

City of Lambertville
Regularly Scheduled Session
August 15, 2011, 6:30 P.M.
Justice Center, 25 South Union Street
MINUTES

Mayor DelVecchio Called the meeting to order at 6:05 p.m. with a statement of compliance with the Open Public Meeting Act, putting the annual meeting notice was advertised in the January 13, 2011 issue of the Beacon; on Thursday, August 11, 2011, meeting notices were sent to the Beacon, the Democrat, the Times and the Herald; the agenda was posted to the website and the Bulletin Board at City Hall, and an email was sent to assorted individuals through the website's list serve.

ROLL CALL.

Mrs. Lawton called the roll as follows:

Present: Councilwoman Asaro, Councilman Sanders – arrived at 7:10 pm, Councilwoman Warner, Council President Stegman – arrived at 6:30 pm, and Mayor Delvecchio.

PLEDGE OF ALLEGIANCE.

Mayor DelVecchio led the public in the Pledge of Allegiance.

MOMENT OF SILENCE.

Police Director Cocuzza led the public in a moment of silence in honor of those serving their country in the United States Armed Forces.

REGIONALIZATION UPDATE.

Mr. Steve Wolock and Mr. Dan Seiter were present to discuss the progress with the regionalization study for the elementary schools.

Mr. Steve Wolock and Mr. Dan Seiter were present to discuss the regionalization study. The \$50,000 fee was ratified by the voters on April 27th, 2011. The committee is comprised of school board and community members. They received proposals which ranged from 32,000 to \$150,000 with funding to support \$50,000. The final report will present data and recommendations. It could be a new entity, but all three communities have to vote on the recommendations. The options are as follows: Pre-Kindergarten through 12 grade district, Lambertville and West Amwell, Lambertville, West Amwell and Stockton, or other. The biggest issue will be busing the students. The committee wants to set up a town meeting.

RESOLUTION TO GO INTO CLOSED SESSION.

RESOLUTION

“Authorizing a Closed Session at the Regularly Schedule Session of the 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 August 15, 2011, in the Justice Center 25 South Union Street,

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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, Councilwoman Warner, Mayor DelVecchio

Nays:

Note: Council President Stegman arrived at 6:30 pm.

Mayor DelVecchio and City Council convened in closed session at 6:33 p.m.

Mayor DelVecchio and City Council re-convened in regular session at 6:57 p.m.

APPROVAL OF MINUTES.

Council President Stegman made a motion to approve the meeting minutes from the July 18, 2011 Regularly Scheduled Meeting Minutes and the July 18, 2011 Special Session Meeting Minutes as submitted. 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.

Councilwoman Warner 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, Acting Public Works Director – Lester Myers, City Clerk – Cynthia Ege, Acting Chief Financial Officer and Director of Finance – Diane Sherry Buono. Council President Stegman 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 was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTIONS.

THE FOLLOWING RESOLUTIONS WERE PULLED FROM THE CONSENT AGENDA:

RESOLUTION NUMBER 99-2011: *A Resolution Supporting the Statewide Ban on Natural Gas development involving Hydraulic fracturing to prevent and avoid degradation of the water resources and ecosystems of the Delaware River Watershed.- NO ACTION.*

“A Resolution Supporting the Statewide Ban on Natural Gas development involving Hydraulic fracturing to prevent and avoid degradation of the water resources and ecosystems of the Delaware River Watershed”

WHEREAS, natural gas development is proposed within the Delaware River Watershed; and

WHEREAS, the Delaware River is designated as a Wild and Scenic River of federally recognized outstanding resources, natural assets, and exceptional water quality; and

WHEREAS, the Delaware River supplied drinking water to over 15 million people, many of them downstream of the Marcellus Shale fairway in the Upper and Middle Delaware River Watershed, including the City of Lambertville, approximately 3 million people in New Jersey; and

WHEREAS, the Delaware River is the lifeblood of the communities along the River, is essential for commerce, tourism and recreation, and once contaminated will negatively impact those communities and those uses and can be very costly or impossible to remediate and can take a very long time; and

WHEREAS, the Delaware River Basin Commission (DRBC) has designated the non-tidal River – the entire 197 mile River from Hancock, New York to Trenton, New Jersey – as Special Protection Waters due to the exceptional water quality and “exceptionally high scenic, recreational, ecological, and/or water supply values” of the River; and

WHEREAS, these special waters and ecosystems must be maintained as per the DRBC Water Code, so that there be “no measurable change in existing water quality except towards natural conditions” requiring protection from avoidable water quality degradation; and

WHEREAS, degradation of these waters would be illegal and would impose significant hardships, public health detriment, and economic harm if degraded; and

WHEREAS, the natural gas development process involves the use of chemicals and hazardous materials during construction, drilling, hydraulic fracturing, gas production and delivery, well maintenance, and workover operations; and

WHEREAS, hydraulic fracturing of underground geologic formations is often accomplished by injecting a complex mix of fluids and chemicals, including large volumes of water, on average 4.5 million gallons per well, under very high pressure to create fractures in gas bearing geologic formations, and

