

**City of Lambertville**  
**Regularly Scheduled Session**  
**April 20, 2011, 6:30 p.m.**  
**Justice Center, 25 South Union Street, Lambertville**  
**MINUTES**

The meeting was called to order at 6:30 p.m. by Mayor DeVecchio with a statement of compliance with the Open Public Meeting Act, including a change of meeting notice in the legal section of the April 14, 2011 edition of the Beacon, providing 48 hours notice to the Times, the Democrat, the Beacon and the Herald, posting of the agenda on the website ([www.lambertvillenj.org](http://www.lambertvillenj.org)), the bulletin board at City Hall, and noticing the list serve of the website of the change in meeting and meeting notice. Mayor DeVecchio commented that the regularly scheduled session of Mayor and Council was postponed in observation of Passover.

**ROLL CALL.**

Mrs. Ege called the roll as follows:

*Present:* Councilwoman Asaro (via phone), Councilman Sanders, Councilwoman Warner, Council President Stegman, Mayor DeVecchio.

*Absent:* None.

**PLEDGE OF ALLEGIANCE.**

Mayor DeVecchio led the public in the Pledge of Allegiance.

**MOMENT OF SILENCE.**

Mrs. Ege led the public in a Moment of Silence in recognition of those serving their country in the United States Armed Forces.

**RESOLUTION TO GO INTO CLOSED SESSION TO DISCUSS  
CONTRACTS, PERSONNEL, ACQUISITION OF PROPERTY AND  
POSSIBLE LITIGATION.**

**RESOLUTION**

*“Authorizing a Closed Session at the April 20, 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 April 20, 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: Councilwoman Asaro (signed on at 6:35 p.m.), Councilman Sanders, Councilwoman Warner, Council President Stegman, Mayor DeVecchio.

Nays: None.

Mayor DelVecchio and City Council convened in closed session at 6:35 p.m.

Mayor DelVecchio and City Council re-convened in regular session at 6:55 p.m.

### **APPROVAL OF MINUTES.**

Council President Stegman made a motion to approve the following meeting minutes: March 21, 2011 Regular Session Minutes, March 21, 2011 Closed Session Minutes, March 29, 2011 Special Joint Session Minutes, and April 4, 2011 Special Session Minutes. Councilwoman Warner seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

### **ADMINISTRATIVE REPORTS.**

Council President Stegman made a motion to approve the following Administrative Reports: 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 Cronic, 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 in favor of the motion was taken by all members present. MOTION CARRIED.

### **APPROVAL OF BILLS LIST.**

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

### **RESOLUTIONS.**

#### **CONSENT AGENDA:**

The following items were approved on a Consent Agenda:

Resolution Number 60-2011: A Resolution to accept the resignation of Jeffrey Weinstein from the position of Public Defender.

*City of Lambertville*  
**Resolution Number 60-2011**  
*A Resolution to Accept the Resignation of Jeffrey Weinstein As the Public Defender for the City of Lambertville*

**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 that Jeffrey Weinstein's resignation is accepted by Mayor and Council from the position of Public Defender.

Adopted: April 20, 2011

Resolution Number 68-2011: A Resolution appointing Daniel Longo as the Electrical Sub-Code Official for a four year appointment.

*City of Lambertville*

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Resolution 68-2011

*A Resolution Appointing Daniel Longo as the Electrical Sub-Code Official*

BE IT RESOLVED that Mayor and City Council of the City of Lambertville, County of Hunterdon, State of New Jersey, hereby appoint Daniel Longo as Electric Sub-Code Official to a four year appointment for the City of Lambertville.

ADOPTED: April 20, 2011

Resolution 69-2011: A Resolution Authorizing the Redemption of a Tax Lien for Block 1099, Lot 5.02.

**City of Lambertville**

Resolution 69-2011

*A Resolution Authorizing the Tax Redemption for Block 1099, Lot 5.02*

WHEREAS Tax Lien Certificate 10-06 on Block 1099, Lot 5.02 in the amount of \$3682.70 was sold to Josef Hoffman on June 30, 2010, and

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

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that a check be authorized to Josef Hoffman for the redemption of Tax Lien Certificate 10-06 in the amount of:

\$3,682.70	representing the amount of the certificate, plus
\$ 849.51	interest and costs.
\$1,698.50	subsequent lines paid
\$6,230.71	Total Amount Due.

ADOPTED: April 20, 2011

Resolution 70-2011: A Resolution Authorizing the Redemption of a Tax Lien for Block 1033, Lot 1.10.

**City of Lambertville**

Resolution 70-2011

*A Resolution Authorizing the Tax Redemption for Block 1033, Lot 1.10*

WHEREAS Tax Lien Certificate 10-08 on Block 1033, Lot 1.10 in the amount of \$354.89 was sold to Pro Capital 1, LLC on June 30, 2010, and

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

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that a check be authorized to US Bank Custodian for Pro Capital Fund 1, LLC for the redemption of Tax Lien Certificate 10-08 in the amount of:

\$ 354.89	representing the amount of the certificate, plus
\$ 80.69	interest and costs.
\$ 467.22	subsequent lines paid

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\$ 1,102.80      Total Amount Due.

ADOPTED: April 20, 2011

Resolution 72-2011: A Resolution Authorizing the Refund of First Quarter Taxes for Block 1045, Lot 1.01.

