

**City of Lambertville**  
**Regularly Scheduled Session of Mayor and Council**  
**Monday, September 19, 2011, 6:30 PM**  
**Justice Center, 25 South Union Street, Lambertville**  
**MINUTES**

Mayor DelVecchio Called the meeting to order at 6:45 pm with a statement of compliance with the Open Public Meeting Act, noticing the Beacon, The Democrat, the Times, Assorted individuals on the list serve, department heads, the City Attorney and City Engineer on Friday, September 16, 2011. A copy of the agenda was posted to the website and on the bulletin board at City Hall on Friday, September 16, 2011.

**ROLL CALL.**

Mrs. Ege called the roll as follows:

Present: Councilwoman Asaro, Councilman Sanders, Council President Stegman, Mayor DelVecchio.

Absent: Councilwoman Warner.

**PLEDGE OF ALLEGIANCE.**

Mayor DelVecchio led the public in the Pledge of Allegiance.

**MOMENT OF SILENCE.**

Mayor DelVecchio asked everyone to remain standing while Mrs. Ege led the public in a moment of silence in honor of those serving their country in the United States Armed Forces.

**RESOLUTION TO GO INTO CLOSED SESSION.**

**RESOLUTION**

*“Authorizing a Closed Session at the September 19, 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 Monday, September 19, 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, Councilman Sanders, Council President Stegman, Mayor DelVecchio.

Nays: None.

Mayor DelVecchio and City Council convened in closed session at 6:46 p.m.

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

## **APPROVAL OF MINUTES.**

Councilwoman Asaro made a motion to approve the following meeting minutes: August 15, 2011 Regularly Scheduled Meeting Minutes, August 15, 2011 Closed Session Minutes, August 29, 2011 Special Session Minutes, and September 12, 2011 Special Session Minutes. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

## **ADMINISTRATIVE REPORTS.**

Councilman Sanders 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 – Lester Myers, City Clerk – Cynthia Ege, and 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**

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

## **RESOLUTIONS.**

**CONSENT AGENDA: RESOLUTION NUMBER 149-2011 FOR THE EMERGENCY WAS PULLED FROM THE CONSENT AGENDA.**

Resolution Number 147-2011: A Resolution to Redeem a Tax Lien for Block 1088, Lot 18.

**City of Lambertville**  
**Resolution 147-2011**

*A Resolution Redeeming the Tax Lien for Block 1088, Lot 18 in the Amount of \$243.28.*

WHEREAS Tax Lien Certificate 10-16 on June 30, 2010, Block 1088, Lot 18 in the amount of \$243.28 was sold to John Laflamme 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 RESOVLED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that a check be authorized to John Lafamme for the redemption of Tax Lien Certificate 10-16 in the amount of:

\$243.28 representing the amount of the cert. Plus  
\$142.73 interest and costs  
\$520.50 subsequent liens paid  
\$906.51 Total Amount Due  
Plus \$100.00 for the premium

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Resolution Number 148-2011: A Resolution to Redeem a Tax Lien for Block 1069, Lot 7.

**City of Lambertville**  
**Resolution 148-2011**

*A Resolution Redeeming the Tax Lien for Block 1069, Lot 7 in the Amount of \$3,154.37.*

WHEREAS Tax Lien Certificate 10-05 on June 30, 2010, Block 1069, Lot 7 in the amount of \$3,154.37 was sold to Pro Capital Fund 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 RESOVLED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that a check be authorized to Pro Capital Fund 1, LLC for the redemption of Tax Lien Certificate 10-05 in the amount of:

\$ 3,154.37 representing the amount of the cert. Plus  
 \$ 1,310.32 interest and costs  
 \$10,388.98 subsequent liens paid  
 \$14,853.67 Total Amount Due  
 Plus \$ 2,900.00 for the premium

ADOPTED: September 19, 2011

Resolution Number 150-2011: A Resolution to Cancel Outstanding Checks.