WHEREAS, billions of gallons of fresh water will be depleted by hydraulic fracturing (the water is not returned to the source and is classified as a consumptive loss) and at least 200,000 acres of land are already leased for gas development, and that tens of thousands of wells are expected to be drilled in the Upper and Middle Delaware River Watershed; and

WHEREAS, many of the chemical constituents injected during hydraulic fracturing have documented adverse health effects and/or adverse environmental impacts; and

WHEREAS, use of these hydraulic fracturing mixes exposes adjacent land and surface waters to the risk of contamination through open pit storage, truck transport on roadways, and activities during well development; and

WHEREAS, in 2005, as part of the federal Energy Policy Act and over objections of health care, scientific, environmental and conservation communities, regulation of hydraulic fracturing fluids under the Safe Drinking Water Act by the Environmental Protection Agency was exempted, thereby allowing oil and gas companies to use these substances without federal oversight or standards; and

WHEREAS, the oil and gas industry remains one of the only industries that is allowed to inject such known chemical constituents directly onto or adjacent to underground drinking water supplies without federal oversight; and

WHEREAS, the oil and gas industry is not required by federal law to publicly disclose chemical formulas of hydraulic fracturing fluids so that this information is publicly available for health and safety purposes; and

WHEREAS, proposed natural gas wells in the Delaware River Watershed are planning to use chemical additives in drilling and to use hydraulic fracturing in developing these wells and exploratory wells that have been drilled have used chemical additives in drilling; and

WHEREAS, natural gas development will fragment forests in the Upper and Middle Delaware River Watershed, which is 89% forested, and convert naturally vegetated land to impervious cover and industrial conditions, increasing Stormwater runoff and pollution, flooding, sedimentation, and erosion to the tributaries and the mainstem River and will emit air pollution during constructing, drilling, extraction, and production of natural gas; and

WHEREAS, the Delaware River Basin Commission is seeking funding to complete a cumulative impact analysis of natural gas development on the water resources of the Delaware River Basin; and

WHEREAS, the US Environmental Protection Agency is studying the practice of hydraulic fracturing and the study will be completed in 2012 and, if it is recommended by the study that hydraulic fracturing should be subject to the Safe Drinking Water Act, that the federal oversight of hydraulic fracturing would not be unduly burdensome on industry or the economy; and

WHEREAS, the City of Lambertville has declared that the Delaware River will be significantly impacted with a long term affect on many of the valued traditions and the cultural heritage celebrated by the community which include:

- the 100 year old tradition of fishing for Shad,
- tourism: Shad Festival and the Winter Festival,
- recreational activities celebrated on the river and
- will overall negatively impact the communities residing on the river as well as those who depend on the river for drinking water; and

WHEREAS, the wise stewardship of the City of Lambertville's natural resources involves protection of the City of Lambertville's water supplies and water resources for generations to come; and

WHEREAS, protection of the City of Lambertville's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to cleaning up contamination and restoring degraded environments after the fact;

NOW THEREFORE BE IT RESOLVED that on the twentieth day of June, 2011, the City of Lambertville supports strong regulation by the DRBC to prevent pollution and

avoid degradation of the water resources and ecosystems of the Delaware River Watershed;
and

BE IT RESOLVED that the City of Lambertville supports a New Jersey statewide ban on natural gas development involving hydraulic fracturing; and

BE IT RESOLVED that the City of Lambertville calls on our Congressional Representative and U.S. Senators to join Senator Lautenberg, Congressman Pallone and Congressman Holt in co-sponsoring H.R. 1084/S. 587, the Fracturing Responsibility and Awareness of Chemicals Act (“FRAC Act”) a bill that would repeal the fracking exemption to the Safe Drinking Water Act and require disclosure of chemicals used in fracking.

PASSED, APPROVED, AND EFFECTIVE on this 18th day of July, 2011.

Resolution Number 126-2011: A Resolution to Award the Contract to Take A Powder for the Decorative Meter Pole Bases, Sleeves and Collar for a total Price of \$17,400, funded through Ordinance 06-2011, amended by Ordinance 22-2011. NO ACTION.

City of Lambertville

Resolution 126-2011

A Resolution to Award the Bid for the Decorative Yoke Adapters, Meter Pole Bases, Meter Pole Sleeves, and Pole Collars

WHEREAS, the City of Lambertville advertised the bid in the legal section of the July 8, 2011 issue of the Trenton Times for Decorative Yoke Adapters, Meter Pole Bases, Meter Pole Sleeves and Pole Collars, and

WHEREAS, the City of Lambertville received two bids on July22, 2011 and publicly opened and read the bid document in accordance with the Local Public Contracts Law, and

WHEREAS, the City Attorney has reviewed the packages submitted and has determined that the responders have complied with statutory requirements and has noted that one responder was for new meters and the second responder was for refurbished and remanufactured meters, and

WHEREAS, the budget for the decorative yoke adapters, meter pole bases, meter pole sleeves and pole collars will be paid through the following:

Ordinance Number 06-2011, purchase of 90, \$10,440

Ordinance Number 22-2011, when approved, a purchase of 60. \$6,960, and

WHEREAS, the following responders bid on the project:

Responder	Amount
Take A Powder	\$17,400 for 150 each of the following: <div style="text-align: right;"> Yoke Adapters - \$32 Decorative Meter Pole Bases - \$40 Decorative Meter Pole Sleeves - \$30 Decorative Pole Collar - \$14 </div>
POM Incorporated	\$17,670 for iron, \$15,007.50 for aluminum <div style="text-align: right;"> Yoke Adapters - \$38.99 (alum), \$56.74 (iron) Decorative Meter Pole Bases: \$24.66 Decorative Meter pole Sleeves: \$36.40 Decorative Pole Collar – not available </div>

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 bid received for the refurbished and remanufactured meters is the most responsive and advantageous, price and other factors considered.