**City of Lambertville**  
**Resolution 72-2011**  
*Refund of Double Payment of 1<sup>st</sup> Quarter Taxes for Block 1045, Lot 1.01*

WHEREAS the previous owners of Block 1045, Lot 1.01, 14 South Union Street, Steven Coleman and Lisa Geddes have moved and sold their home, and

WHEREAS, the first quarter property taxes were paid twice on Block 1045, Lot 1.01, by the title company and mortgage company in the amount of \$1,844.59, and

WHEREAS, a tax refund is due to them due to the double payment that was made.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that a refund check in the amount of \$1,844.59 be issued to Steven Coleman and Lisa Geddes, 1470 Pangborne Way, Hanover, Maryland, 21076.

ADOPTED: April 20, 2011

Resolution 73-2011: A Resolution Authorizing the Redemption of a Tax Lien for Block 1035, Lot 26.

**City of Lambertville**  
**Resolution 73-2011**  
*A Resolution Authorizing the Redemption of Tax Lien for Block 1035, Lot 26*

WHEREAS Tax Lien Certificate 07-02 on Block 1035, Lot 26 in the amount of \$4,903.87 was sold to US Bank, custodian for Sass Muni Vdtn on September 12, 2007, and

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

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that a check be authorized to U. S. Bank, Custodian for Sass Muni Vdtn for redemption of Tax Lien Certificate 07-02 in the amount of:

\$ 4,903.87	representing the amount of the Tax Lien
\$10,588.20	interest and costs
\$ 1,144.22	foreclosure costs and fees
\$20,553.20	subsequent liens paid
\$37,159.49	Total Amount Due

ADOPTED: April 20, 2011

Resolution 75-2011: A Resolution Approving the Tort Claim form as drafted by PAIC Insurance.

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Resolution 77-2011: A Resolution Authorizing the Purchase of a 2011 Ford F350, 4wd Reg Cab 137 XL, with a Myers Plow (8 ½ feet) off State Contract, Number A73961, in the amount of \$32,617.50.

**City of Lambertville**  
**Resolution 77-2011**

*A Resolution to Authorize the Purchase of a 2011 Ford F350 and Plow Off State Contract*

WHEREAS, the City of Lambertville introduced and adopted Ordinance number 03-2011 to fund the purchase of equipment for the Public Works Department, and

WHEREAS, the amount appropriated in the ordinance for equipment is \$126,000, and

WHEREAS, the State Contract Number A73961, includes the following equipment: 2011 Ford F350 4WD Reg Cab 137" XL, Automatic Transmission w/OD, 3.73 Axle Ratio with electronic locking rear axle, All Season BSW Tires with a spare, Power Equipment Group, 10,000 GVW, Snow Plow Prep Package, Skid Plate Package, Roof Clearance Lights, Tilt Steering Wheel, Trailer Plug Installed, Meyers 8 ½ Foot Plow, Timberance in Front, Bed Liner, Back Up Alarm, Rust Roof and Undercoat, Dome Light, Stirrup Step, and an Amber Strobe Light, for the total amount of \$32,617.60.

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 the purchase of an F350 as described in the former paragraph, purchased off the State Contract, Number A73961, is hereby authorized.

ADOPTED: April 20, 2011

Resolution 78-2011: A Resolution on the Bid for the Film Series at the Justice Center.

**City of Lambertville**  
**Resolution Number 78 - 2011**

*A Resolution to Award the Bid for the Film Series at the Justice Center*

WHEREAS, the City of Lambertville advertised for the receipt of public bids for the operation of a Film Series at the Justice Center, and

WHEREAS, one bid was received on February 24, 2011, which was publicly opened and read aloud, and

WHEREAS, the bid document was submitted by the Friends of the Lambertville Library, a local nonprofit organization who currently hosts a movie series at the Justice Center, and

WHEREAS, Attorney Faherty has reviewed the proposal submitted and has determined all documents are in order, and

WHEREAS, the bid received was from the Friends of the Lambertville Library, which included a cashier's \$1,000 check to be held in a trust account, and includes the Financial Plan, which reflects a profit of \$3,078.94 annually, and

WHEREAS, the contract will reflect a monthly contribution of 30% of actual costs, or \$271.85 monthly, plus quarterly carpet cleaning for operational expenses, including cleaning of the space, and

NOW THEREFORE BE IT RESOLVED THAT Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, hereby award the bid for the Film Series at the Justice Center to The Friends of the Lambertville Library.

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BE IT FURTHER RESOLVED that the Mayor and Acting City Clerk are authorized to execute and sign the contract with the Friends of the Lambertville Library for a three year period of time.

ADOPTED: April 20, 2011.

Council President Stegman made a motion to approve the items listed on the Consent Agenda, removing Resolution Numbers 71, 75 and 75 from the Consent Agenda. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

### **PROCLAMATIONS**

**FRANK KRAMER, JR.:** A Proclamation honoring the years of service to the Fleetwing Fire Company and to the Citizens of Lambertville.

Mr. Frank Kramer, Jr., his family, members of the Fleetwing Fire Company, members of the Lambertville Board of Fire Commission were present in honor of Frank Kramer Jr. Council members took turns reading the proclamation into the record.