**City of Lambertville**  
**Resolution 150-2011**

**RESOLUTION TO CANCEL OUTSTANDING CHECKS**

**WHEREAS**, the following checks issued from the City bank account are outstanding and are now stale-dated;

**NOW, THEREFORE, BE IT RESOLVED**, by the mayor and town council that the following outstanding checks issued from the City bank accounts be canceled:

Payroll Account

<u>Date</u>	<u>Check Number</u>	<u>Amount</u>
12/09/09	1673	\$433.20
2007	16244	896.88
2007	16360	317.80
2007	16436	267.54
2007	16482	388.40
2007	16557	449.28
2/24/10	17624	108.04
5/18/10	17731	137.32
6/11/10	900033	398.37
6/11/10	17761	164.42
6/11/10	17749	123.78
7/2/10	17778	191.51

Escrow Bookkeeper Account

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<u>Date</u>	<u>Check Number</u>	<u>Amount</u>
2/20/09	4576	356.50
3/19/09	4581	487.75

ADOPTED: September, 19, 2011

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

Resolution 149-2011” A Resolution to approve the Special Emergency Appropriation.

Mayor DelVecchio informed the members of the public present that this special emergency appropriation will help to fund the emergency caused by Hurricane Irene. This includes \$100,000 in temporary road repairs to York Street, Grants Alley, Washington Street, Curley Lane, South Franklin Street, Studdiford Street at Douglas, Lincoln and Boozer Streets in the City of Lambertville. Top Line is currently under contract to start Phase II of the North Union Street reconstruction project and has been retained to start this work.

*City of Lambertville*  
*Resolution 149-2011*  
*Special Emergency Appropriation*

EXTRACT from the minutes of a regular meeting of the City Council of the City of Lambertville, in the County of Hunterdon, New Jersey, on September 19, 2011 at 7 p.m.

PRESENT:

Councilwoman Asaro, Councilman Sanders, Councilwoman Warner, Council President Stegman, Mayor DelVecchio.

ABSENT:

\*\*\*\*\*

\_\_\_\_\_ introduced and moved the adoption of the following resolution, and seconded the motion:

**RESOLUTION OF THE CITY OF LAMBERTVILLE IN THE COUNTY OF HUNTERDON, NEW JERSEY AUTHORIZING SPECIAL EMERGENCY APPROPRIATIONS IN THE AMOUNT OF \$138,598.00 FOR THE REPAIR AND RECONSTRUCTION OF CITY OWNED PROEPRTY DAMAGED IN HURRICANE IRENE AND AUTHORIZING THE ISSUANCE OF SPECIAL EMERGENCY NOTES TO FUND SUCH APPROPROATION**

**WHEREAS**, on August 27, 2011 through August 31<sup>st</sup>, 2011, the City of Lambertville, in the county of Hunterdon, New Jersey felt the impact of Hurricane Irene and the resulting flooding caused by the heavy rains associated with the hurricane and that such impacts included the damage of certain City

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streets and roads, the flooding of certain City owned property and the loss and/or damage to City owned equipment; and

**WHEREAS**, as a result of such impacts, the City incurred direct expenses responding to the same; and

**WHEREAS**, Section 54 of the Local Budget Law, N.J.S.A. 40A:4-1 et seq. (the "Local Budget Law"), provides for the adoption of a resolution making special emergency appropriations to cover the costs of extraordinary expenses for the repair or reconstruction of public property damaged by flood or hurricane; and

**WHEREAS**, Section 55 of the Local Budget Law provides for the adoption of a resolution authorizing the issuance of "Special Emergency Notes" to fund such appropriations and for the repayment of such notes in 5 equal annual installments; and

**WHEREAS**, the City's professional staff has prepared an itemized list of expenses incurred by the City and eligible for funding as special emergency appropriations and such expenses total \$138,598.00;

**NOW THEREFORE, BE IT RESOLVED 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 payment by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") of costs associated with the response to the City to the flooding of City buildings, the repair of City streets and the loss of City equipment is hereby authorized, and a special emergency appropriation of \$138,598 is hereby authorized pursuant to the Local Budget Law (N.J.S.A. 40A:4-54 for such purpose.

**Section 2.** (a) In order to finance the special emergency appropriation described in Section 1 of this resolution, the City is hereby authorized to borrow the sum of not to exceed \$59,698 and to issue its special emergency notes (the "Notes") therefore in accordance with the Local Budget Law of New Jersey (N.J.S.A. 40A:4-55).

(b) The Notes authorized by this resolution may be issued in amounts and denominations not exceeding in the aggregate the amount of Notes authorized herein, as determined by the chief financial officer of the pursuant to this resolution.

(c) The City may finance the special emergency appropriation from surplus funds available or may borrow money in a manner prescribed herein. Where an appropriation is financed from surplus funds available, at least one-fifth of the amount thereof shall be included in each annual budget until the appropriation has been fully provided for.

