

City of Lambertville
Regularly Scheduled Session of Mayor and Council
Tuesday, February 22, 2011, 6:30 PM
Justice Center, 25 South Union Street, Lambertville
MINUTES

The meeting was called to order at 6:31 p.m. by Mayor DeVecchio with a statement of compliance with the Open Public Meeting Act, noting the meeting was noticed in the January 23, 2011 edition of the Beacon, newspapers were noticed on February 18, 2011, posted on the bulletin board at City Hall, on the website at www.lambertvillenj.org, and noticed to assorted individuals.

ROLL CALL.

PRESENT: Councilwoman Asaro (arrived at 7:30 p.m.), Councilman Sanders, Councilwoman Warner, Council President Stegman, Mayor DeVecchio.

ABSENT: None.

PLEDGE OF ALLEGIANCE

The Mayor led the public in the Pledge of Allegiance.

MOMENT OF SILENCE

Mrs. Ege led the public in a Moment of Silence in honor of those serving their Country in the Armed Forces.

RESOLUTION TO GO INTO CLOSED SESSION.

RESOLUTION

“Authorizing a Closed Session at the February 22, 2011 Lambertville City Council Meeting to Discuss Contracts, Personnel, Acquisition of Property, Possible Litigation”

WHEREAS, the Council of the City of Lambertville is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that a closed session, not open to the public, may be held for certain specified purposes when authorized by N.J.S.A 10:4-12(b).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lambertville that a closed session shall be held on February 22, 2011 in the Justice Center 25 South Union Street, Lambertville, to discuss the following matters: *Contracts, Personnel, Acquisition of Property, Possible Litigation.*

BE IT FURTHER RESOLVED that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Lambertville Mayor and City Council.

The resolution was adopted on a call of ayes and nays as follows:

Ayes: Councilman Sanders, Councilwoman Warner, Council President Stegman, Mayor DeVecchio

Nays:

Absent: Councilwoman Asaro

Mayor DeVecchio and City Council convened in closed session at 6:31 p.m.

Mayor DeVecchio and City Council re-convened in regular session at 6:46 p.m.

APPROVAL OF MINUTES.

Council President Stegman made a motion to approve the January 18, 2011 Regular Session Minutes and the January 18, 2011 Closed Session Minutes. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADMINISTRATIVE REPORTS.

Council President Stegman made a motion to approve the Administrative Reports as follow: Tax Collector – Bonnie Eick, Municipal Court Administrator – Barbara Halper, Construction Official – Ken Rogers, Zoning Officer/Fire Inspector – John Barczyk, Police Director – Bruce Cocuzza, Public Works Director – Paul Cronce. Acting City Clerk – Cynthia Ege, and Acting Chief Financial Officer and Director of Finance – Diane Sherry Buono. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

APPROVAL OF BILLS LIST.

Council President Stegman made a motion to approve the bills on the Bills List. Councilwoman Warner seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

RESOLUTIONS.

Council President Stegman made a motion to approve the Resolutions on the Agenda for the evening, including numbers 39-2011 through 50-2011. Councilman Sanders seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

Resolution Number 39-2011: A Resolution to Authorize the Redemption of a Tax Lien Certificate for block 1071, lot 18 in the amount of \$20.00

City of Lambertville

RESOLUTION # 39-2011

A Resolution to Authorize the Redemption of the Tax Lien Certificate for Block 1071, Lot 18

WHEREAS, Tax Lien Certificate 10-10 on Block 1071, Lot 18 in the amount of \$332.85, plus a premium of \$20.00 was sold to US Bank for Pro Capital 1, LLC on June 30, 2010, and

WHEREAS, payment was received by the Tax Collector for the redemption of the tax lien from Wells Fargo Bank on December 20, 2010.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that a check be authorized to Wells Fargo Bank for the refund of the premium in the amount of \$20. The lien holder paid the premium.

ADOPTED: February 22, 2011

Resolution Number 40-2011: A Resolution to Authorize the Redemption of a tax Lien Certificate for block 1053, lot 1.08 in the amount of \$60.00.

City of Lambertville

RESOLUTION # 40-2011

A Resolution to Authorize the Redemption of the Tax Lien Certificate for Block 1053, Lot 1.08

WHEREAS, Tax Lien Certificate 10-15 on Block 1053, Lot 1.08 in the amount of \$474.16, plus a premium of \$60.00 was sold to US Bank for Pro Capital 1, LLC on June 30, 2010, and

WHEREAS, payment was received by the Tax Collector for the redemption of the tax lien from Federal National Mortgage Association on August 16, 2010.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that a check be authorized to Federal National Mortgage Association for the refund of the premium in the amount of \$60. The lien holder paid the premium.

ADOPTED: February 22, 2011

Resolution Number 41-2011: A Resolution to Authorize the Redemption of a Tax Lien Certificate for block 1004, Lot 5 in the amount of \$1,600.00.

City of Lambertville

RESOLUTION # 41-2011

A Resolution to Authorize the Redemption of the Tax Lien Certificate for Block 1004, Lot 5

WHEREAS, Tax Lien Certificate 10-2 on Block 1004, Lot 5 in the amount of \$5493.22, plus a premium of \$1600.00 was sold to FNA Jersey Lien Services on June 30, 2010, and

WHEREAS, payment was received by the Tax Collector for the redemption of the tax lien from Federal National Mortgage Association on August 16, 2010.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that a check be authorized to Wells Fargo Bank, NA for the refund of the premium in the amount of \$1600.00. The lien holder, FNA Jersey Lien Services had already paid the premium.

ADOPTED: February 22, 2011

Resolution Number 42-2011: A Resolution to Approve the Raffle License Applications for St. John the Evangelist RAS to benefit the Jesus School for the on premise draw of the following: IPOD, XBOX 360, and Various Items as submitted in Application Numbers: 01-2011, 02-2011, and 03-2011.