#### **PROCLAMATION**

**WHEREAS**, Frank L. Kramer, Jr., was born, raised, educated and married in the City of Lambertville and resides with his wife of 26 years, Sue Winans-Kramer, *and*

**WHEREAS**, his wife, Sue Winans-Kramer is an award-winning journalist and published author, and they met in July of 1983 at the Town House in Lambertville; had their first date at a pole fire on Quarry Street; married on August 11 of 1984 at the Centenary United Methodist Church in Lambertville; celebrated with a lunch at the Landing in New Hope and dinner at the Union Fire House; honeymooned in Sue's Condo in Flemington, *and*

**WHEREAS**, Frank is the father of Frank L. Kramer, III and the stepfather of Jim and Scott Tedesco, *and*

**WHEREAS**, Sue and Frank together own Harry K. Kramer & Son Memorials, the oldest cemetery memorial business in the area, *and*

**WHEREAS**, Mr. Kramer has served his community in various ways; through employment with Lambertville Water Company, US Army National Guard, US Department of Defense, United Water Company, and is Assistant Sergeant-at-Arms for the New Jersey Senate, *and*

**WHEREAS**, Frank has served on various committees, boards and local governments including: Lambertville Board of Fire Commission, Lambertville Office of Emergency Management, Lambertville Sewerage Authority – Lambertville Municipal Utilities Authority, Lambertville City Council, and the Lambertville Drum and Bugle Corps, *and*

**WHEREAS**, he has been a member of the Fleet Wing Hook & Ladder Company Number 3 since 1951 and recently celebrated sixty years of service, *and*

**WHEREAS**, Mr. Kramer is a life member of the NJ Fireman's Relief Association and has been its Secretary since 1974, and is a member of the Hunterdon County Fire Chief's Association, *and*

**WHEREAS**, Frank's hobbies and interest include: musical theatre, model railroading and has a collection of antique Lionel Trains.

**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 Frank L. Kramer, Jr. be saluted for his many contributions to the City of Lambertville, County of Hunterdon and State of New Jersey.

**BE IT FURTHER RESOLVED**, that Frank is hereby congratulated on his many accomplishments including the completion of sixty years of service with the Fleet Wing Hook and Ladder Company Number 3.

**ADOPTED:** April 20, 2011

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David M. DelVecchio, Mayor

Council President Stegman made a motion to adopt the Proclamation honoring Frank Kramer, Jr. and his years of service to the community. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the Proclamation by all members present.  
**MOTION CARRIED.**

**YOUTH WEEK PROCLAMATION FOR THE LAMBERTVILLE BPO ELKS 1070.**

Mr. Bob Warner and Mr. Tom Hood were present representing the Elks to accept the Proclamation on Youth Week from the Governing Body. The Proclamation was read into the record by the members of the Governing Body.

**Youth Week Proclamation**

Lambertville BPO Elks 1070

**WHEREAS**, The Benevolent and Protective Order of Elks has designated the first week in May, as Youth Week to honor America's Junior Citizens for their accomplishments, and to give fitting recognition of their services to Community, State and Nation; *and*

**WHEREAS**, Lambertville Lodge 1070 will sponsor an observance during that week in tribute to the Junior Citizens of this Community; *and*

**WHEREAS**, no event could be more deserving of our support and participation than one dedicated to these young people who represent the nation's greatest resource, and who in the years ahead will assume the responsibility for the advancement of our free society; *and*

**WHEREAS**, our Youth need the guidance, inspiration and encouragement which we alone can give in order to help develop those qualities of character essential for future leadership; and go forth to serve America; *and*

**WHEREAS**, to achieve this worthy objective we should demonstrate our partnership with Youth, our understanding of their hopes and aspirations and a sincere willingness to help prepare them in every way for the responsibilities and opportunities of citizenship:

**NOW THEREFORE**, I David DelVecchio, Mayor of The City of Lambertville, do hereby proclaim the first week in May as Youth Week, and urge all departments of government, civic, fraternal and patriotic groups, and our citizens generally, to participate wholeheartedly in its observance.

**ADOPTED:** April 20, 2011

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David M. DelVecchio, Mayor  
City of Lambertville

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Mr. Warner informed the members present that he would like to have some additional interaction with the Mayor and Council for the Youth Program. Mayor DelVecchio said the City would be happy to participate in future events supporting the Elks Youth Program in the City.

Council President Stegman made a motion to adopt the Proclamation designating the first week in May as Youth Week. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

The Proclamation was given to Mr. Warner by Councilwoman Warner, which was sealed with a kiss.

*No Action was taken in the following Resolution:*

Resolution 71-2011: A Resolution Authorizing the Request for Proposals for Pay by Cell Phone Service for On-Street, Off-Street, and lots for metered spaces of the City of Lambertville.

**City of Lambertville**  
**Resolution 71-2011**

*A Resolution Authorizing the Request for Proposals for Pay by Cell Phone for Meters*

WHEREAS the City of Lambertville is interested in providing the citizens of Lambertville and those visiting our beautiful City with alternative methods of paying for their parking, and

WHEREAS, the upgrade of the meters will allow for the acceptance of nickels, dimes and quarters, and Ordinance Number 08-2011 will amend Chapter 8 to allow for the usage of various coin, and

WHEREAS, permitting *PAY BY CELL PHONES* will allow the payment of meter fees using debit and credit cards, and

WHEREAS, Mayor and Council are supportive of offering alternate forms of payment.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that a request for proposals be solicited from venders.