BE IT FURTHER RESOLVED THAT THE contract is hereby awarded to Take a Powder, Inc., of Paterson, NJ at an amount not to exceed \$15,800 for the purchase of 136 yoke adapters, decorative meter pole bases, decorative meter pole sleeves and decorative pole collars.

BE IT FURTHER RESOLVED THAT the Mayor and City Clerk are here by authorized to sign the contract on behalf of the City of Lambertville.

ADOPTED: August 15, 2011

THE FOLLOWING RESOLUTIONS WERE APPROVED ON THE CONSENT AGENDA:

- i. Resolution Number 125-2011: *A Resolution to Authorize the Purchase of a New Holland L225 Skid Steer: 82 HP, operating load 2500 lbs off of State Contract for the amount of \$47,918, funded through Ordinance 03-2011.*

City of Lambertville

Resolution 125-2011

A Resolution to Authorize the Purchase of a New Holland L225 Skid Steer: 82 HP, operating load 25090 lbs Off State Contract in the Amount of \$47,918

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 76907, includes the following equipment: New Holland L225 Skid Steer: 82 HP, operating load 2500 lbs, enclosed cab with heat and air conditioning, front and rear lights, front loader hydraulics to run attachments, high flow hydraulics, electro-hydraulic switchable controls with two speed (includes arm rests and foot throttle), 1 New Holland 4 x 1 construction 72" bucket, 1 New Holland 72" high flow snow blower, for the total amount of \$47,918.

WHEREAS, the Acting CFO has certified the funds are available.

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 a New Holland L225 Skid Steer as described in the former paragraph, purchased off the State Contract, Number 76907, is hereby authorized.

ADOPTED: August 15, 2011

- ii. Resolution Number 127-2011: *A Resolution to Award the Contract to J&J Eick Construction for the Window and Guard Rail at the Police Department, 340 North Main Street, funded through Ordinance 07-2011.*

Resolution 127-2011

A Resolution to Award the Bid for Window Replacement and Guardrail Installation at the Police Station

WHEREAS, the City of Lambertville solicited for bids for window replacements and guardrail installation at the Police Station, located at 349 North Main Street, and

WHEREAS, the City of Lambertville received three bids on July 26, 2011 through Michael Burns Architect fo the City of Lambertville in accordance with the Local Public Contracts Law, and

WHEREAS, the City Architect has reviewed the bids and has determined the bid submitted by J&J Eick Construction in the amount of \$13,910 was most advantageous, price and other factors considered, and

WHEREAS, the budget for the maintenance on buildings in Ordinance 07-2011 totals \$53,100, and

WHEREAS, the Acting CFO has certified that funds are available.

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 bid received for the window replacement and guardrail installation is the most responsive and advantageous, price and other factors considered.

BE IT FURTHER RESOLVED THAT THE contract is hereby awarded to J&J Eick Construction at an amount not to exceed \$13,910 for the window replacement and guardrail installation at the Police Station, located at 349 North Main Street.

BE IT FURTHER RESOLVED THAT the Mayor and City Clerk are here by authorized to sign the contract on behalf of the City of Lambertville.

ADOPTED: August 15, 2011

- iii. Resolution Number 128-2011: A Resolution to Approve the Best Practice Checklist for Submission to the Director, Division of Local Government Services.

City of Lambertville

Resolution 128-2011

A Resolution to Approve the Best Practice Inventory Program

WHEREAS, the City of Lambertville completed the CY 2011 Best Practice Inventory Program, and

WHEREAS, the CY 2011 Best Practice Inventory Program was reviewed by Mayor and Council at the regularly scheduled session of August 15, 2011 held at the Justice Center located at 25 South Union Street, and

WHEREAS, the filing deadline for Calendar Year Municipalities is September 1, 2011, and

WHEREAS, the Acting CFO has certified the answers on the submission of the form are true and correct to the best of her knowledge.

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 CY2011 Best Practice Inventory Program has been reviewed by Mayor and Council at the regularly scheduled session held on Monday, August 15, 2011.

BE IT FURTHER RESOLVED that the Acting CFO and the City Clerk are hereby authorized to submit the Best Practice Inventory completed for the City of Lambertville.

ADOPTED: August 15, 2011

- iv. Resolution Number 129-2011: A Resolution Extending the Grace Period for Third Quarter Taxes.

City of Lambertville
Resolution 129-2011
A Resolution Extending Grace Period for 3rd Quarter Taxes

WHEREAS, the State of New Jersey did not release the school tax rates and the County of Hunterdon did not set the tax rate for the City of Lambertville for the year 2011, and

WHEREAS, this caused a delay in releasing the tax bills for the City of Lambertville for the 3rd quarter for 2011.