City of Lambertville

RESOLUTION NUMBER 42-2011

“Approval of Raffle License Application for St. John the Evangelist”

WHEREAS, St. John the Evangelist RAS has submitted three raffle license applications for:
on premise draw for an Apple IPOD, from March 1, 2011 through to March 20, 2011
on premise draw for XBOX 360 from March 1, 2011 through March 20, 2011, and
on premise auction to be held on March 20, 2010 between 8 and 12; and

WHEREAS, Police Director Cocuzza has reviewed the application and has no objection to the granting of a raffle license to be issued;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, State of New Jersey do hereby approve the issuance of a raffle license to St. John the Evangelist RAS.

Adopted: February 22, 2011

Resolution Number 43-2011: A Resolution Authorizing the Mayor and the Acting City Clerk to Sign the Grant Agreement with FEMA for the Ely Creek Flood Mitigation Project.

City of Lambertville

RESOLUTION # 43-2011

A Resolution Authorizing the Mayor and Acting City Clerk to Sign the State-Local Grant Agreement for Flood Mitigation Assistance Program

WHEREAS, the City of Lambertville applied for a grant through FEMA for the flood mitigation project at Ely Creek, and

WHEREAS, the City of Lambertville is the recipient of \$145,850.25 in grant funds from FEMA to partially fund the \$194,467 project, and

WHEREAS, Ordinance 2010-29 was approved by Mayor and Council and adopted after a 20 day Estoppel period on January 24, 2011.

NOW THEREFORE BE IT RESOVED by Mayor and Council of the City of Lambertville in the County of Hunterdon in the State of New Jersey that the Mayor and Acting City Clerk are authorized the sign the agreement with FEMA for the grant to fund the flood mitigation project at Ely Creek.

ADOPTED: February 15, 2011

Resolution Number 44-2011: A Resolution Authorizing the Redemption of a Tax Lien Certificate for Block 1070, Lot 3 in the amount of \$1,013.52.

City of Lambertville

RESOLUTION # 44-2011

A Resolution to Authorize the Redemption of the Tax Lien Certificate for Block 1070, Lot 3

WHEREAS, Tax Lien Certificate 10-11 on Block 1070, Lot 3 in the amount of \$358.28, was sold to Procapital 1, LLC on June 30, 2010, and

WHEREAS, payment was received by the Tax Collector for the redemption of the tax lien from the property owner.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that two checks be authorized to ProCapital 1, LLC for the redemption of Tax Lien Certificate 10-11 in the amount of:

\$358.28 representing the amount of the certificate plus

\$ 74.89 interest and costs.

\$470.35 subsequent liens paid

Check 1: \$903.52, for total amount due

Check 2: \$110.00 premium, CFO to disperse from the Premium Account

\$1,013.52 TOTAL.

Resolution Number 45-2011: A Resolution to Approve the Raffle License Application for Fisherman's Mark for an on premise draw scheduled for April 11, 2011.

City of Lambertville

RESOLUTION NUMBER 45-2011

“Approval of Raffle License Application for Fisherman’s Mark”

WHEREAS, Fisherman’s Mark has submitted a raffle license applications for an on premise draw for an Xbox 360 scheduled for April 11, 2011; and

WHEREAS, Police Director Cocuzza has reviewed the application and has no objection to the approval pending the processing of the fingerprinting application;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, State of New Jersey do hereby approve the issuance of a raffle license to Fisherman’s Mark.

Adopted: February 22, 2011

Resolution Number 46-2011: A Resolution to Approve the One Day Social Affairs Permit for Trinity Church scheduled for March 5, 2011 at St. John’s the Evangelist Church.

City of Lambertville

RESOLUTION NUMBER 46-2011

“Approval of Social Affair Permit for Trinity Episcopal Church.”

WHEREAS, the Trinity Episcopal Church of Solebury, PA has submitted an Alcoholic Beverage Control Application for a Special Permit for a Social Affair to be held on March 5, 2011 in the Parish Hall of St. John the Evangelist Church located at 44 Bridge Street, Lambertville; and

WHEREAS, the affair will be held from 7 to 1 p.m.; and

WHEREAS, Police Director Cocuzza has no objection to the granting of a special permit to sell alcoholic beverages at the affair to be held on the date and premises noted;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, State of New Jersey as follows:

1. The Mayor and City Council, the licensing authority of the City, has no objection and direct the Acting City Clerk to certify the application and forward the certified application to the Director of the Division of Alcoholic Beverage Control.
2. This approval is subject to the review of Police Director Cocuzza.
3. The Acting City Clerk is hereby authorized to sign the municipal certification on the application and forward it to the New Jersey Division of Alcoholic Beverage Control.

Resolution Number 47-2011: A Resolution to Approve the PPA Agreement with Swan Creek, authorizing the Mayor and Acting City Clerk to sign the agreement, representing Lambertville in the South Hunterdon Renewable Energy Cooperative.

City of Lambertville

RESOLUTION NUMBER 47-2011

“Authorizing the Mayor and Acting City Clerk to Sign the PPA Agreement with Swan Creek Energy”

WHEREAS, after review and analysis of the proposals received in response to a request for proposals issued on behalf of the South Hunterdon Renewable Energy Cooperative, the Mayor and

Council approved by Resolution the award of a contract with Swan Creek Energy for a Power Purchase Agreement with the South Hunterdon Renewable Energy Cooperative subject to approval of the Power Purchase Agreement by all the members of the South Hunterdon Renewable Energy Cooperative and subject to attorney review, and

WHEREAS, the contract has been reviewed by counsel on behalf of the South Hunterdon Renewable Energy Cooperative, and

WHEREAS, all of the members of the South Hunterdon Renewable Energy Cooperative have separately reviewed and approved the Power Purchase Agreement between Swan Creek Energy and the South Hunterdon Renewable Energy Cooperative.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, State of New Jersey hereby approve the Power Purchase Agreement with Swan Creek Energy in the form annexed hereto; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign the Power Purchase Agreement between Swan Creek Energy and the South Hunterdon Renewable Energy Cooperative.