ADOPTED: April 20, 2011

**RESOLUTION NUMBERS 75-2011 AND 76-2011**

**City of Lambertville**  
**Resolution 75-2011**

*A Resolution Adopting the Tort Claim Form Provided by PAIC.*

WHEREAS the City of Lambertville joined the PAIC Insurance Fund on January 1, 2011, and

WHEREAS, the PAIC Joint Insurance Fund recommends the City adopt it's Notice of Claim for issuances to all persons filing a Tort Claim against the City of Lambertville, and

WHEREAS, the Mayor and Council have reviewed the form and support its adoption.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the Tort Claim Form provided by PAIC Joint Insurance Fund is hereby adopted for use in the City of Lambertville.

ADOPTED: April 20, 2011

Resolution 76-2011: A Resolution Adopting the Conscientious Employee Protection Act which will be distributed to all employees.

**City of Lambertville**  
**Resolution 76-2011**  
*A Resolution Adopting the Conscientious Employee Protection Act*  
*"Whistleblower Act"*

WHEREAS, New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:

1. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy, or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
2. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or
3. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
  - o is in violation of a law, or a rule or regulation issued under the law, or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
  - o is fraudulent or criminal; or
  - o is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. N.J.S.A. 34:19-3

WHEREAS, the City of Lambertville has designated the following contact person to answer your questions or provide information regarding your rights and responsibilities under this act:

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 this resolution is hereby adopted, and

BE IT FURTHER RESOLVED, that a copy of the Conscientious Employee Protection Act will be distributed to each employee in the next payroll.

ADOPTED: April 20, 2011

Resolution Numbers 75-2011 and 76-2011 were adopted with a motion made by Councilman Sanders and seconded by Council President Stegman. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

PLANNING BOARD, CLASS III REPRESENTATION

Councilwoman Warner made a motion to accept the resignation of Wardell Sanders with regret and appoint Council President Stegman as the Class III Representative to the Planning Board. Council President Stegman seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

## **ORDINANCES – FIRST READING AND INTRODUCTION.**

ORDINANCE 08-2011: An Ordinance to Amend the Revised General Ordinances, Chapter 8: Parking Areas and Metered Parking, Section 8-161.

Mayor DelVecchio read Ordinance number 08-2011 into the record by title and informed the members of the public that this Ordinance is to permit the meters to accept nickels, dimes and quarters.

**City of Lambertville**  
**Ordinance 08-2011**

*An Ordinance to Amend the Revised General Ordinances, Chapter 8: Parking Areas and Metered Parking,  
Section 8-16.1.*

### Section 8-16 INSTALLATION OF PARKING METERS

#### Section 8-16.1 CITY TO INSTALL

The City shall install parking meters in the parking meter zones as provided in this article immediately adjacent to each designated parking space. The meters are digital and will accept any combination of nickels, dimes and quarters. A vehicle may lawfully park in such parking meter zones for a period of 3 minutes for a fee of five cents or a nickel, 6 minutes for a fee of ten cents or a dime, or 15 minutes for a fee of twenty-five cents or a quarter of United States currency.

#### Section 8-23 NORTH UNION STREET LOT

Section 8-23.2 Hours of Parking, Time Limit. Motor vehicles may park in the lot between the hours of 9:00 a.m. and 9 p.m., Monday through Saturday, and from 1:00 p.m. to 9 p.m. on Sunday.

<u>Name of Zone</u>	<u>Time Limit</u>	<u>Side</u>	<u>Location</u>
North Union Street Lot	Up to 12 hours	East	Midway between Bridge Street And Church Street

There shall be unlimited parking at all other times. There will be no parking in the lot when snow covered.

8-23.3 Definition of Authorized Vehicles (*removes the parking spaces previously designated for Dr. Martinez and his customers*).

- a. This section is hereby repealed.
- b. This section is hereby repealed.

INTRODUCED: April 20, 2011

PUBLIC HEARING AND FINAL ADOPTION: May 16, 2011

Council President made a motion to introduce Ordinance Number 08-2011, which will permit the use of nickels, dimes and quarters for the payment of meter fees. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

The Public Hearing is scheduled for Monday, May 16, 2011.

ORDINANCE 09-2011: An Ordinance to Amend Chapter XIV, Streets and Sidewalks, Section 14-1, Street Openings, to include a procedure for approval of all applications and require a performance and maintenance bond on applications for street opening for road ways which have been reconstructed within the past five years.

Mayor DelVecchio read the Ordinance into the record by title. He informed the members of the public that this Ordinance will require a maintenance bond and the contractor to apply minimum standards in restoring the roadway of all streets that have been reconstructed within the past five years.

*City of Lambertville*  
*Ordinance 09-2011*  
*An Ordinance to Amend Chapter XIV, Streets and Sidewalks, Section 14-1, Street Openings*

## CHAPTER XIV

### STREETS AND SIDEWALKS

#### 14-1 STREET OPENINGS.\*

**14-1.1 Permit Required for Street Opening.** It shall be unlawful for any person to make any opening through or under the surface of any public City street or right-of-way for any purpose whatsoever without first obtaining a permit from the City. This includes construction of new sidewalks as well as openings in the cartway. (Ord. 2000-17, paragraph 14.1)

**14-1.2 Application.** An application for the permit shall be made in writing to the Director of Public Works and shall be forwarded to and filed with the City Clerk. The application, accompanied by a plot plan, diagram or drawing, shall set forth the exact location, nature and extent of the opening to be made together with a statement of the purpose or purposes thereof. The drawing shall be drawn to scale. (Ord. 2000-17, paragraph 14.2). The Public Works Director shall respond within 48 hours to the Office of the City Clerk advising of his approval and/or requirements of all applications.