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 grace period for the payment of 3rd quarter taxes be extended to 25 days after the date tax bills are mailed.

ADOPTED: August 15, 2011

- v. Resolution Number 130-2011: A Resolution Authorizing the Contracts with the DRJTBC, for Perry Street funded through Ordinance 2010-21.

City of Lambertville
Resolution 130-2011
A Resolution Authorizing the Contract with DRJTBC for Perry Street

WHEREAS, at the regularly scheduled session held on March 16, 2009, the City of Lambertville authorized the application for grant funds to the DRJTC for the reconstruction of Perry Street, and

WHEREAS, the City of Lambertville received a grant in the amount of \$349,200 for the reconstruction project for Perry Street from the Delaware River Joint Toll Bridge Commission, and

WHEREAS, on March 21, 2011, the City awarded a contract to P.A. Contractors, Inc., in the amount of \$252,552.30 for the reconstruction project, and

WHEREAS, on May 16, 2011, the City authorized change order number 1, increasing the project by \$6,800, and

WHEREAS, on July 18, 2011, the City authorized change order number 2, decreasing the project by \$7,063.42, and

WHEREAS, the total due to PA Contractors for the reconstruction of Perry Street is \$252,288.88.

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 Mayor and City Clerk are hereby authorized to sign the contract with Delaware River Joint Toll Bridge Commission for the Perry Street Reconstruction Project for the full grant amount of \$349,200.

ADOPTED: August 15, 2011

- vi. Resolution Number 131-2011: *A Resolution Authorizing the Purchase of a 2012 Cheverolet Tahoe PPV White Off State Contract, Number A79008, funded through Ordinance 13-2011.*

City of Lambertville
Resolution 131-2011
A Resolution to Authorize the Purchase of a 2012 Cheverolet Tahoe PPV White Off State Contract in the Amount of \$38,184.69

WHEREAS, the City of Lambertville introduced and adopted Ordinance number 13-2011 to fund the purchase of equipment for the Police Department, and

WHEREAS, the amount appropriated in the ordinance for equipment is \$45,000, and

WHEREAS, the State Contract Number A79008, includes the following equipment: 2012 Chevrolet Tahoe PPV White, base vehicle with 4 WD 4 x 4 Option (SSV 4 x 4), keyed alike, driver's side spotlight, rear door handles inoperative, rear window switches inoperative, full size spare tire, skid plate, auxiliary red/clear dome lamp, EA153 80 amp power source, Whelen Liberty LED Lightbar, Wig wags, dual rear Windows LED Avenger's, side cargo Window Dual LED's, Four Corner Vertex LED's, Switchbox, Sire, speaker and bracket, behind grill speaker, console with armrest, cup holders and microphone clip, for the total amount of \$38,184.69.

WHEREAS, the Acting CFO has certified the funds are available.

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 a 2012 Chevrolet Tahoe as described in the former paragraph purchased off the State Contract, Number A79008, is hereby authorized.

ADOPTED: August 15, 2011

- vii. Resolution Number 134-2011: *A Resolution Memorializing the hiring of Rebecca Clark as the Part Time Police Secretary for 15 hours per week, at a rate of \$12 per hour.*

City of Lambertville
Resolution Number 134-2011
A Resolution to Hire Rebecca Clark as the Part Time Police Secretary

WHEREAS, the Administrative Code of the City of Lambertville authorizes the Mayor to hire employees whose election or appointment is not covered under a separate provision, and

WHEREAS, the Mayor in consultant with the Police Director has hired Rebecca Clark as the Part Time Secretary to the Police Department.

NOW THEREFORE BE IT RESOLVED BY Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that Rebecca Clark will begin her appointment effective August 22, 2011, at a rate of \$12 per hour, not to exceed 15 hours per week.

ADOPTED: August 15, 2011

- viii. Resolution Number 135-2011: *A Resolution Approving the Request from the Twin Rivertown Projects, Inc., for the October 8 & 9, 2011 from noon to 7 pm.*

City of Lambertville
Resolution Number 135-2011
A Resolution to Approve the Social Affairs Permit for the Twin Rivertown Projects, Inc., for Oktoberfest

WHEREAS; The Twin Rivertown Projects, Inc., has applied for a social affairs permit to be held at River Horse Brewery on October 8 and 9 from noon to 7 pm, and

WHEREAS, the Twin Rivertown Projects, Inc., is a local nonprofit organization that raises funds to benefit local charities, and

WHEREAS, the Police Director has reviewed the application and has no objection to the event.

NOW THEREFORE BE IT RESOLVED BY Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the City Clerk and Police Director are hereby authorized to sign the application for a two day social affairs permit filed by the Twin Rivertown Projects, Inc., for October 8 and 9 from noon to 7 pm..