ADOPTED: February 22, 2011

Resolution Number 48-2011: A Resolution to Authorize the Bank Account for the Frenchtown Interlocal Agreement.

City of Lambertville

RESOLUTION 48-2011

A Resolution to Authorize the Bank Account for the Interlocal Agreement with Frenchtown Borough for Construction Services

WHEREAS, the City of Lambertville entered into a contract for shared services with Frenchtown Borough which was approved by the Department of Community Affairs on September 1, 2010, and

WHEREAS, the Acting Chief Financial Officer has requested a separate account to manage and oversee the finances for the Frenchtown Borough Interlocal Agreement.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of the Lambertville that the account is authorized with the following signatures:

Kenneth Rogers, Construction Official

Cynthia Ege, Acting City Clerk

David M. DelVecchio, Mayor

ADOPTED: February 22, 2011

Resolution Number 49-2011: A Resolution to Approve the Change Order 2 and Final for North Union Street, for Phase 1 in the amount of \$5,336.86 for the change in speed humps.

City of Lambertville

RESOLUTION 49, 2011

A Resolution to Approve Change Order 2 and Final for Phase 1 of North Union Street in the amount of \$5,336.86.

WHEREAS on June 21, 2010, the Mayor and City Council awarded the Lambertville North Union Street Reconstruction Project to R&B Builders, South River, New Jersey in the amount of \$222,866.87 with \$20,250 for the alternate bid; and

WHEREAS, Mayor and Council adopted Ordinance Number 2010-01 at the January 21, 2010 meeting in the amount of \$405,000 with \$165,000 in grant funds from the New Jersey Department of Transportation; and

WHEREAS, Change Order 2 and Final has been reviewed and approved by the Engineer for the project, Christine Ballard of T&M Associates, and

WHEREAS, the change order is for the following items: reduction to A15, A36, A35 and Alt – I have been reduced to reflect as built quantities (\$-5,368.80); Increase in A6, A8 and A39 to reflect as-built quantities (\$+4,855.66); Supplementary SA-3 for the increase in the height of the Speed Hump Alterations (\$+5,850.00); for a total amount of \$5,336.86.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville in the County of Hunterdon in the State of New Jersey that Change Order 2 and Final are hereby authorized and the award of the contract to R&B Builders for the reconstruction project on North Union Street, Phase 1 for Delaware Avenue to Buttonwood Street is increased by \$5,336.86 for Change Order 2 Final.

ADOPTED: February 22, 2011

Resolution Number 50-2011: A Resolution to Reject the Bids Received for the Perry Street Road Construction.

City of Lambertville

RESOLUTION 50-2011

A Resolution to Reject the Bids Received for the Perry Street Roadway Improvements

WHEREAS, the City of Lambertville is the recipient of a grant from the Delaware River Joint Toll Bridge Commission in the amount of \$349,200 for the roadway improvements to Perry Street, and

WHEREAS, the City Engineer, Christine Ballard of T&M Associates estimated the project cost to not exceed \$349,200, inclusive of 20% of soft cost (attorney fees, engineering, etc.), and

WHEREAS, Ordinance 2010-21 was introduced and adopted after a 20 day Estoppel period on September 10, 2010 in the amount not to exceed \$365,000, inclusive of bonding fees, and

WHEREAS, on February 16, 2011, four bids were received and publicly opened for the Perry Street roadway improvements from the following bidders:

BIDDER	AMOUNT
B&B Construction, Howell, NJ	\$324,797.50
Jonico, Inc.	\$355,870.00
Mannon Excavating	\$371,206.75
PA Contractors, Inc.	\$359,147.30

WHEREAS, the bid documents were reviewed by the City Engineer and it was determined the bids exceed the amount of funds available for construction of this project, and

WHEREAS, the advertisement of the location of the bid opening was incorrect and caused confusion with the other bidders, and

WHEREAS, the City Attorney and City Engineer both determined in order to ensure a fair bidding process, it was in the best interest of the City to re-bid the project, and

WHEREAS, those who previously picked up packets would be exempted from the fee charged.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville in the County of Hunterdon in the State of New Jersey that the bids received on February 16th for the Perry Street Roadway Improvements be rejected as the cost exceed the amount allocated for the construction,

BE IT FURTHER RESOLVED that all bidders who previously picked up a bidders package from T&M Associates be exempted from the fee charged for the re-bid package.

BE IT FURTHER RESOLVED that this project will be re-bid with the bids due back on March 1, 2011.

ADOPTED: February 22, 2011

ORDINANCES – FIRST READING AND INTRODUCTION.

Ordinance 03-2011: *A Bond Ordinance to Fund the Purchase of Equipment for the Public Works Department in the Amount of \$130,000.00.*

Ordinance number 03-2011 was read by title into the record by Mayor DeVecchio. Mayor DeVecchio informed the members of the public that this Ordinance will fund the following:

- A new body for the 1998 dump truck in the amount of \$21,000
- A used Skid Loader for snow removal in the amount of \$65,000
- 1 New F350 Pick Up Truck with Snow Plow, under State Contract, in the amount of \$33,000
- 1 Tipper for the Trash Truck to assist with Recycling in the amount of \$7,000.

The total of this Bond Ordinance is \$130,000.

Equipment Costs: \$126,000

Bonding Costs: 4,000

The required 5% down is: \$6,500.