#### 14-1.3 Fees.

- a. The application shall be accompanied by a fee of thirty (\$30.00) dollars.
- b. If the application is for a project costing in excess of fifteen thousand (\$15,000.00) dollars then the application shall include an escrow agreement, a preliminary fee of one thousand (\$1,000.00) dollars to cover costs to review and inspect the project by the City Engineer and a performance bond in the amount of ten (10%) percent of the costs as certified by the City Engineer based on documentation submitted by the applicant. Twenty (20%) percent of the bond shall be in cash. (Ord. 2000-17, paragraph 14.3)
- c. If the application is for a project on a street that was the subject of a reconstruction project within the past five years, the applicant shall, in addition to complying with all requirements of the City Engineer and Public Works Director, post a maintenance bond guaranteeing the work for a period of two years.

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**14-1.4 Discharge of Bond.** When the Public Works Director is satisfied that the street opened has been replaced in the same or as good condition as it was before the opening, on the account of which the bond was given, the Director shall direct the City Clerk to cancel or discharge the bond.

If the Public Works Director finds that the street has not been replaced in the same or as good condition as it was before the opening, the Director shall give notice to the applicant to correct same within thirty (30) days. If the applicant fails to correct same within thirty (30) days, the cash bond shall be utilized by the Public Works Department to correct the same. In the event of a corporate bond, the City Clerk shall be authorized to take the necessary steps to collect payment from the bonding company. (Ord. 2000-17, paragraph 14.4)

Introduced: April 20, 2011

Adopted: May 16, 2011

Council President Stegman made a motion to introduce Ordinance Number 09-2011, which requires a maintenance bond and construction standards for those emergency repairs in the road way of newly reconstructed streets. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

The public hearing is scheduled for May 16, 2011.

ORDINANCE 07-2011: A Bond Ordinance in the Amount of \$120,000 to Amend City Hall Reconstruction and re-introduce Bond Ordinance 2010-24 to fund the upgrades of all City owned property, computers, commercial grade trash cans for the public right of way for the Central Business District, and any other item which is required for maintenance of public buildings.

Mayor DelVecchio read the Ordinance by title into the record. This ordinance is to re-introduce and amend Ordinance 2010-24. This will allow us to amend the ordinance to include the commercial grade garbage cans and does not increase the funding amount.

**City of Lambertville**  
**ORDINANCE 07-2011**

A BOND ORDINANCE TO AMEND ORDINANCE 2010-24, A BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$120,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$114,000 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:

The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$120,000, including the aggregate sum of \$6,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of

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**Justice Center, 25 South Union Street, Lambertville**  
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\$114,000 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.

The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Capital maintenance and improvements to various City owned buildings, including but not limited to roofs for the public works garage and historic jail structure and capital repairs and maintenance to the police headquarters, including all work and materials necessary therefore and incidental thereto.	\$53,100	\$50,445	15 years
b) Upgrades and replacement of computer equipment in various City offices, including all related costs and expenditures incidental thereto.	\$11,650	\$11,070	5 years
c) Upgrades/support services to City's communication and computer infrastructure including all related costs and expenditures incidental thereto	\$12,750	\$12,110	5 years
d) Upgrades and conversions for heating systems at City buildings, including but not limited to City Hall and Library, including all work and materials necessary therefore and incidental thereto.	\$28,500	\$27,075	25 Years
e) The purchase and installation of commercial grade trash disposal containers in City pedestrian rights of way		\$14,000	\$13,300      5 Years
TOTALS	\$120,000	\$114,000	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefore, as above stated, is the amount of the down payment for each purpose.

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.

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.

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

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the City may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 16.5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Acting City 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 \$114,000, 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 costs indicated herein for the purposes or improvements.

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

Section 8 Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements 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.

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Re: CITY OF LAMBERTVILLE  
 \$120,000/\$114,000 BOND ORDINANCE  
 VARIOUS CAPITAL IMPROVEMENTS

- 21 Certified copy of the Supplemental Debt Statement prepared as of the date of introduction of the ordinance. This should show filing in the Acting City Clerk's office as well as in Trenton.
- 22 Down Payment Certificate.
- 23 Certified copy of the minutes of the meeting of the City Council held on \_\_\_/\_\_\_/\_\_\_ showing introduction of the ordinance.
- 24 Affidavit of Publication in local newspaper following introduction of the ordinance.
- 25 Certified copy of the minutes of the meeting of the City Council held on \_\_\_/\_\_\_/\_\_\_ showing public hearing and final adoption of the ordinance.
- 26 Affidavit of Publication in local newspaper following final adoption of the ordinance.
- 27 Acting City Clerk's Certificate executed no sooner than 21 days following final publication of the ordinance.