ADOPTED: August 15, 2011

- ix. Resolution Number 137-2011: *A Resolution Approving the Request from the Lambertville Area Chamber of Commerce for the November 18, 2011 event titled Taste of Lambertville.*

City of Lambertville
Resolution Number 137-2011
A Resolution to Approve the Social Affairs Permit for the Lambertville Chamber of Commerce for A Taste of Lambertville

WHEREAS; the Lambertville Chamber of Commerce, has applied for a social affairs permit to be held at the Lambertville New Hope Rescue Squad on November 18, 2011 from noon to 6 to 9 pm, and

WHEREAS, the Lambertville Chamber of Commerce, is a local nonprofit organization that raises funds to benefit local business activities, and

WHEREAS, the Police Director has reviewed the application and has no objection to the event.

NOW THEREFORE BE IT RESOLVED BY Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the City Clerk and Police Director are hereby authorized to sign the application for a one day social affairs permit filed by the Lambertville Chamber of Commerce, for November 18, 2011 from noon to 6 to 9 pm..

ADOPTED: August 15, 2011

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

Resolution Number 132-2011: A Resolution to accept the 2010 Audit, certifying the review of the comments and recommendations page by Mayor and Council.

City of Lambertville
Resolution 132-2011
Governing Body Certification of the Annual Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the *City Clerk* pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

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WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the *Mayor and Council* of the *City of Lambertville*, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON *August 15, 2011*.

Clerk

ADOPTED: August 15, 2011

Resolution Number 133-2011: A Resolution Authorizing the Increase in the Salary and Wage for the Acting CFO and Director of Finance.

City of Lambertville

Resolution 133-2011

A Resolution Authorizing the Salary & Wage for the Acting CFO, Director of Finance

WHEREAS, Diane Sherry Buono was hired as the Acting CFO and Director of Finance at the special session of Mayor and Council held on May 24, 2010 at an annual salary of \$36,000, and

WHEREAS, a review of the 2010 audit and the department needs indicates an increase in time is required to sufficiently staff the Finance Department of the City of Lambertville.

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 salary for the Acting CFO and Director of Finance is hereby increased from \$36,000 to \$41,000 effective immediately, to fund additional time required to efficiently and effectively manage the Finance Department.

ADOPTED: August 15, 2011

Resolution Number 136-2011: A Resolution to Approve the Corrective Action Plan prepared by the CFO for the City of Lambertville.

City of Lambertville

Resolution 136-2011

“Resolution Approving the Corrective Action Plan”

Whereas, in accordance with the Government Auditing Standards, it is necessary for the City of Lambertville to prepare a Corrective Action Plan as part of the annual audit process; and

Whereas, it is further required that all findings and recommendations contained in the audit report be addressed by the chief financial officer of the City of Lambertville by means of a Corrective Action Plan, which will address the method of resolving any problems as set forth in the findings and recommendations of the audit report; and

Whereas, said Corrective Action Plan is to be submitted to the Division of Local Government Services and placed on file with the City Clerk within 60 days from the date the audit is received by the City of Lambertville.

NOW THEREFORE BE IT RESOLVED by the City of Lambertville, as follows:

1. The Corrective Action Plan as attached is hereby adopted by the City of Lambertville in accordance with applicable statutory law or regulations.
2. A copy of same shall be forwarded to all appropriate parties.

Adopted: August 15-2011

Council President Stegman made a motion to approve Resolution Number 132-2011 accepting the audit, Number 133-2011 authorizing the increase in salary for the Acting CFO, and Number 136-2011 approving the Corrective Action Plan. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCES – FIRST READING AND INTRODUCTION.

Ordinance Number 20-2011: *An Ordinance to create a handicapped Parking Space at 23 Swan Street.*

Mayor DeVecchio read Ordinance Number 20-2011, creating handicapped parking space in front of 23 Swan Street into the record.

City of Lambertville

ORDINANCE 20-2011

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE CITY OF LAMBERTVILLE, 1990, CHAPTER 7: TRAFFIC

BE IT ORDAINED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the Revised General Ordinances of the City of Lambertville, 1990, Chapter 7: Traffic be amended as follows:

SECTION 1: Section 7-4.7 Parking Restricted for Use by Handicapped Persons is amended by adding the following location:

To include a curb cut and handicapped parking space in front of 23 Swan Street.

SECTION 2: This ordinance shall take effect immediately upon adoption according to law.

Introduced: August 15, 2011

Public Hearing: September 19, 2011

Mayor DelVecchio asked for comments from the public. There being no public comment, he asked for a motion to introduce Ordinance 20-2011.

Councilwoman Asaro made a motion to introduce Ordinance 20-2011. 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 September 19, 2011.

Ordinance Number 21-2011: *An Ordinance to create a handicapped parking space at 171 George Street.*

Mayor DelVecchio read Ordinance Number 21-2011, creating a handicapped parking space in front of 171 George Street, into the record.

City of Lambertville
ORDINANCE 21-2011

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE CITY OF LAMBERTVILLE, 1990, CHAPTER 7: TRAFFIC

BE IT ORDAINED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the Revised General Ordinances of the City of Lambertville, 1990, Chapter 7: Traffic be amended as follows:

SECTION 1: Section 7-4.7 Parking Restricted for Use by Handicapped Persons is amended by adding the following location:

To include a curb cut and handicapped parking space in front of 171 George Street.

SECTION 2: This ordinance shall take effect immediately upon adoption according to law.

Introduced: August 15, 2011

Public Hearing: September 19, 2011

Mayor DelVecchio asked if there were questions from the public. There being no questions, he asked for a motion to introduce Ordinance 21-2011.