City of Lambertville
ORDINANCE 03-2011

*BOND ORDINANCE PROVIDING FOR TO PURCHASE AND
REFURBISHMENT OF VEHICLES AND EQUIPMENT FOR THE
DEPARTMENT OF PUBLIC WORKS IN AND BY THE CITY OF
LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW
JERSEY, APPROPRIATING \$130,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF \$123,500 BONDS OR NOTES
OF THE CITY TO FINANCE PART OF THE COST THEREOF.*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$130,000, including the sum of \$6,500

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as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$123,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the purchase and refurbishment of vehicles and equipment for the City's Department of Public Works, including but not limited to a new body for an existing 1998 dump truck, the purchase of a skid loader, either new or used, the purchase of a new heavy duty pick-up truck (Ford F350 or better), including snow plowing apparatus, a replacement tipper for a City trash truck and replacement of other capital equipment lost due to wear and tear or accident, including all work and materials necessary therefor and incidental thereto. (b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 5 years.

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(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$123,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the City 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 City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City 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 City 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 City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

Councilwoman Warner made a motion to approve on first reading Ordinance 03-2011 to fund the purchase of equipment for Public Works. Council President Stegman seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

The public hearing is scheduled for March 21, 2011.

Ordinance 04-2011: A Bond Ordinance in the amount of \$415,000 to Fund Phase 2 of the Reconstruction of North Union Street from Buttonwood to Arnett Avenue, with \$175,000 in grant funds from NJDOT.

Ordinance number 04-3011 was read by title into the record by Mayor DelVecchio. Mayor DelVecchio informed the members of the public that this Ordinance will fund the roadway improvements to North Union Street, starting at Buttonwood Street and ending midway to Arnett Avenue. Roadway improvements include sidewalks in need of replacement, curbing and resurfacing of the roadway.

The \$415,000 is offset by a grant from the State of New Jersey Department of Transportation in the amount of \$175,000.

The total of this Bond Ordinance is \$415,000

Estimated cost of Project, including soft costs (engineering, attorney fees, etc.): \$410,000.

Bonding Costs: \$5,000

The required 5% down is: \$20,750.

City of Lambertville
Ordinance 04-2011

*BOND ORDINANCE PROVIDING FOR PHASE II IMPROVEMENTS FOR
THE RECONSTRUCTION OF NORTH UNION STREET IN AND BY THE
CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW
JERSEY, APPROPRIATING \$415,000 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$415,000 BONDS OR NOTES OF THE CITY TO
FINANCE PART OF THE COST THEREOF.*

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$415,000, including a grant in the amount of \$175,000 expected to be received from the New Jersey Department of Transportation (the "State Grant"). No down payment is required pursuant to N.J.S.A. 40A:2-11 (c) as the improvements is being partially funded by the State Grant.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$415,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is Phase II of the reconstruction of North Union Street between Arnett Avenue and Buttonwood Street, including all work set forth in the City engineer's funding estimate on file with the office of the Clerk, which is hereby approved and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial

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officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$415,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the City 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 City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City 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 City 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 City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

Council President Stegman made a motion to approve Ordinance 04-2011 to fund the reconstruction of phase 2 of North Union Street, Councilman Sanders seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

The public hearing will be held on March 21, 2011.

ORDINANCES – SECOND READING AND PUBLIC HEARING.

Ordinance 01-2011: An Ordinance to Utilize Open Space Tax Funds to Purchase Block 1004, Lot 1.01 at the corner of North Union and Cherry Streets to preserve as Open Space.

Ordinance number 01-2011 was read by title into the Record by Mayor DelVecchio who informed the public that this ordinance is to purchase block 1004, lot 1.01, which was the subject of the referendum at the November 3, 2010 election. The property is at the corner of North Union and Cherry Street behind CVS.

City of Lambertville

Ordinance Number 01-2011

ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY
(BLOCK 1004, LOT 1.01, OWNER: ALLIED VILLAGE SQUARE, LLC)
IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF
HUNTERDON, NEW JERSEY, APPROPRIATING \$210,000 THEREFOR
AND AUTHORIZING \$199,500 CASH PURCHASE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

The purchase of property described in this ordinance is hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as acquisition of land. For the purpose described there is hereby appropriated the sum of \$210,000, from the Open Space Fund of the City of Lambertville.

The purchase of this property was the subject of a public question during the November 2, 2010 general election where the public approved the purchase for the purpose of Open Space with a vote of 927 Yes votes and 493 No votes which was duly certified by Stewart Palilonis, Chairperson of the Board of Canvassers and Mary Melfi, County Clerk of Hunterdon.

The improvement hereby authorized and the purpose for a cash payment from the Open Space Fund for the acquisition of property at the corner of North Union and Cherry Street, also known as Block 1004, Lot 1.01 (Owner: Allied Village Square, LLC) on the tax maps of the City, including all related costs and expenditures incidental thereto.

The following additional matters are hereby determined, declared, recited and stated:

The improvement or purpose described in this ordinance is not a current expense. It is an acquisition of property that the City may lawfully undertake and preserve as Open Space.

The City hereby declares the intent of the City to pay or reimburse expenditures for the costs of the purposes of the acquisition of Open Space.

Any grant moneys received for the purpose described hereof shall be applied to the Open Space Trust Account of the City of Lambertville.

Introduced: January 1, 2011

Public Hearing: February 22, 2011

Mayor DeVecchio asked for questions or comments from the public. Since there were no questions or comments, he asked for a motion to close the public hearing.

CLOSE THE PUBLIC HEARING:

Councilman Sanders made a motion to close the public hearing on Ordinance 01-2011 to purchase the lot behind CVS. Councilwoman Warner seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

SECOND READING AND FINAL APPROVAL:

Councilman Sanders made a motion to approve on second reading and final approval Ordinance 01-2011 to fund the purchase of the lot behind CVS. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

The closing date is tentatively scheduled for April 1, 2011.