**Section 3.** The following matters in connection with the Notes are hereby determined:

(a) All Notes issued hereunder and any renewals thereof shall mature at such time as may be determined by the chief financial officer within the limitations of the Local Budget Law, provided however, that at least one-fifth of all such Notes and the renewals thereof shall mature and be paid in each year so that all Notes and renewals shall have matured and have been paid not later than the last day of the fifth year following the date of this resolution;

(b) All Notes issued hereunder shall bear interest at such rate or rates as may be determined by the chief financial officer;

(c) The Notes shall be in the form determined by the chief financial officer and the chief financial officer's signature upon the Notes shall be conclusive as to such determination;

**Section 4.** The chief financial officer is hereby authorized and directed to determine all matters in connection with the Notes not determined by this or a subsequent resolution and the chief financial officer's signature upon the Notes shall be conclusive as to such determination.

**Section 5.** The chief financial officer is hereby authorized to sell the Notes from time to time at public or private sale in such amounts as such officer may determine at not less than par and to deliver the same from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefore.

**Section 6.** Any instrument issued pursuant to this resolution shall be a general obligation of the City. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the Notes and, unless otherwise paid or payment provided for, an amount sufficient for

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such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

**Section 7.** The chief financial officer is authorized and directed to report in writing to this governing body at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this resolution is made, such report to include the amount, description, interest rate and maturity of the Notes sold, the price obtained and the name of the purchaser.

**Section 8.** A copy of this resolution as adopted shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey.

**Section 9.** This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES:

NAYES:

Mayor DelVecchio asked if there were any questions. There being no questions, Mayor DelVecchio asked for a motion.

Councilman Sanders made a motion to approve Resolution Number 149-2011, authorizing the special emergency. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Resolution Number 151-2011: A Resolution Authorizing a Change Order for Route 165 Traffic Light.

Mayor DelVecchio informed the members of the public present that this resolution will authorize the contractor to come back and square off the corner which will make it safer for pedestrian traffic. The City received approval from NJDOT.

**City of Lambertville**  
**RESOLUTION NUMBER 151-2011**

*“A Resolution Authorizing Change Order Number for Route 165 Reconstruction Project”*

**WHEREAS**, the City of Lambertville contracted with Edward H. Cray for the reconstruction project of Route 165 & Swan Street which was funded through a grant from the DRJTBC, and

WHEREAS, the project is substantially complete and the following is a representation of change order in the amount of \$6,592.00, and

WHEREAS, this change order will enhance the corner and make it safer for pedestrian traffic.

NOW, THEREFORE BE IT RESOLVED BY Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that Change Order Number 1 and final payment for Edward H. Cray for the Route 165 and Swan Street Reconstruction Project is hereby approved to increase the contract amount by \$6,592.00.

ADOPTED: September 19, 2011

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

C: The Bulletin Board at City Hall, The Beacon, The Democrat, The Times, The Herald, Department Heads, City Attorney Faherty, City Engineer Ballard, and the City’s Website at [www.lambertvillenj.org](http://www.lambertvillenj.org).

Council President Stegman made a motion to approve Resolution 151-2011, the change order for Route 165 Traffic Light. Councilwoman Asaro 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 – NONE.**

**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 read Ordinance Number 19-2011 by title into the record and stated that this was continued from the August 15<sup>th</sup> session of Mayor and Council.

**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 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 **A TOTAL OF 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)

j. TEMPORARY PERMITS MAY BE ISSUED FOR A PERIOD TO NOT EXCEED TWO WEEKS OR 14 DAYS FOR A FEE OF \$25. TEMPORARY PERMITS ARE AVAILABLE FOR THE FOLLOWING REASONS:

- 1: Visitors of property owners who reside on a metered street.
- 2: House Sitters or Pet Sitters of property owners who reside on a metered street.

The following information is required for the issuance of a temporary permit:

- Property Owners need to provide a notarized letter covering the period of time the visitor or house guest stay,
- a copy of the property owner's drivers license tying them to the property,
- and payment in the amount of \$25 for the temporary permit.

## **PUBLIC HEARING**

Mayor and Council discussed the language and intent of the ordinance. They are still working on the language and felt it was better to hold off on the public hearing.

Mayor DelVecchio asked for a motion to continue to the public hearing to the October 17<sup>th</sup> session. Council President Stegman made a motion to continue to the public hearing on Ordinance 19-2011 to the October 17, 2011 session. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

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

Ordinance Number 20-2011 was read by title into the record by Mayor DelVecchio, who stated that this ordinance would create a handicapped parking space in front of 23 Swan Street and the current space in front of 21 Swan Street would then be removed. He opened the public hearing on Ordinance Number 20-2011.