Council President Stegman made a motion to introduce Ordinance 21-2011. Councilwoman Asaro 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 September 19, 2011.

Ordinance Number 22-2011: *An Ordinance to Amend Ordinance 06-2011, to increase the funding by \$10,000 for the parking meters and decorative sleeves.*

Mayor DelVecchio read Ordinance Number 22-2011 into the record by title. He informed the members of the public that this is a supplemental funding ordinance to 06-2011 and will fund refurbished electronic mechanisms, yoke adapters, decorative meter pole bases and sleeves,

refurbished meter housings and one replacement collection cart. This will allow for the payment of meter fees in nickels, dimes and quarters. We will need to replace the batteries annually.

City of Lambertville
ORDINANCE NUMBER 22-2011
BOND ORDINANCE PROVIDING A SUPPLEMENTAL
APPROPRIATION OF \$10,000 FOR PURCHASE AND
REFURBISHMENT OF CITY PARKING METERS IN AND BY
THE CITY OF LAMBERTVILLE, IN THE COUNTY OF
HUNTERDON, NEW JERSEY AND AUTHORIZING THE
ISSUANCE OF \$9,500 BONDS OR NOTES OF THE CITY FOR
FINANCING PART OF THE APPROPRIATION.

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 improvement described in Section 3 of this bond ordinance has heretofore been authorized to be undertaken by the City of Lambertville, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$10,000, such sum being in addition to the \$60,000 appropriated therefore by bond ordinance #2011-06 of the City finally adopted May 25, 2011 ("Bond Ordinance 2011-06"), and including the sum of \$2,500 as the additional 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.

In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$9,500 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.

(a) The improvement heretofore 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 (b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$66,500, including the \$57,000 bonds or notes authorized by bond ordinance #2011-06 and the \$9,500 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$70,000, including the \$60,000 appropriated by bond ordinance #2011-06 and the \$10,000 appropriated herein.

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:

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(a) The improvement or purpose described in Section 3 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 bond 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 \$9,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$15,000 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. Of this amount, \$9,000 was estimated for these items of expense in bond ordinance #2011-06 and an additional \$6,000 is estimated therefore herein.

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 §1.150-2 or any successor provisions of federal income tax law.

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.

Mayor DelVecchio asked if there were any questions from the public. There being no questions, he asked for a motion to introduce the ordinance.

Council President Stegman made a motion to introduce on first reading Ordinance 22-2011 to fund meter upgrades. Councilwoman Asaro 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 September 19, 2011.

Ordinance Number 23-2011: *A Bond Ordinance to Fund Swan Creek Flood Project in the amount of \$10,000, amending Ordinance 2009-14.*

Mayor DelVecchio read Ordinance Number 23-2011 into the record by title. He informed the members of the public that this ordinance will provide additional funding for the back flooding feasibility study for the Ely Creek Mitigation Project and Swan Creek Mitigation Project.

City of Lambertville
ORDINANCE NUMBER 23-2011

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$9,590 FOR FUNDING OF THE BACK FLOODING FEASIBILITY STUDY IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$9,110 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION.

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 of this bond ordinance has heretofore been authorized to be undertaken by the City of Lambertville, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$9,590, such sum being in addition to the \$50,000 appropriated therefore by bond ordinance #2009-14 of the City finally adopted August 17, 2009 (Bond Ordinance 2009-14); the \$100,000 appropriated therefore by bond ordinance # 2008-04 of the City finally adopted March 17, 2008 ("Bond Ordinance #2008-04"); the \$100,000 appropriated by bond ordinance #2007-16 of the City finally adopted April 16, 2007 ("Bond Ordinance 2007-16); and the \$40,000 appropriated therefore by bond ordinance #2007-01 of the City finally adopted January 16, 2007 ("Bond Ordinance #2007-01"), and including the sum of \$480 as the additional down payment required by the Local Bond Law. The additional 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 additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$9,110 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 heretofore authorized and the purpose for the financing of which the bonds are to be issued is the Funding of the Back Flooding Feasibility Study for the Ely Creek Region, a portion of the Alexauken Creek Region and Swan Creek as described in the bond ordinances #2007-1; #2007-16; #2008-04 and #2009-14, all as shown on and in accordance with the proposal on file in the office of the Clerk, which proposal is hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$284,610, including the \$47,500 authorized under Bond Ordinance #2009-14, the \$38,000 bonds or notes authorized by Bond Ordinance #2007-01, the \$95,000 bonds or notes authorized by Bond Ordinance #2007-16, the \$95,000 bonds or notes authorized by Bond Ordinance # 2008-04 and the \$9,110 bonds or notes authorized herein.

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(c) The estimated cost of the improvement or purpose is \$299,590, including the including the \$50,000 appropriated under Bond Ordinance #2009-14; the \$40,000 appropriated by Bond Ordinance #2007-01, the \$100,000 appropriated by Bond Ordinance #2007-16, the \$100,000 by Bond Ordinance #2008-04, and the \$9,590 appropriated herein.

