown Waste Hauler Operating Guidelines” shall be authorized by Resolution of the Borough Common Council and may be periodically amended, modified, revised or repealed in the sole discretion of the Borough Common Council.

§16-12.4 Violations

Third party haulers shall adhere to the terms, conditions and requirements of Section 16-12. Any violation of the terms, conditions and requirements of Section 16-12 shall result in the third party hauler losing the privilege, in the sole discretion of the Borough WWTP Licensed Operator, to use the Borough WWTP for disposal of ID-73.

§16-12.5 Appeals

In the event that the Borough WWTP Licensed Operator determines that a third party hauler loses the privilege to dispose of ID-73 at the Borough WWTP, the third party hauler may file an appeal, within ten (10) days of the written decision of the Licensing Operator, with the Borough Common Council. That appeal will be decided at the next available Borough Common Council meeting and will be solely based upon the written submissions of the third party hauler and the Licensed Operation. During the pendency of the appeal, the third party hauler shall not use the Borough WWTP.

Section 2. Severability

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 3. Effective Date

This Ordinance becomes effective as provided by law.

ATTEST: BOROUGH OF FRENCHTOWN

Brenda S. Shepherd, RMC, The Honorable Brad Myhre, Mayor
Borough Clerk

I hereby certify the foregoing to be a true copy of an Ordinance adopted by the Frenchtown Common Council at a meeting held on _____, 2020.

Brenda S. Shepherd, RMC,
Borough Clerk

RESOLUTIONS

William Sullivan stepped down for Resolutions #2020-75 and #2020-76.

Resolution #2020-75 – Resolution authorizing the Mayor and Clerk to sign the Redevelopment Agreement and the Developer’s Agreement between the Borough of Frenchtown and Country Classics at Frenchtown LLC

On motion by Kandy Ferree, seconded Tami Peterson and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2020-75 as follows:

**BOROUGH OF FRENCHTOWN
COUNTY OF HUNTERDON, NEW JERSEY**

RESOLUTION NO. 2020-75

AUTHORIZING THE MAYOR AND CLERK TO SIGN A REDEVELOPMENT AGREEMENT AND DEVELOPER’S AGREEMENT BETWEEN BOROUGH OF FRENCHTOWN AND COUNTRY CLASSICS AT FRENCHTOWN, LLC.

WHEREAS, Country Classics at Frenchtown, LLC. (“Developer”) received Final Site Plan Approval for Block 3 Lots 1 and 2 and Block 10 Lot 1, from the Borough Planning Board on December 11, 2019 which decision was memorialized by the Borough Planning Board on January 22, 2020 by Resolution #2020-09, for 92 rental units and 19 “for sale” units (“Approval”); and

WHEREAS, the Approval was granted subject to the execution of Redevelopment Agreement and a Developer’s Agreement between the Borough of Frenchtown (“Borough”) and the Developer; and

WHEREAS, the Borough and Developer negotiated a Redevelopment Agreement and a Developer's Agreement which is attached to this Resolution; and

WHEREAS, the Redevelopment Agreement and Developer's Agreement are in substantially final form subject to finalization by the Borough Attorney.

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

1. The Mayor and Clerk are hereby authorized to sign the Redevelopment Agreement and the Developer's Agreement with County Classics at Frenchtown, LLC. as discussed in the Resolution.
2. The Agreements to be signed will be in substantially the form attached subject to finalization by the Borough Attorney.
3. This Resolution shall take effect immediately.

ATTEST:

**BOROUGH OF FRENCHTOWN
COMMON COUNCIL**

Brenda Shepherd, RMC
Borough Clerk

Brad Myhre, Mayor

CERTIFICATION

I, Brenda Shepherd, hereby certify that the foregoing Resolution is a true, complete and accurate copy of a Resolution adopted by the Common Council of the Borough of Frenchtown at a meeting held on June 3, 2020.

Brenda Shepherd, RMC
Borough Clerk

The Council thanked Country Classics for agreeing to the interim audit condition for 3 years and all the conditions that they agreed to in the redeveloper's agreement and working with the Public safety director and school and other groups for safety. .

Resolution #2020-76 – Resolution designating Country Classics at Frenchtown LLC and its successors and assigns as the redeveloper of the Eighth Street Area in need of redevelopment

On motion by Michele Liebtag, seconded Kandy Ferree and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2020-76 as follows:

**BOROUGH OF FRENCHTOWN
COUNTY OF HUNTERDON
RESOLUTION No. 2020-76**

RESOLUTION OF THE BOROUGH OF FRENCHTOWN COMMON COUNCIL IN THE COUNTY OF HUNTERDON DESIGNATING COUNTRY CLASSICS AT FRENCHTOWN, LLC, AND ITS SUCCESSORS AND ASSIGNS, AS THE REDEVELOPER OF THE EIGHTH STREET AREA IN NEED OF REDEVELOPMENT.