\*\*\*\*\*  
**BELOW FOR McMANIMON & SCOTLAND, L.L.C. USE ONLY**

Posted: \_\_\_/\_\_\_/\_\_\_ Useful Life: 16.5 years Reviewed By: \_\_\_\_\_

§20 Costs: \$20,000 Mayor's Approval: \_\_\_/\_\_\_/\_\_\_

Amends/Amended By: Ord. # \_\_\_\_\_ F/A: \_\_\_/\_\_\_/\_\_\_  
 Amendment: \_\_\_\_\_

Supplements/Supplemented By: Ord. # \_\_\_\_\_ F/A: \_\_\_/\_\_\_/\_\_\_  
 Original Appropriation/Authorization: \$ \_\_\_\_\_/\$ \_\_\_\_\_

Authorization for CFO to Sell Notes:  Yes  No  
 Resolution Authorizing CFO to Sell Notes: F/A \_\_\_/\_\_\_/\_\_\_

Grant Moneys Expected: N/A

NOTES/BONDS ISSUED HEREUNDER						
AMOUNT	DATE	MATURITY	RATE	PAYDOWN	NEW/ RENEWAL	REMAINING AUTHORIZATION


DEBT STATEMENT CERTIFICATE

I, Cynthia L. Ege, Acting City Clerk of the City of Lambertville, in the County of Hunterdon, New Jersey (herein called the "City"), HEREBY CERTIFY that annexed hereto is a true and complete copy of the Supplemental Debt Statement of the City that was prepared as of August 20, 2010 by Diane Buono, who was then chief financial officer of the City and filed in my office on August 20, 2010, and that a complete, executed copy of such statement was filed in the office of the Director of the Division of Local Government Services of the State of New Jersey on August 23, 2010.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City this 20<sup>th</sup> day of August, 2010.

\_\_\_\_\_  
Cynthia L. Ege, Acting City Clerk

(SEAL)

CERTIFICATE OF DOWN PAYMENT

I, Diane Buono, Chief Financial Officer of the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") HEREBY CERTIFY that prior to the final adoption on September 20, 2010 of an ordinance entitled:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$120,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$114,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF,

there was available as a down payment for the purposes authorized by the ordinance the sum of \$6,000, which amount was appropriated as a down payment by the ordinance and was made available from the following sources (strike out inapplicable language):

- a. by provision in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes;
- b. from moneys then actually held by the City and previously contributed for such purpose other than by the City; or
- c. by emergency appropriation.

IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of August, 2010.

\_\_\_\_\_  
Diane Buono, Chief Financial Officer

Council President made a motion to approve on first reading, Ordinance 07-2011, which re-introduces and amends Ordinance 2010-24. 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 is scheduled for May 16, 2011.

## **ORDINANCES – SECOND READING AND PUBLIC HEARING.**

Ordinance 06-2011: An Ordinance to Fund the Meter Upgrades in the amount of \$60,000.

Mayor DeVecchio read the Ordinance by title into the record and opened the public hearing on Ordinance 06-2011 to fund the meter upgrades in the amount of \$60,000. He informed the members of the public that through an examination of the meters, the City found the mechanics needed to be replaced and felt it was time to upgrade to digital. The refurbished meters will be digital. They are not SMART meters and will not reset to zero when a car moves. The ordinance includes double yokes and decorative features to match those on Lambert Lane.

*City of Lambertville*  
**Ordinance 06-2011**  
*BOND ORDINANCE PROVIDING FOR TO PURCHASE AND  
REFURBISHMENT OF CITY PARKING METERS IN AND BY THE  
CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON,  
NEW JERSEY, APPROPRIATING \$60,000 THEREFOR AND  
AUTHORIZING THE ISSUANCE OF \$57,000 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 \$60,000, including the sum of \$3,000 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 \$57,000 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 the purchase and refurbishment of City parking meters, as set forth in the estimate prepared by the City's police director and filed with the City Clerk, which is hereby approved and including all work and materials necessary therefore 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 therefore.

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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.

(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 \$57,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$9,000 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

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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.

CITY OF LAMBERTVILLE  
\$60,000/\$57,000 BOND ORDINANCE  
TO PURCHASE METER UPGRADES

51 Certified copy of the Supplemental Debt Statement prepared as of the date of introduction of the ordinance. This should show filing in the Clerk's office as well as in Trenton.

52 Down Payment Certificate.

53 Certified copy of the minutes of the meeting of the City Council held on \_\_\_/\_\_\_/\_\_\_ showing introduction of the ordinance.

54 Affidavit of Publication in local newspaper following introduction of the ordinance.

55 Certified copy of the minutes of the meeting of the City Council held on \_\_\_/\_\_\_/\_\_\_ showing public hearing and final adoption of the ordinance.

56 Affidavit of Publication in local newspaper following final adoption of the ordinance.

57 Clerk's Certificate executed no sooner than 21 days following final publication of the ordinance.

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**BELOW FOR McMANIMON & SCOTLAND, L.L.C. USE ONLY**

Posted: \_\_\_/\_\_\_/\_\_\_ Useful Life: 5 years

Reviewed By: \_\_\_\_\_

§20 Costs: \$9,000

Mayor's Approval: \_\_\_/\_\_\_/\_\_\_

Amends/Amended By: Ord. # \_\_\_\_\_ F/A: \_\_\_/\_\_\_/\_\_\_

Amendment: \_\_\_\_\_

Supplements/Supplemented By: Ord. # \_\_\_\_\_ F/A: \_\_\_/\_\_\_/\_\_\_

Original Appropriation/Authorization: \$ \_\_\_\_\_/\$ \_\_\_\_\_

Authorization for CFO to Sell Notes:  Yes  No

Resolution Authorizing CFO to Sell Notes: F/A \_\_\_/\_\_\_/\_\_\_

Grant Moneys Expected: N/A

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**NOTES/BONDS ISSUED HEREUNDER**