**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.

**PUBLIC HEARING**

Mayor DelVecchio asked if there was any public comment on Ordinance 20-2011. There being no public comment, he asked for a motion to close the public hearing.

**MOTION TO CLOSE THE PUBLIC HEARING**

Councilwoman Asaro made a motion to close the public hearing on Ordinance 20-2011. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

**MOTION ON FINAL APPROVAL:**

Mayor DelVecchio asked for a motion on second reading and final approval on Ordinance 20-2011. Council President Stegman made a motion to adopt Ordinance 20-2011 on second reading and final approval. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

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

Ordinance Number 21-2011 was read into the record by Mayor DelVecchio who informed the members of the public that this ordinance would create a handicapped parking space in front of 171 George Street. He opened the public hearing on Ordinance Number 21-2011.

**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.

**PUBLIC HEARING**

Mayor DelVecchio asked if there were comments from the public. There being no comments, he asked for a motion to close the public hearing.

**MOTION TO CLOSE THE PUBLIC HEARING**

Councilman Sanders made a motion to close the public hearing on 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.**

**MOTION ON FINAL APPROVAL:**

Council President Stegman made a motion to adopt Ordinance 21-2011 on second reading and final approval. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

**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 by title into the record. Mayor DelVecchio informed the members of the public present that Ordinance Number 22-2011 is to supplement Ordinance 06-2011 in the Amount of \$60,000, for a total of \$70,000 to purchase refurbished meters and the decorative poles. He opened the public hearing on Ordinance Number 22-2011.

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:**

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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:

(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.

## **PUBLIC HEARING**

Mayor DelVecchio asked if there were any questions from the public regarding Ordinance 22-2011. Charles Kaufmann of Lamberts Hill asked how this will be paid for. Mayor DelVecchio said through the increase in meter fees over time. There being no further questions, Mayor DelVecchio asked for a motion to close the public hearing.

## **MOTION TO CLOSE THE PUBLIC HEARING**

Councilman Sanders made a motion to close the public hearing on Ordinance 22-2011. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

## **MOTION ON FINAL APPROVAL:**

Councilman Sanders made a motion to approve on second reading and final approval, Bond Ordinance 22-2011, to provide supplemental funding for the refurbished parking meters and the C: The Bulletin Board at City Hall, The Beacon, The Democrat, The Times, The Herald, Department Heads, City Attorney Faherty, City Engineer Ballard, and the City's Website at [www.lambertvillenj.org](http://www.lambertvillenj.org).

decorative poles. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

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 by title into the record. Mayor DelVecchio informed the members of the public that this Ordinance is to provide supplemental funding for the Swan Creek Flood Mitigation Projects and the FEMA Grant application. Mayor DelVecchio credited Congressman Holt for his assistance with both the Ely Creek FEMA application and with the application for Swan Creek. He publicly thanked the Congressman's office for all of their work. He opened the public hearing on Ordinance Number 23-2011.

**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.

**City of Lambertville**  
**Regularly Scheduled Session**  
**September 19, 2011, 6:00 p.m.**  
**Justice Center, 25 South Union Street, Lambertville**  
**Minutes**  
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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.

## **PUBLIC HEARING**

Mayor DelVecchio asked if there was public comment on Ordinance 23-2011. There being no public comment, he asked for a motion to close the public hearing.

## **MOTION TO CLOSE THE PUBLIC HEARING**

Councilman Sanders made a motion to close the public hearing on Ordinance 23-2011. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

## **MOTION ON FINAL APPROVAL:**

Council President Stegman made a motion to adopt Ordinance 23-2011 on second reading and final approval. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

## **CORRESPONDENCE.**

**JENNIFER PUGLIA:** Request for approval for the redevelopment plan for 47 Hancock Street.

Mayor DelVecchio asked Council President Stegman and Councilman Sanders if they had an opportunity to meet with Ms. Puglia regarding her request for amendments to her property in the redevelopment area. Council President Stegman stated that they met with Jennifer and her changes conform to the redevelopment plan previously approved by Mayor and Council. Ms. Puglia presented a packet of materials for the record. Mayor DelVecchio asked if there were additional comments. There being no additional comments, Mayor DelVecchio asked for a motion.