WHEREAS, on August 7, 2019, the Common Council of the Borough of Frenchtown adopted Ordinance No. 833 titled “AN ORDINANCE OF THE BOROUGH OF FRENCHTOWN, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY, ADOPTING THE EIGHTH STREET REDEVELOPMENT PLAN FOR BLOCK 3, LOTS 1 AND 2; BLOCK 10, LOT 1 AND A PORTION OF THE EIGHTH STREET RIGHT-OF-WAY”; and

WHEREAS, Country Classics at Frenchtown, LLC, is the owner of Block 3, Lots 1 and 2 and Block 10, Lot 1 (“Property”); and

WHEREAS, on August 7, 2019, Country Classics at Frenchtown, LLC, was conditionally designated as the Redeveloper of the Property; and

WHEREAS, the Property has been designated as an area in need of non-condemnation redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5; and

WHEREAS, the Borough desires to designate Country Classics at Frenchtown, LLC, as the redeveloper of the Property pursuant to N.J.S.A. 40A:12A-8(f) as the Borough and Country Classics at Frenchtown, LLC, has entered into a Redevelopment Agreement and a Financial Agreement (Payment in Lieu of Taxes (“PILOT”) Program) acceptable to both parties.

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

1. Country Classics at Frenchtown, LLC, is hereby designated as the Redeveloper of the Property as the Borough and Country Classics at Frenchtown, LLC, has entered into a Redevelopment Agreement and a Financial Agreement (Payment in Lieu of Taxes (“PILOT”) Program) acceptable to both parties.

2. This Resolution shall take effect immediately.

ATTEST:

COMMON COUNCIL OF THE
BOROUGH OF FRENCHTOWN

Brenda S. Shepherd, RMC,
Borough Clerk

Brad Myhre, Mayor

William Sullivan returned to the meeting.

Resolution #2020-77 - Resolution to reconvene the ad hoc Sewer Advisory Committee in the Borough of Frenchtown

Mayor Myhre noted that this resolution will create an eight member panel to look at the sewer plant, long term capital plan and ongoing spending, the debt and rates and rate stabilization and the impact of the pending Country Classics development and inclusion of the Hilltop streets. He will work with the sewer commission to come up with a list of members for the committee by the July meeting for appointments. We are working toward relief for the residents. There is a date in the resolution for the committee to present the report to the Council. Liz Johnson noted that she has suggestions for members. Mayor Myhre asked for a motion on the resolution.

On motion by Liz Johnson, seconded Michele Liebttag and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Resolution #2020-77 as follows:

Resolution #2020-77

Resolution to reconvene the ad hoc Sewer Advisory Committee
in the Borough of Frenchtown

WHEREAS, the Common Council of the Borough of Frenchtown believes it is in the best interest of the municipality to maintain a Sewer Advisory Committee to have its citizens participate and review existing operations for the Wastewater Treatment Plant and to review the 2020 Sewer budget and a long term capital plan; and

WHEREAS, the proposed Country Classics at Frenchtown redevelopment plan will result in a significant number of new sewer rate payers along with an infusion of sewer connection fees; and

WHEREAS, the Common Council of the Borough of Frenchtown believes that the best mechanism to address concerns about sewer rents in the Borough and to shape public policy on this issue going forward is to receive input from those citizens by having their direct involvement

in developing policy regarding such matters; and

NOW THEREFORE BE IT RESOLVED, by the Common Council of the Borough of Frenchtown that the ad hoc Sewer Advisory Committee be reestablished to make recommendations to the Council regarding their review of the existing operations for the Wastewater Treatment Plant, the 2020 Sewer budget and a long-term capital plan for the Wastewater Treatment Plant, and how to utilize a portion of new connection fees to provide sustainable rate sewer rate reductions; and

BE IT FURTHER RESOLVED, that the committee shall be comprised of no more than eight members, including the Mayor or his/her designee; the Sewer Commissioner or his/her designee; the Planning Board Chair or his/her designee; two borough residents; two members of the business community; and one other member appointed at large. The members shall be appointed by the Mayor with input from the Common Council; and

BE IT FURTHER RESOLVED, that the committee be charged with addressing the following concerns: review existing operations for the Wastewater Treatment Plant, the 2020 Sewer budget including a long term capital plan for the Wastewater Treatment Plant, existing sewer system debt and rate stabilization; and

BE IT FUTHER RESOLVED, that the Sewer Rate Committee shall submit a written report to the Common Council by the first regularly scheduled meeting in October of 2020.