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 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 bond ordinance, is 15 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 \$9,110, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$299,590 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. Of this amount, \$50,000 was estimated for these items of expense in Bond Ordinance #2009-14; \$40,000 was estimated for these items of expense in Bond Ordinance #2007-01; \$100,000 was estimated for these items of expense in Bond Ordinance 2007-16, \$100,000 was estimated for these items of expense in Bond Ordinance 2008-04, and an additional \$9,590 is estimated therefore herein.

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 §1.150-2 or any successor provisions of federal income tax law.

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.

Mayor DelVecchio asked if there were any questions from the public. There being no questions, he asked for a motion to introduce the ordinance.

Councilwoman Warner made a motion to introduce on first reading Ordinance 23-2011 to provide supplemental funding for the Flood Mitigation Projects. 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 September 19, 2011.

ORDINANCES – SECOND READING AND PUBLIC HEARING.

Ordinance 19-2011: An Ordinance to Amend Chapter VIII, Article III, 8-29, Rules and Regulations for Residential Parking Permit Issuance.

Mayor DelVecchio informed the members of the public that the public hearing for this ordinance will be on the agenda for the September 19, 2011 agenda.

City of Lambertville
Ordinance 19-2011
An Ordinance to Amend Chapter VIII, Article III, 8-29, Rules and Regulations

8-28 RULES AND REGULATIONS.

The resident parking permit ("permit") shall be issued under the following regulations and rules:

- a. A completed application with the following information is required:
 1. A valid, current New Jersey driver's license; (removed "or")
 2. A valid New Jersey motor vehicle registration for the vehicle for which the permit is sought, which must include the applicant's Lambertville address;
 3. Lease or deed for the residence, which proves residency and reflects off street parking is not available.
 4. If you are a licensed driver relocating to New Jersey from another state, you need to change titles and registration for all vehicles currently titled and registered in another state. You must

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register your vehicles within 60 days or before your out-of-state registration expires (whichever is first).

b. Upon the payment of the required annual fee, Temporary Permits may be issued for a period of 60 days to allow newly relocated resident(s) to obtain the necessary New Jersey License and Registration. The City Clerk is authorized to extend the temporary permit an additional 30 days for a total period of time not to exceed 90 days if the registration is for a leased vehicle. The applicant must supply proof that the proper paperwork was filed with the Motor Vehicle Commission of the State of New Jersey in order for the Clerk to consider the request for extension.

c. The application for a permit shall have appended thereto an attestation by the applicant affirming that:

1. The applicant is a resident of the City of Lambertville;
2. There is no available driveway or garage at the applicant's residence; and
3. There is no other free and legal off-street parking available for the vehicles for which the permit is sought within one (1) block of the applicant's resident.

c. Each permit shall be valid in the year in which it is issued and shall be renewable upon expiration provided the conditions for issuance continue to exist.

d. Each permit shall be valid for one (1) year from the date of issue, and shall be renewable upon expiration provided that the conditions for issuance continue to exist.

e. A permit shall be issued to the resident upon payment of a fee of forty-five (\$45) dollars. If required by the resident a permit which may be transferred between a personal vehicle and a company vehicle may be issued upon documentation presented to the City Clerk for a fee of sixty (\$60) dollars. The fee for a duplicate permit or a permit for a different vehicle shall be twenty-five (\$25.00). There shall be no monthly prorating for the permit regardless of the permanent or temporary status. (Ord. #2010-03)

f. Each permit shall be issued with a corresponding sticker to be affixed on the rear window, driver's side, lower left-hand corner of the motor vehicle. Each sticker shall contain a number corresponding to the permit and shall show the street address of the resident on its face.

g. Permits shall automatically be revoked if the vehicle ceases to qualify or if the permit is affixed to a vehicle other than the one so designated on the application. Vehicles with revoked stickers will be subject to the same penalty as a vehicle parked in a similar location without a permit.

h. Permits are not transferable and shall automatically be revoked in the event a holder ceases to be a resident of the City of Lambertville.

i. All vehicles properly displaying a valid residential parking permit shall be exempt from paying any meter fee and from the time limits imposed by signage on the street on which their residence is located. The permit shall not be valid in any City owned lot. (Ord. #87-10, paragraph 2; Ord. #88-30, paragraphs 2, 3; Ord. #90-01, paragraph 5; Ord. #2001-11)

INTRODUCED: July 18, 2011

PUBLIC HEARING: August 15, 2011

CORRESPONDENCE.

ELIZABETHTOWN GAS: Notice of Public Hearing for the Periodic Basic Gas Supply Service Rate. The petition is to decrease its current BGSS-P rate from \$0.8031 per therm to \$.06924.

DELAWARE TOWNSHIP: Public Notice of Ordinance #2011-06LU: An Ordinance Supplementing and Amending the Land Use Ordinance of the Township of Delaware by Permitting Solar Energy Systems.

NJ TRANSIT PUBLIC HEARING NOTICE to conduct public hearings in order to gather information and receive comments from interested parties concerning programs developed pursuant to the Senior Citizen and Disabled Resident Transportation Assistance Act (SCDRTAP).

RICHARD AND JOHANNA CUSHING: Letter regarding United Water New Jersey's notice and Water Quality.