Council President Stegman made a motion to approve the amendments as submitted, to the redevelopment plan for 47 Hancock Street. Councilman Sanders seconded the motion. An

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

TOWNSHIP OF UNION: A Resolution Opposing SCR-107, Proposed Constitution Amendment Reducing Property Taxes for Certain Preserved Open Space.

JCP&L: Notice of BPU Docket No. E011040250 regarding the provision of Basic Generation Service for the period beginning June 1, 2012.

MARIO PELUSO: A letter asking for the reconstruction of Douglas Street beginning at Studdiford and ending at Boozer Street.

STATE OF NEW JERSEY: Notice of the proposed amendment to the Lambertville Municipal Utility Authorize Wastewater Management Plan.

Mayor DelVecchio noted that this plan excludes Holcombe Island and Lewis' Island from the plan.

DEPARTMETN OF ENVIRONMENTAL PROTECTION: Notice of proposed amendment to the Upper Delaware Water Quality Management Plan.

WEST AMWELL TOWNSHIP: A Resolution requesting that the current Open Public Records Act be amended 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 the said website shall fully comply with OPRA obligation.

DELAWARE VALLEY SENIORS: a request for \$1,200 in funding for senior programs.

TOWNSHIP OF UNION: Resolution opposing the Northeast Supply Link Project, Docket No. FP11-4-000, Stanton Loop, Transcontinental Gas Pipeline Company.

CAREN FRANZINI: request for a block party on October 1 from 2-6 pm on the South Union Street dead end by the LMUA's pumping station.

Councilman Sanders made a motion to approve the request from Caren Franzini for a block party on South Union Street by LMUA. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

## **UNFINISHED BUSINESS.**

Update on various construction improvement projects.

City Hall

LMUA Construction Update: Mayor DelVecchio informed the members of the public that the LMUA construction is substantially complete. The City is waiting on the ribbon cutting date.

Construction:

North Union Street – Phase 2 – starting first week of October. The City Engineer is to revisit the tree issue.

South Franklin & Weeden Streets Drainage Engineering: grants were submitted to three separate entities.

Update on projects for flood relief.

Swan Creek: FEMA grant application is in process.

Ely Creek: FEMA grant is in the process of obtaining DEP Permits.

Update on various non-construction projects.

South County Renewable Energy Coop: SHREC will meet on Thursday to discuss Third Party Purchasing of Electric.

Work Group on SHRHS – Councilman Sanders stated that the Work Group hasn't met yet. Steve Wolock was present and asked if he could give a regionalization update. Mr. Wolock informed the members of the public present that there will be a town hall meeting in West Amwell on October 5 and at the Justice Center in Lambertville on October 12. The Clerk was asked to put this information on the City website. They hope to have the study completed by December.

Committee on Snow Removal – no update.

Committee on Garbage and Recycling – no update.

## **NEW BUSINESS.**

**HALLOWEEN 2012, PARADE IS SCHEDULED FOR SUNDAY, OCTOBER 30.**

Mayor DelVecchio informed the members of the public that the annual Halloween Parade will take place on Sunday, October 30<sup>th</sup>. Online registration for the parade is now available and the link is on the City's homepage.

## **TRICK OR TREATING**

Mayor and Council agreed that trick or treating will take place on Monday, October 31 from 6-8 pm. North Union Street road closing was discussed. The members of the public felt the road closure made the event safe for the children and families. There was discussion regarding a light truck. The Police Department will make sure the residents along North Union Street receive notice of the road closure.

Councilman Sanders made a motion to close North Union Street from York to Buttonwood Street starting at 5 pm and ending around 8:30 pm for trick or treating. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

## **APPOINTMENTS.**

Councilman Sanders made a motion to appoint Brian Keyes to the Environmental Commission and John Weber, Kerrie Osman, LM Zinda and David Morgan to the Office of Emergency Management. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

**ANNOUNCEMENTS - NONE.**

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

A member of the public asked if there would be leaf collection this year. Mayor DelVecchio responded yes and that the public should refer to the website for the information.

**ADJOURNMENT.**

Councilman Stegman made a motion to adjourn at 8:20 p.m. Councilman Sanders seconded the motion. An affirmative voice vote was taken by all members present. **MOTION CARRIED.**

Respectfully submitted,

*Cynthia L. Ege*

Cynthia L. Ege  
CMR, RMC, City Clerk

*Approved at the regularly scheduled session of Mayor and Council held on October 17, 2011.*