By _____
Brad Myhre Mayor

Dated:

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

COUNCIL COMMENTS

Liz Johnson reported the following:

1. In conversation with the USDA, the engineer has suggested to do additional borings for the bedrock to see how deep the bedrock is. The engineer has given us a proposal and she will have CFO Andrew Bernath to make sure it complies with the purchasing rules. She will need approval for the engineer to do this. The proposal will not exceed \$5,000.00. William Burr can meet the 30 day deadline. If the bedrock is too deep, Mark Wood offered an additional system, one pump for all homeowners.

On motion by Liz Johnson, seconded by William Sullivan and carried by unanimous favorable roll call vote, the Mayor and Common Council approved Engineer Burr to do borings on the Hilltop streets for the USDA loan application in an amount not to exceed \$5,000.00 from the sewer operating budget.

Caroline Scutt reported the following:

1. Downtown is happy to be slowly opening up. They are looking forward to June 15, 2020. People are wearing masks and adjusting. She thanked the Police for working with the folks.
2. The FBPA is putting a video montage for congratulating the students. Frenchtown Fire Department will hang the banner. She will have to reach out to find out when.
3. She thanked the people and town for the planning of the vigil. It is important for people to express themselves. It is great to do this as part of the community. It will be meaningful.

Michele Liebttag reported the following:

1. She read the resolution and asked the Council for approval.

RESOLUTION #2020-79

RESOLUTION OF THE GOVERNING BODY OF THE BOROUGH OF FRENCHTOWN REAFFIRMING FRENCHTOWN'S CONTINUING COMMITMENT TO EQUAL, RESPECTFUL AND DIGNIFIED TREATMENT OF ALL PEOPLE REGARDLESS OF THEIR IMMIGRATION STATUS, AND TO REMAINING AN OPEN AND WELCOMING COMMUNITY

WHEREAS, the Borough of Frenchtown has long welcomed and embraced individuals and families of diverse racial, ethnic, religious and national backgrounds, recognizing that these persons are valued members of our community and a source of strength and security for our nation;

and WHEREAS, immigration has been the cornerstone of the development of our region, State and nation throughout our history, and the contributions of immigrants and their descendants living in America have produced immeasurable good for the American people, and have renewed and strengthened the very fabric of our Republic;

and WHEREAS, newly-arrived immigrants bring their professions, their skills, and their enthusiasm to the community, making an immediate positive impact on the economy and the well-being of all Americans;

and WHEREAS, the Borough Council and the people of Frenchtown desire to reaffirm and protect the tradition of welcoming and embracing immigrants who chose to leave their homes for a better life;

and WHEREAS, regardless of our own ethnic, religious or national background, political affiliation or persuasion, we agree and affirm that the decent, respectful and dignified treatment of all people regardless of their immigration status is a moral imperative and a basic human right;

and WHEREAS, the Council acknowledges that we are a nation of laws, and that as elected officials we are bound by oath to uphold the Constitutions and laws of our country, our State and our Borough;

and WHEREAS, the Council recognizes and praises the efforts of the Frenchtown Police Department to build relationships of trust and respect between the Department and the community, and to preserve and enhance these relationships while performing its mission to keep the Borough safe and enforce the law;

and WHEREAS, this trust, respect and cooperation between the community and local law enforcement officers is essential to promoting and maintaining public safety, especially in encouraging residents' willingness to report crimes, and to request assistance from and provide assistance to the police, making the community safer for all of us;

and WHEREAS, in acknowledging and reaffirming our commitment to the rights of all persons, regardless of immigration status, it is important to reassure our residents and visitors that the Borough of Frenchtown, through its officials, employees, and uniformed services, presently conducts itself according to the principles of

equal, respectful and dignified treatment for all persons, and provides assistance and services to those in need without regard to immigration status, and has always done so;

now, therefore, be it RESOLVED, by the Common Council of the Borough of Frenchtown, that: The policy of the Borough of Frenchtown shall be to welcome and treat all persons entering or living in our community with the same respect, fairness, and dignity, and to continue providing municipal services and enforcing the law on an equal basis to all people, regardless of their ethnicity, religion, or nation of origin or descent, or of federal immigration status;

The above statement of policy is intended to be consistent with the Council's recognition that it is limited by State statute from instructing or ordering the Chief of Police to take any action or to operate the Police Department in a particular manner, and that the Police Department is under the supervision of the Hunterdon County Prosecutor and the New Jersey Attorney General.