Ordinance 02-2011: An Ordinance to Amend the Salary and Wage Ordinance for the City of Lambertville, adding hourly rates and establishing part time rates for Sub Code Officials.

Mayor DeVecchio read Ordinance 02-2011 by title into the record. He informed the members of the public that this ordinance would establish hourly rates but not change the range set or increase salaries for employees.

City of Lambertville

Ordinance 02-2011

An Ordinance to Amend the Salary and Wage Ordinance for the City of Lambertville, adding hourly rates and establishing part time rates for Subcode officials.

BE IT ORDAINED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey as follows:

SECTION ONE: The following shall be the range of compensation for the officials and employees of the City of Lambertville not covered by separate bargaining units:

Police Director	\$50,000 - \$80,000
Senior Police Administrative Assistant	\$23,000 - \$40,000
Secretary, Part-time	\$11.00 - \$18.00 per hour
Crossing Guard	\$10.00 - \$15.00 per hour
Parking Enforcement Officer, Full Time	\$12.00 - \$20.00 per hour
Parking Enforcement Officer, Part-time	\$11.00 - \$18.00 per hour

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Class I Special Police Officer	\$11.00 - \$15.00 per hour
Police Officer, Part-time	\$12.00 - \$45.00 per hour
Matron	\$12.00 - \$30.00 per hour
Court Administrator	\$26,000 - \$45,000
Deputy Court Administrator Part Time	\$11.00 - \$20.00 per hour
Municipal Court Judge	\$10,000 - \$20,000
Municipal Court Judge, DWI	\$110.00 - \$150.00 per hour
Chief Financial Officer/Director of Finance	\$7,000 - \$55,000 or \$29 to 60 per hour
Tax Collector	\$25,000 - \$43,000
Tax Assessor	\$20,000 - \$35,000
Tax Assessor, Reassessment work	\$5,000 - \$10,000
City Council	\$1,000 - \$7,499
Municipal Clerk	\$50,000 - \$75,000
Administrative Assistants	\$20,000 - \$35,000
Bookkeeper	\$20,000 - \$35,000
Planning Board Administrative Officer	\$3,000 - \$7,000
Zoning Board Administrative Officer	\$3,000 - \$7,000
Zoning Officer	\$4,000 - \$8,000
Construction Code Official	\$17,000 - \$35,000
Electric Subcode Official	\$9,000 - \$15,000
Plumbing Subcode Official	\$4,000 - \$20,000
Fire Subcode Official	\$4,000 - \$13,000
Fire Prevention Official	\$10,000 - \$18,000
Sub Code Officials – Hourly Rate	\$18.00- \$40.00 per hour
Fire Prevention Secretary	\$10.00 - \$18.00 per hour
Construction Control Person	\$18,000 - \$35,000
Substitute Official/Inspector	\$18.00 - \$40.00 per hour
Custodian	\$11.00 - \$20.00 per hour
Public Works Director	\$26.00 - \$50.00 per hour
Public Works Foreman	\$16.00 - \$40.00 per hour
Solid Waste Driver	\$15.00 - \$30.00 per hour
Solid Waste Collector	\$5.15 - \$10.00 per hour
Truck Driver/Labor	\$14.00 - \$25.00 per hour
Labor	\$14.00 - \$25.00 per hour
Public Works Operator	\$15.00 - \$30.00 per hour
Librarian	\$18.00 - \$30.00 per hour

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Children's Librarian	\$14.00 – \$25.00 per hour
Library Assistant	\$7.00 - \$20.00 per hour
Public Assistance Director	\$7,000 - \$30,000
Animal Control Officer	\$4,000 - \$6,000
Historic Commission Secretary	\$250 - \$500
Hourly Rate for Part Time Work	\$11.00 - \$40.00 per hour

WHEREAS, the establishment of a hourly rate is needed for positions that may not fall into a category listed above or to compensate an employee for work completed on an Inter Local Agreement, and

WHEREAS, Mayor and Council recognize there is a need from time to time to hire a qualified individual to complete a job or tasks within the City of Lambertville.

NOW THERE FORE BE IT RESOLVED that Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, by way of adoption of the Salary and Wage Ordinance for 2011, hereby authorize the Salary and Wage Ordinance for 2011.

Introduced: January 18, 2011

Public Hearing: February 22, 2011

Mayor DelVecchio asked for questions or comments from the public. Since there were no questions or comments, he asked for a motion to close the public hearing.

CLOSE THE PUBLIC HEARING:

Council President Stegman made a motion to close the public hearing on Ordinance 02-2011 to amend the Salary and Wage Ordinance for the City of Lambertville to include hourly rates. Councilwoman Warner seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

SECOND READING AND FINAL APPROVAL:

Council President Stegman made a motion to approve on second reading and final approval Ordinance 02-2011. Councilwoman Warner seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

CORRESPONDENCE.

NORMA ZIMMERMAN: request permission to use the bank parking lot for fund raising to support caring for kids with cancer.

- Submittal of a Certificate of Insurance naming the City of Lambertville as additional insured,
- Submittal of the enclosed Hold Harmless Agreement on your letterhead signed by a Principal of Caring For Kids With Cancer,
- Submittal of a copy of the approval letter from Wachovia Bank/Wells Fargo authorizing this event,
- Payment for the loss of meter revenue by going to the Police Department, located at 349 N. Main Street in Lambertville and purchasing the “no parking signs”,

- Arrangement with the Public Works Director to pay for garbage removal of all event refuse and recycling,
- Any changes in the size or venue as explained in your letter of January 13 or at the regularly scheduled session of Mayor and Council of February 22, 2011, will require approval from the City of Lambertville,
- All vendors are subject to the licensing regulations of the City of Lambertville,
- If at any time throughout the project, should the Police Director determine police coverage is necessary, you will need to reimburse the City for such fees.