SCOTT TUTTON, ACT SUPORTS MANAGEMENT: Letter requesting approval for a 10 mile race to benefit the Brad Kaminsky Foundation scheduled for June 16, 2012. The race will begin in the NHS parking lot, travel up the canal towpath on the PA side of the river, cross at Stockton, NJ, and return down the NJ side canal towpath to Lambertville, where runners will cross back over to PA and finish at the school.

DEBORAH JONES: letter requesting approval for a block party on Coryell Street between North Main and North Franklin Streets on Sunday, September 4, with a rain date of September 11 from 3 to 10 pm.

Councilman Sanders made a motion to approve the request for a block party made by Deborah Jones scheduled for September 4, 2011. Councilwoman Asaro seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

JOAN AND HERB SPIEGEL: Letter requesting approval for a block party on Clinton Street from Jefferson to Delevan Streets for Saturday, October 1, 2011 from 4 – 9 pm.

Councilman Sanders made a motion to approve the request for a block party made by the Spiegel's. Councilwoman Warner seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

WEST AMWELL TOWNSHIP PLANNING BOARD: Notice of Adoption of Amended Community Facilities Plan Element of the Master Plan.

STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION: letter announcing the acceptance of applications for Municipal Aid, Bikeway, and Safe Streets to Transit Programs.

DENISE JARVIS: letter requesting approval for a block party on Ferry Street between Union and Main Street on Sunday, September 18 from 5 – 9 pm.

Council Present Stegman made a motion to approve the request for a block party made by Denise Jarvis. Councilman Sanders seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

MADELINE AND ROSS GITOMER: request for permission to host a 30th wedding anniversary party on Saturday, September 3, 2011 at the corner of Delaware Avenue and Clinton Street for Drew and Suzanne Gitomer.

Councilman Sanders made a motion to approve the request from the Gitomer Family for the party on the corner of Delaware and Clinton Street. Council President Stegman seconded the

motion. An affirmative roll call vote was taken in favor of the motion by all members present.
MOTION CARRIED.

TOWNSHIP OF CLINTON: Resolutions Opposing the Williams Transco Pipeline and hydraulic Fracturing for Natural Gas.

BARBARA J. CHILAKOS: letter supporting Woodcrest Homeowners Association.

JCP&L: Annual Universal Service Fund Compliance Filing Notice, BPU Docket No. ER11070397.

BOARD OF CHOSEN FREEHOLDERS: Memorandum Regarding Support for the OPRA Amendment to preserve its original intent and reduce expenses to the public by providing that in situations where the requested documents are already available to the public on a downloadable government website, regardless of the format, a referral of the requestor to said website shall fully comply with the OPRA obligation of the governmental unit, with no need to convert the data contained therein to any other format.

UNFINISHED BUSINESS.

UPDATE ON VARIOUS CONSTRUCTION IMPROVEMENT PROJECTS.

City Hall – Attorney Faherty will check with the Clerk on the status.

LMUA Construction Update – Lester will check on the status.

Construction:

North Union Street – Phase 2 – bids were received and will be on the August 29th special session agenda.

South Franklin & Weeden Streets Drainage Engineering – grant applications will be on the agenda for the August 29th special session.

Other:

Lamberts Hill crosswalk still has not been installed. Crystal will speak with the Clerk. Members of the Lamberts Hill Homeowners Association were present to discuss the developer's bankruptcy issues. The Mayor informed the members present that representatives from the City were meeting with the bonding company on Tuesday, August 23rd at 10 am on site. It was agreed that they could attend the meeting but they were asked to not engage the representatives of the bonding company.

Route 165 Project is in need of a pedestrian sign.

UPDATE ON PROJECTS FOR FLOOD RELIEF.

Swan Creek – grant submission is in review stages.

Ely Creek – John Miller is working on DEP Permitting.

Miscellaneous

UPDATE ON VARIOUS NON-CONSTRUCTION PROJECTS.

Shared Services

Frenchtown Interlocal Agreement

West Amwell

Other

South County Renewable Energy Coop - PPA RFP – the group is working on third party purchasing of electric.

WORK GROUP ON SHRHS

COMMITTEE ON SNOW REMOVAL – nothing to report.

COMMITTEE ON GARBAGE AND RECYCLING – nothing to report.

NEW BUSINESS.

APPOINTMENTS – Planning Board.

Council President Stegman made a motion to appoint Ken Rogers to the Planning Board as a Class II member to fill an unexpired term ending December 31, 2011. Councilwoman Asaro seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

ANNOUNCEMENTS.

SPECIAL SESSION OF MAYOR AND COUNCIL: Monday, August 29, 2011 at 7 pm at the Justice Center.

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

PUBLIC PARTICIPATION/PETITIONS OF CITIZENS AND PUBLIC DISCUSSION.

None.

ADJOURNMENT.

The meeting adjourned at 7:45 p.m. with a motion made by Council President Stegman and seconded by Councilwoman Asaro. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,

Cynthia L. Ege

Cynthia L. Ege
CMR, RMC, City Clerk

NOTE: Crystal Lawton, Secretary to the Planning and Zoning Board was present at the meeting and took the notes.

Approved at the regularly scheduled session of Mayor and Council held on Monday, September 19, 2011.