AMOUNT	DATE	MATURITY	RATE	PAYDOWN	NEW/ RENEWAL	REMAI NING AUT HORIZATI ON

**PUBLIC COMMENT:**

Sandra Kersey of Jefferson Street asked if this was the same as the call from the cell phone. Mayor DelVecchio stated that they were separate issues and the resolution authorizing the request for proposals was put on hold but may be discussed in the future. Council President Stegman said that the pay by cell phone would allow those who are interested in paying for the meter with a credit card to do so through the use of their cell phone.

There being no additional comments from the public, Mayor DelVecchio asked for a motion to close the public hearing on Ordinance 06-2011.

**MOTION TO CLOSE THE PUBLIC HEARING on SECOND READING AND FINAL APPROVAL:**

Council President Stegman made a motion to close the public hearing on Ordinance 06-2011. Councilwoman Warner seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. **MOTION CARRIED.**

**MOTION TO ADOPT ORDINANCE 06-2011 ON SECOND READING AND FINAL APPROVAL:**

Council President Stegman made a motion to adopt Ordinance 06-2011 on second reading and final approval. Councilman Sanders seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. **MOTION CARRIED.**

**PUBLIC HEARING SCHEDULED FOR THE MAY 9, 2011 SPECIAL SESSION OF MAYOR AND COUNCIL:**

Ordinance 10-2011: 2011 CAP Bank Ordinance.

**CORRESPONDENCE.**

**WEST AMWELL TOWNSHIP:** Notice of two Ordinances to Amend Chapter 109 – establish special meeting fees, and Chapter 109 – Approval Agency.

**SOUTH HUNTERDON REGIONAL HIGH SCHOOL,** Band Parents Association’s request to sell raffle tickets on the corner of Bridge and Union Street from Saturday, April 23<sup>rd</sup> through June 5.

Mayor DelVecchio asked for a motion to approve the request from the South Hunterdon Regional High School Band Parents to sell raffle tickets on the corner of Bridge and Union from Saturday, April 23 through June 5. Council President Stegman made a motion which was seconded by Councilman Sanders. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

TOWNSHIP OF BETHLEHEM: Resolution Opposing the Reduced Allocation of Open Space Tax Levy Funds to Municipal Grant Programs.

BEVERLY KERSHAW: Request for a block party April 30<sup>th</sup> from 4 to 11 pm on Clinton Street at the end of Perry Street. The request is for trash cans. They do not need to close the street.

Councilman Sanders made a motion to approve the block party for the Clinton Street residents as requested by Beverly Kershaw. Council President Stegman seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

STATE OF NEW JERSEY, DEP: Notice of Award of \$220,000 in a Green Acres Loan and \$220,000 in a matching grant for Project Number: 1017-10-048, McCann Property.

PAIC/HIGHLAND CLAIMS: check in the amount of \$599 for reimbursement for damage to 2009 Crown Vic (Chris' Autobody).

HUNTERDON COUNTY UTILITIES AUTHORITY: Public Notice regarding a Solid Waste Management Plan for Hunterdon County. The public hearing is scheduled for May 17, 2011 with the Board of Chosen Freeholders. The documents are available for public inspection in the Clerk's Office located at 18 York Street in the City of Lambertville.

### **UNFINISHED BUSINESS.**

#### **UPDATE ON VARIOUS CONSTRUCTION IMPROVEMENT PROJECTS.**

BIKE AND PED GRANTS: The Public Works Director informed the members of the public that the only piece left is on the corner of North Union and Coryell Street. This will be completed by the contractor reconstructing Delevan and McCreedy's Alley. Council President Stegman asked the Public Works Director to reach out to Mr. Fireman.

CITY HALL: The Acting City Clerk informed the members of the public that there is a meeting on April 21<sup>st</sup> at 4 pm to discuss the outstanding issues. The Public Works Director, the Construction Official, the City Attorney and Acting City Clerk will meet with the Architect and Contractor.

LMUA CONSTRUCTION UPDATE: LMUA Commissioner Bob Hayes was present and indicated that this phase of the project was complete, however there are additional upgrades necessary which are in the process of being reviewed.

Construction:

SOUTH FRANKLIN STREET TRAFFIC CALMING: The project is substantially complete. The last remaining item is installation of planters which will be installed this week.

DELEVAN & MCCREEDY'S ALLEY ROADWAY REHABILITATION: Final paving is complete on both roadways. Two items remain to be completed on Delevan Street; concrete

repairs and installation of crosswalks. The Contractor only has to install the ADA ramps on McCready's Alley and then this project is also complete.

**PERRY STREET ROADWAY REHABILITATION:** The roadway has been staked for start of construction and tree removal has begun. United Water has completed enough of its water main work to allow us to begin substantial construction which is scheduled for a full start of work on Monday April 18<sup>th</sup>.

**NORTH UNION PHASE 2:** Survey work for this project was completed and base map preparation is underway. A public hearing is scheduled for May 4<sup>th</sup> and will include the portion of North Union Street between Buttonwood and Arnett Avenue.