LAMBERTVILLE AREA CHAMBER OF COMMERCE: request to use the Justice Center, close the roads from 9 AM to 8 PM on Union Street from York to Ferry Street, Church Street from Union to Main Street, Kline's Court from Bridge to Ferry Street, and Ferry Street from Kline's Court to Union Street, Suspended Parking on Main Street from Ferry to Bridge Street, Bridge Street from Lambert Lane to Main, Parking lot by the Public Library and the Justice Center parking lot, and the closing of the parking lot on North Union Street from Wednesday morning, April 27 through Tuesday, May 3. They also seek approval for the food vendors in the Wells Fargo parking lot to leave their equipment overnight. Food vendors in the lot pay an additional \$8 to cover meter fees.

Council President Stegman made a motion to approve the request of the Lambertville Area Chamber of Commerce as submitted. Councilwoman Warner seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

PROCLAMATION

LAMBERTVILLE CHAMBER OF COMMERCE RESTAURANT WEEK

The Proclamation for the Lambertville Chamber of Commerce Restaurant Week was read into the record by the members of Council.

PROCLAMATION

Whereas, the City of Lambertville is located approximately 17 miles north of Trenton, New Jersey along the scenic Delaware River, and

Whereas the Restaurants in Lambertville provide a vast array of dining choices in our community catering to every taste and budget of our diverse population, and

Whereas the Restaurants generously donate gift certificates and food to community fund raising events and in many instances makes these fund raising events possible by their participation, and

Whereas the Restaurants in the City of Lambertville provide destinations for both local residents and tourists thus helping our business district and our City stay strong, and

Whereas the Restaurants in the City of Lambertville have among the highest average Zagat's ratings in the State of New Jersey.

NOW THEREFORE BE IT RESOLVED, by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, proclaim March 20-25, 2011 as Lambertville Restaurant Week in the City of Lambertville.

Adopted this 22nd day of February, 2011.

David M. DelVecchio, Mayor

Amy Coss the Co-Chair of the LACC, Erin McManus-Keyes of Tortuga's Cocuna and Heather Caroline of the Missing Peace and Co-Chair of the LACC were present to accept the Proclamation. The following restaurants will be participating in the event scheduled for March 20 – March 25: Anton's at the Swan, DeAnna's, No. 9, Hamilton's Grill, Tortuga's Cocina, Rick's Italian, The Lambertville Station, Thai Tida and Marhaba.

Restaurant week is a way to focus on dining out. These restaurants will offer special three course value menus for the duration of the week. Most will offer a \$29.95 three course meal. Because of the diversity of restaurants in Lambertville there is also a causal restaurant meal of \$19.95 for three course. That menu will be available at Marhaba, Rick's and Tortuga's.

Council President Stegman made a motion to approve the Proclamation for the Lambertville Area Chamber of Commerce for Restaurant Week. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

READING TOWNSHIP MEMORANDUM: Resolution Requesting Hunterdon County Freeholders to Engage in An analysis of Municipal Services.

LAMBERTVILLE MUNICIPAL UTILITIES AUTHORITY: Submission of Audit Report for Years ended June 30, 2010 and 2009.

COMCAST letter with enclosed check in the amount of \$18,079.49 for franchise fees.

DELAWARE TOWNSHIP: letter to Governor Christie with a copy of Resolution 2011-11 supporting the Delaware and Raritan Canal Commission.

STATE OF NEW JERSEY DEP: letter to Mayor DelVecchio regarding FEMA regarding the City's commitment to enforcing its local flood damage prevention.

RICHARD AND JOHANNA CUSHING: letter commending the Road Department on the good services over the course of this winter in general.

BOROUGH OF MILFORD: Resolution requesting the Hunterdon Freeholders Engage in an Analysis of Municipal Services

JOHN DIMAIO, ASSEMBLYMAN: Letter regarding the City's support of Assembly Bill 3603.

ERIK PETERSON, ASSEMBLYMAN: Letter regarding the City's support of Assembly Bill 3603 and Senate Bill 2588.

STATE OF NEW JERSEY, DOT: Award Letter for Phase 2 for North Union Street Reconstruction from Buttonwood Street to Arnett Avenue.

LAMBERTVILLE NEW HOPE AMBULANCE & RESCUE SQUAD: Letter requesting support of the second annual community River Cross Rescue Walk scheduled for Sunday, May 15, 2011, 8 AM to 3 PM.

Mr. Pasquale Pittore was present to discuss the annual walk scheduled by the Lambertville New Hope Ambulance and Rescue Squad. He informed the members of the public that they cleared

the date with Rich Roy of the Lambertville West Amwell Baseball Association and attended the Recreation Commission meeting of February 9, 2011. The walk in 2010 brought in a modest amount of revenue. They are changing the week to coincide with EMS week and it will be much cooler for those participating.

They are still waiting for a response on their request for a piece of steel from the World Trade Center.

Mayor DelVecchio and Council Members extended their best wishes for a successful event. Mr. Pittore will see that the City receives the hold harmless agreement and certificates of insurance.

TOWNSHIP OF CLINTON: Resolution 028-11, Opposing S-1 Legislation Relative to Affordable Housing.

MICHAEL DOHERTY, SENATOR: Letter from the City to Senator Doherty requesting assistance with the snow removal on Bridge Street.

TRAP ROCK: Public Notice Regarding Trap Rock Industries Inc.'s Application for an Individual Permits Pursuant to the Flood Hazard Area Control Act to Realign Drainage Feature at Lambertville Quarry, Delaware Township.