The Borough of Frenchtown welcomes, and urges the federal government to admit, persons and families seeking to reside in this country irrespective of whether they come as refugees, or originate from countries dominated by violence or want, or are adherents of a particular faith;

The Borough Council opposes any government registry based on religion or national origin.

Borough of Frenchtown

Brad Myhre, Mayor

Dated: June 3, 2020

ATTEST:

Brenda S. Shepherd, RMC
Borough Clerk

The Council consented to approve the following resolution. She thanked the Council. She also he thanked the organizers. She is immensely proud of the Mayor, Borough Council and the Police.

2. She thanked the FBPA for working with the police department on signage and developing best practices guideline for opening up. She gae a shout out to Mark Gantner and Laura Pointon.
3. There was excessive trash on the weekend and she thanked Mike Reino and the DPW for going around to check the cans. Some are overflowing while others are empty.
4. She thanked the organizers of the vigil. She looks forward to working with them on Saturday.

Tami Peterson reported the following:

1. She thanked Michele for the resolution.
2. She is glad we will have a vigil. Neighboring communities are doing them.
3. She thanked Country Classics for patience with us. Frenchtown is a great community and she is looking forward to working with them.

4. People are wearing mask when shopping and adhering to social distancing.

Kandy Ferree reported the following:

1. We are preparing for reopening of the parks and working with Mike Reino for cleaning schedule for the restroom and installing a big sign.
2. She is working with the Environmental Commission and residents to do park clean up. We are looking at ways to section off the park for people to come in and clean up and work safely.
3. As to the TAP grant, Caroline Scutt has been working diligently and was able to get a meeting set up with one of the firms preapproved for design assistance. It is worth \$400,000.00 of design engineering to support those efforts. She thanked Caroline and Mayor Myhre for leveraging that money.
4. Kudos to those individuals organizing for the vigil. She is proud to be part of the opening of the park and approving this first park permit request. It is essential for the future of our democracy.

Mayor Myhre reported the following:

1. Mayor Myhre noted that it is important and he is looking forward to attending the vigil. There is a lot of turmoil in the Country and it is important to come together to confront challenges.
2. At the last planning board meeting, he had a discussion with chair and planner about moving in a direction of creating zoning enhancements to help small businesses and particular restaurants as of June 15th for outdoor dining. Comprehensive guidelines are coming which will give authority to governments to institute regulations to allow this. A permit to expand the footprint to outside will be through November 2020. WE have collected 7 different municipal ordinances and are putting together a document and moving forward expeditiously to help businesses open and help them use staples they normally do not use. This will get servers and cooks back to work. This may require a special meeting to move that forward. The goal is to have a draft ordinance before June 15th. We do not yet know if it has to be done by ordinance. We will wait for guidance.
3. We need to pick a color as part of the Milford Road repaving project. They are redoing the landing at the intersections and we currently have pink sidewalks. The specifications stated that the color has to match and the plat panels come in red/brick red . We cannot have red on red so the Borough has to decide if the landing should be yellow or dark grey. Topline is meeting next week and will break ground on June 15th. We need to give them a color. Engineer Burr is recommending the dark gray.

Subsequent to a brief council discussion, a motion was made by Kandy Ferree and seconded by Caroline Scutt to use the dark grey color on the handicap landing on Milford Road. The motion passed by favorable voice vote.

4. At Eighth Street and Tenth Street, enhanced lettering and stripping will be done for traffic control. This will provide additional traffic safety.

CORRESPONDENCE

None discussed.

PUBLIC COMMENTS

The Council approved to open the public comment session.

Holly Low asked if there will be an updated 200 foot list for the corner parcel that Country Classics acquired in case of future notices.

Holly Low also asked about the monthly construction schedule and how the Borough will share that information with residents who live within 200 feet. She thanked the Mayor for sharing the safety concerns and she is looking forward to being a good neighbor.

Eric Ferrito, on behalf of all of us, thanked the Council for meeting with us on the vigil and with the new public safety director to help us. This is the good spirit that reflects our community. Sharing the love within the community. We appreciate that.

Barbara Bristow asked about getting additional receptacles by the Frenchtown Inn. The receptacles are not adequate. Michele Liebttag stated that she has talked to Mike Reino about that.

Barbara Bristow also noted that there is a tree down across the towpath. Mayor Myhre noted that someone will contact the D&R Canal.

Having no comments, Mayor Myhre closed the public comment session.

ADJOURNMENT

Being no further business to come before the Mayor and Council, the meeting was adjourned at 9:18 pm on motion by Liz Johnson, seconded by William Sullivan and carried by favorable voice vote.

Respectfully submitted,

Brenda Shepherd, RMC
Borough Clerk