**SOUTH FRANKLIN DRAINAGE:** Survey work along the unimproved portion of South Franklin Street is complete. I am waiting for the aerial survey and then I will begin my drainage review.

#### **UPDATE ON PROJECTS FOR FLOOD RELIEF.**

**SWAN CREEK:** The Acting City Clerk informed the members of the public that the City Engineer has forwarded the application for FEMA to Sarah Steward of Rush Holt's Office. The next step is to arrange a meeting.

**ELY CREEK:** The next step is the access and maintenance easement.

**SOUTH COUNTY RENEWABLE ENERGY COOP:** PPA RFP – the contract has been fully executed. A meeting is in the process of being scheduled with the SHREC and the Contractor to discuss the preliminary schedule, timing for our review of the preliminary design and execution details including staging and security for each site; the ground mounted solar facility, and to discuss any other items required by or on behalf of the Cooperative members.

**RFP FOR FILM SERIES:** awarded to the Friends of the Lambertville Library this evening.

**WORK GROUP ON SHRHS:** Councilman Sanders informed the members of the public that they have not met recently. They plan to schedule a meeting within the next month.

**COMMITTEE ON GARBAGE AND RECYCLING – April 27<sup>th</sup> referendum.**

**RIVER TO SEA:** July 30<sup>th</sup> event. The Police Director reported that they arranged to have two paid officers at the event for four hours.

**STATE OF NEW JERSEY, DOT:** letter in response to the City's request for a speed reduction on Route 29 at Cherry Street. The Acting City Clerk was asked to send a thank you letter to NJDOT. There was discussion regarding a letter in the future requesting the lowering of the speed limit on the south end of town.

#### **NEW BUSINESS.**

#### **APPOINTMENTS**

Mayor DelVecchio nominated John Duthie to fill the unexpired term ending December 31, 2011 on the Recreation Commission, Christiana Pollack as a member of the Office of Emergency Management, and Stanley Troy for the position of Public Defender . Council President Stegman made a motion to approve the appointments. Councilman Sanders seconded the motion. An affirmative roll call vote was taken by all members present in favor of the motion. MOTION CARRIED.

### **ANNOUNCEMENTS.**

**ELECTIONS:** The annual school board election for 2011 and the City of Lambertville's referendum to exceed the levy cap will be held on Wednesday, April 27, 2011. Polling Places are: YMAC and Columbia Fire House. All polls will be open from 7 AM to 9 PM.

**SHAD FESTIVAL:** will be held on April 30<sup>th</sup> and May 1.

**UNITED WATER:** will be testing the hydrants starting May 2 and ending May 6 from midnight to 8 AM.

**FREE RABIES CLINIC:** Saturday, September 17, 2011 from 1 – 3 pm.

**GOOD FRIDAY:** All City Offices will be closed on Friday in observance of Good Friday. The Garbage pick up is scheduled for Thursday, April 20<sup>th</sup>. This message has been sent out via the website to the list serve and to the Homeowner Associations via email.

### **PUBLIC PARTICIPATION/PETITIONS OF CITIZENS AND PUBLIC DISCUSSION.**

**SANDRA KERSEY, JEFFERSON STREET** stated she had three questions for Mayor and Council.

**Question 1:** What is the percentage of increase over the 2% CAP for the referendum? Mayor DelVecchio responded that it was 23.58%, which, if approved will put the \$430,000 fee for garbage and recycling back into the budget, if not approved will mean the \$200 per unit garbage and recycling fee will continue. Mayor DelVecchio explained that the tax rate is decided based on the property assessment. The increase quoted in the newspaper of \$231 increase is based on the average home assessment of \$358,000.

What happened to the City addressing the issue of equity for garbage and recycling collection. She puts out one garbage bag a week and felt it was not fair that she was charged the same as someone putting out four or five bags. Mayor DelVecchio, Councilwoman Warner and Council President Stegman responded that the change in the process is still in the works and yet to be defined. Mayor DelVecchio said the first step was to resolve the funding with the future step to address the fairness. We are waiting to see if we continue to charge a fee or if it goes back into the tax base.

**Question 2:** Is the referendum a one shot deal? Mayor DelVecchio commented that if approved, the \$430,000 will be back in the budget and the 2% increase will be inclusive of this amount going forward. It is anticipated that in future years, the City will stay within the 2% CAP.

Ms. Kersey asked what happened to the \$430,000 in the prior year. Mayor DelVecchio explained that it was a service fee charged to the residents in 2010.

She asked if this included Sparkle Week and the Mayor confirmed that for 2011, Sparkle Week is included in the fee. He is unsure going forward in future budget years what will happen.

Question 3: Ms. Kersey asked about the curb appeal of City Hall. She said we had a beautiful building and the grounds need to be spruced up. Mayor DeVecchio asked for her assistance with engaging the Kalmia Club in providing assistance with the gardens at City Hall. Ms. Kersey stated that Susan McGrath had a lot to do with that. Aladar Komjathy commented that often people plant things that are not maintained and the City needs to have a maintenance plan. Ms. Kersey stated there are perennials that are low maintenance.

Mayor DeVecchio asked if there were additional questions from the public. There being no further questions, he asked for a motion to adjourn.

### **ADJOURNMENT.**

The meeting adjourned at 7:50 pm 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 May 16, 2011.*