ELIZABETHTOWN GAS: Notice of Public Hearings for a proposed rate increase per therm from \$0.0116 TO \$0.0158.

Council President Stegman made a motion to file an objection to the proposed rate increase of Elizabethtown Gas. Councilwoman Warner seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

TOWNSHIP OF UNION: Resolution Opposing Reduced Allocation of Open Space Tax Levy Funds to Municipal Grant Programs Of Hunterdon County.

LAMBERTVILLE ACADEMY: Letter requesting the use of Ely Field for the summer program. Copy was forwarded to Recreation Commission.

UNFINISHED BUSINESS.

UPDATE ON VARIOUS CONSTRUCTION IMPROVEMENT PROJECTS.

BIKE AND PED GRANTS : Punch list items remain.

CITY HALL: The Architect, Attorney, Public Works Director and Acting City Clerk are meeting on March 1, 2011 to finalize the outstanding items.

LMUA Construction Update: Construction is 95% complete. The Acting City Clerk will speak with the LMUA regarding a ceremony.

CONSTRUCTION:

SOUTH FRANKLIN STREET TRAFFIC CALMING

The project is substantially complete. The last remaining item is installation of planters which were delivered to City Hall in January. The planters will be installed in March when the Contractor returns to continue work on the other road projects.

NORTH UNION STREET ROADWAY REHABILITATION

Work is substantially complete except for minor punch list items. A final invoice and backup paperwork has been prepared and will be forward to NJDOT upon signature by the Mayor and CFO for reimbursement of the grant funds.

DELEVAN & MCCREADY'S ALLEY ROADWAY REHABILITATION

Final paving and punch list items remain to be completed on Delevan Street. The Contractor has a substantial amount of work to do on McCready's Alley. The Contractor anticipates beginning work again in early to mid-March depending on weather conditions.

PERRY STREET ROADWAY REHABILITATION

Bids were received on Wednesday February 16, 2011 and my recommendation was to reject and rebid this project. The bids exceeded the funds available for construction and there was confusion with the bid opening location. A new notice has been sent to the paper for a revised bid opening date of March 1st.

NORTH UNION PHASE 2

NJDOT awarded Lambertville \$175,000 in Local Aid funds to be used on a second phase of roadway improvements on North Union Street. Upon approval of a bond ordinance and formal authorization survey and design work will begin on this project. Construction is tentatively set for summer of 2011.

SOUTH FRANKLIN & WEEDEN STREETS DRAINAGE - nothing to report.

UPDATE ON PROJECTS FOR FLOOD RELIEF.

SWAN CREEK – waiting on the status of the grant.

ELY CREEK - Mr. Cronce, Mr. Myers and Mr. Miller were at the site taking measurements. We will need an easement from CA Niece and Company.

MISCELLANEOUS

UPDATE ON VARIOUS NON-CONSTRUCTION PROJECTS.

Shared Services

Frenchtown Interlocal Agreement – Mayor DelVecchio reported that the interlocal agreement with Frenchtown was going well.

West Amwell – nothing to report.

East Amwell – nothing to report.

South County Renewable Energy Coop: the PPA RFP is in the process of being approved by each of the entities.

RFP for Film Series - bids are due February 24, 2011.

Work Group on SHRHS : Councilman Sanders reported that South Hunterdon gave a report on the Buildings and Grounds last Thursday. The Special Education Audit was given to South Hunterdon Regional High School, Lambertville Public School, West Amwell Township and Stockton Elementary School.

Mayor DelVecchio reported that he spoke to Jeff Scott of Hunterdon County Superintendent's Office regarding regionalizing. Mr. Scott informed Mayor DelVecchio that each town would be required to do a referendum. Steve Wolock, Board President of the Lambertville Board of Education said he believes the Commissioner of Education has the power to redraw the lines. Both Mr. Wolock and Councilman Sanders will look into this.

Committee on Snow Removal – A letter was sent to Senator Doherty requesting assistance with DOT's work on Bridge Street.

Committee on Garbage and Recycling. – nothing to report.

PROCLAMATION.

The following Proclamation was read in to the record by the members of Council:

FRIENDS OF ELY FIELD

Proclamation

WHEREAS, the Friends of Ely Park, a volunteer fund raising committee led by Jim Hamilton, was formed with the sole purpose of designing and upgrading the gateway to Ely Park in the City of Lambertville, and

WHEREAS, Jim Hamilton and Heather Martin appeared before the Recreation Commission to obtain conceptual approval for a new fence, focal points where each of the cross street meets North Main Street, a new façade for the Lambertville Public School, a mural made of tile to line the children's play area, a fireman's memorial for North Main Street in front of the Union and Fleetwing Fire Company installed and dedicated in the fall of 2010, and replacement of all trees lining North Main Street, and

WHEREAS, the Friends of Ely Park have included a component to fund maintenance at the Park, install a water meter and irrigation system, and

WHEREAS, the Friends of Ely Park plan to host fund raisers to benefit the project to fund the various upgrades and changes which will provide engineering and lighting plans at no cost to tax payers, and

WHEREAS, the key element is the fencing which will be constructed of brick and metal with twenty-six foot sections to line North Main Street, and

WHEREAS, this project is designed to be a self funding project which will have a mix of federal, state, and local funds.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville in the County of Hunterdon in the State of New Jersey, the Friends of Ely Park are hereby commended for their efforts to upgrade the façade at Ely Park, and

BE IT FURTHER RESOLVED, that Mayor and Council extend their best wishes to the fund raising committee for much success with their efforts to fund and upgrade Ely Park.

ADOPTED this twenty-second day of February, 2011.

David M. DelVecchio, Mayor

Jim Hamilton, Debbie Closson and Steve Wolock were present to accept the Proclamation from Mayor and Council. Mayor DelVecchio recognized Mr. Hamilton for his many contributions to the community.

Council President Stegman made a motion to approve the Proclamation for Friends of Ely Field. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Councilwoman Asaro arrived at 7:30 p.m.

CARRIED FROM THE NOVEMBER 15, 2010 AGENDA:

LAMBERTS HILL: request to reduce the speed limit from 35 to 25 by the walkway to Lamberts Hill at the intersection of Cherry Street and Route 29.

Mayor DelVecchio informed the members of the public that the City sent a letter to the Department of Transportation on January 24, 2011 asking them to review this stretch of highway for signage, striping and a reduction in the speed limit.

SCOTT CONSOLI DRIVEWAY APPLICATION, Block 1046, Lot 8, 44 South Main Street – Continued to January 18, 2011 Meeting.

The Acting City Clerk explained that a Committee comprised of the Police Director, the Public Works Director and Mr. Consoli met to discuss the application. There was also a public meeting in January with the residents and Mr. Consoli. Different options were explored including South Main Street side of the property, concave mirrors, trimming of trees on Swan Creek and signage.

Mayor DelVecchio asked the Police Director for his input on the Driveway Application made by Scott Consoli of 44 South Main Street. Police Director Cocuzza commented that the request to relocate the driveway to Swan Street was too close to the intersection at Route 165 on the west bound side of Swan Street. The south bound traffic would be an issue. The applicant did not have engineering completed to show the specifications of the street and how many spaces would be lost if the application was approved. In the Police Director's opinion, this would be as dangerous if not more dangerous than the existing driveway which exits onto Route 165.

Mayor DelVecchio asked if anyone from the public was present. Mr. Jeff Sailer of JWS Computers located at 20 South Main Street was present. He expressed his concern for the loss of parking. He stated the area couldn't afford to lose 2 to three parking spaces.

Erin Keyes of 50 Swan Street stated she didn't understand the issue with the existing driveway. Mr. Consoli stated there was a blind spot when pulling out of the driveway created by the concrete bridge. He provided Mayor and Council and the Committee with a lot of information and the street would only be losing one space. The Acting City Clerk explained that without engineering to support his request, it was not possible to determine what would be lost. In addition, the email Mr. Consoli submitted from NJDOT stated they were not in favor of the driveway on South Main Street. The existing driveway is on Route 165. There are ways to make the existing driveway more safe.

Mayor DelVecchio said he appreciated Mr. Consoli's willingness to work with the Committee. The Police Director informed the public that in his opinion, the Swan Street driveway would also have site line issues and maybe worse than what he has now. He reviewed the accidents for the past seven years on Route 165 and found two and they were prior to the installation of the traffic light. He believes the traffic light improved the safety in the area.

Councilman Sanders asked Police Director Cocuzza if the two accidents were on the north side. He responded that one of them was for sure he wasn't certain about the second. He also said he wasn't sure of the clearance without engineering.

Mr. Consoli responded that Swan Street was the same width the entire block and there were several driveway which existed. The Acting City Clerk commented that without engineering, there was no proof to support that statement.

Mayor DelVecchio asked if there was a way to make the existing driveway better. Mrs. Ege stated that a concave mirror, trimming of the trees on Swan Creek and signage. Mr. Consoli commented that pulling into the driveway is the issue and the traffic light causes people to speed up.

Mayor DelVecchio asked the Council members what they wanted to do.

Council President Stegman asked if there was a way for the State to move the stop line further North similar to the configuration in front of Fine Food and Flowers. The Police Director and Public Works Director stated that was to give tractor trailers a turn radius. Council President Stegman expressed concern for the City's liability. Attorney Faherty stated that the Tort Claims Act protects the City and the City has no liability for the State Highway. The driveway on Swan Street however, would be a liability for the City.

Councilman Sanders stated that given that fact, while he understands the danger in turning into the driveway, the danger is equivalent or greater with granting the request of Mr. Consoli for a Swan Street driveway.

Mayor DelVecchio commented that additional signage for the driveway would assist. Councilman Sanders said the goal then should be to make the current driveway safer.

Councilman Sanders made a motion to deny the application made by Scott Consoli for a driveway on Swan Street between South Main Street and State Highway Route 165, and asked the Acting City Clerk to send a letter to the State of New Jersey, Department of Transportation, asking for additional signage for the existing driveway on State Highway Route 165, a concave mirror and the trimming of trees on Swan Creek. Council President Stegman seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present.
MOTION CARRIED.

NEW BUSINESS.

APPOINTMENTS – NONE.

ANNOUNCEMENTS.

2010 GARBAGE AND RECYCLING FEES are over due. A \$10 late fee will be assessed on all late payments.

2011 DOG AND CAT LICENSES are available at City Hall. The fee is \$10 for all spayed animals and \$15 for those who are not neutered. There is a \$2 late fee after March 1.

2011 LANDLORD REGISTRATION APPLICATIONS are due by March 1.

THE 2011 GARBAGE AND RECYCLING SCHEDULE is available to download on the City's website at www.lambertvillenj.org.

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SCHOOL BOARD ELECTIONS: The annual school board election for 2011 will be held on Wednesday, April 27, 2011.

PUBLIC PARTICIPATION/PETITIONS OF CITIZENS AND PUBLIC DISCUSSION.

NONE.

ADJOURNMENT.

The meeting adjourned at 7:50 p.m. with a motion made by Council President Stegman and seconded by Councilman Sanders. An affirmative voice vote in favor of the motion was taken by all members present. MOTION CARRIED.

Respectfully submitted,

Cynthia L. Ege

Cynthia L. Ege

CMR, Acting City Clerk

Approved at the regularly scheduled session of Mayor and Council of March 21, 2011.