

City of Lambertville
SPECIAL SESSION OF MAYOR AND COUNCIL
TUESDAY, 7:30 P.M., OCTOBER 4, 2011
CITY HALL, 18 YORK STREET, LAMBERTVILLE
MINUTES

The meeting was called to order at 7:32 pm by Mayor DelVecchio with a statement of compliance with the Open Public Meeting Act, notice was sent to the Beacon, the Times and the Democrat on Friday, August 26, 2011, posted on the City's bulletin board and website, and sent to assorted individuals through the list serve of the website.

ROLL CALL.

Mrs. Ege called the roll as follows:

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

Members Absent: None.

PLEDGE OF ALLEGIANCE.

Mayor DelVecchio led the public in the Pledge of Allegiance.

MOMENT OF SILENCE.

Mrs. Ege led the public in a Moment of Silence in recognition of the Lambertville citizens and all others serving with the United States Armed Services.

RESOLUTIONS.

RESOLUTION NUMBER 151-2011: *A Resolution to Approve a Supplemental Emergency Appropriation due to Hurricane Irene, in the amount of \$55,000, to assist with dumpsters, Ely Creek Clean Up, and fund the purchase of a Police Car.*

Mayor DelVecchio informed the members of the public present that this resolution a supplemental emergency to fund the clean out of debris and trees from Ely Creek and to fund the police car which was totaled during Hurricane Irene. Mayor DelVecchio commented that the total in emergency funding is approximately \$210,000. This includes the fees for the dumpsters which were initially procured by Dawn Raia and taken over by the City because we were unable to obtain additional dumpsters due to the demand. The City will check into other residents who may have purchase dumpsters and permitted public use for Hurricane Irene and possibly reimburse them for their fees. Both the police car and dumpster fees will submitted for reimbursement in our FEMA application. The car will also be partially funded through our insurance.

EXTRACT from the minutes of a special meeting of the City Council of the City of Lambertville, in the County of Hunterdon, New Jersey, on October 4, 2011 at 7:30 p.m.

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

ABSENT: None.

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_____ 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 \$53,698.39 FOR
THE REPAIR AND RECONSTRUCTION OF CITY OWNED
PROPERTY DAMAGED IN HURRICANE IRENE AND
AUTHORIZING THE ISSUANCE OF SPECIAL
EMERGENCY NOTES TO FUND SUCH
APPROPRIATION**

WHEREAS, on August 27, 2011 through August 31st, 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 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 \$53,698.39 being in addition to an earlier appropriation of \$59,698.00;

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 \$53,698.39 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 \$53,698.39 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.

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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 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 from the public regarding this resolution. There being no questions from the public, Mayor DelVecchio asked for a motion.

Council President Stegman made a motion to approve the supplemental emergency in the amount of \$53,698.39. Councilman Sanders seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. **MOTION CARRIED.**

RESOLUTION NUMBER 152-2011: *A Resolution to approve the purchase of a police car off state contract, which was totaled due to Hurricane Irene, at an amount not to exceed \$29,623.*

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Mayor DelVecchio informed the members of the public present that during Hurricane Irene, one police car was totaled due to the flood waters. Two cars were disabled in the flood and one of the two was totaled by the insurance company. The prior resolution will provide the funding mechanism, which will hopefully be reimbursable through FEMA, partially reimbursed through the insurance company (PAIC), and the balance will be paid out over a five year period of time through the emergency resolution adopted.

City of Lambertville
Resolution 152-2011

A Resolution to Authorize the Purchase of a 2012 Ford Crown Victoria Police Interceptor Off State Contract in the Amount of \$29,623

WHEREAS, the City of Lambertville introduced and adopted a Supplemental Emergency Resolution to fund the purchase of equipment for the Police Department, and

WHEREAS, the amount appropriated in the Emergency for equipment is \$29,623, and

WHEREAS, the State Contract Number A72467, includes the following equipment: 20122 Crown Victoria, keyed alike, Courtesy Lamp Disabled, Drivers side spotlight, heated mirrors, rear door handles inoperative, rear window switches delete, front door moldings uninstalled, 3.27 or 3.55 rear axle, skid plate, limited slip, auxiliary red/clear dome lamp, EA153 80 amp power source for \$21,938; with additional options as follows: Whelen Liberty All LED light bar, four corner strobes, alternating headlight flasher, grill lights, switchbox, siren, speaker and bracket, 18" console with armrest, cup holders, and microphone clip, prisoner partition with LEDs Red/Blue, 16" push bumper, rear window guards for a subtotal of \$7,685, with the total contract purchase in the amount of \$29,623.

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 2011 Ford Crown Victoria as described in the former paragraph purchased off the State Contract, Number A72467, is hereby authorized.

ADOPTED: October 4, 2011

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

Councilman Sanders made a motion to approve Resolution Number 152-2011 authorizing the purchase of a police car off of State Contract. 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 153-2011: *A Resolution authorizing the return of a performance bond to Hart Venture Group, for 44 North Main Street, in the amount of \$8,184.*

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Mayor DelVecchio informed the members of the public present that this resolution is to return the performance bond for 44 North Main Street, which was a requirement of a Planning Board resolution.

City of Lambertville
Resolution Number 153-2011
A Resolution Authorizing the Return of the Performance Bond to Hart Venture for 44 North Main Street

WHEREAS, Donald Hart of Hart Venture, LLC, received approval from the Planning Board to convert 44 North Main from an Art Gallery to 2 retail spaces and 2 office spaces on the first floor and 4 one bedroom apartments on the second floor, and

WHEREAS, the work has been completed on 44 North Main Street and Engineer Clerico has signed off on the work, and

WHEREAS, Mr. Hart has requested the return of his cash performance bond in the amount of \$8,184.

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 return of the cash performance bond deposited by Donald Hart of Hart Venture, LLC in the amount of \$8,184 is hereby approved.

ADOPTED: October 4, 2011

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

Councilman Sanders made a motion to approve Resolution Number 153-2011 authorizing the return of the performance bond to Donald Hart of Hart Ventures. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

BILLS LIST.

An interim bills list was discussed for the evening and included the following: pay off of the Ford Motor Leased vehicle which was totaled by the insurance company in the amount of \$10,412.74, and Petty Cash Reimbursement for the Clerk in the amount of \$436.45.

The interim bills list was approved with a motion made by Councilwoman Asaro and seconded by Councilman Sanders. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ANNOUNCEMENTS.

Halloween Parade and Trick Or Treating Information has been posted to the website. Registration for the Halloween Parade is now online.

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The Regionalization Committee of the Schools will hold a meeting on Wednesday, October 5 in West Amwell Township and on Wednesday, October 12 at the Justice Center in Lambertville.

FEMA News – only 30 days left to register for FEMA.

PUBLIC COMMENT.

Sandy Hannah of South Franklin Street thanked Mayor and Council for fixing the street after Hurricane Irene. Councilman Sanders asked if the embankment was better and Ms. Hannah stated it was and that the trench was removed. Council President Stegman stated that he and Christine Ballard, the City's Engineer, visited the site just after Hurricane Irene and she put together the engineering on the temporary fix to the street. Mayor DelVecchio stated that the goal was to have the roads passable for residents, City services (garbage and recycling) and emergency services. Ms. Hannah's second question was regarding the City cleaning up the debris in her driveway left from Hurricane Irene. Mayor DelVecchio stated that it was on private property and the City could not legally do this. Ms. Hannah stated she thought Mayor and Council approved this on August 29th. Mayor DelVecchio said he thought when she spoke of "my road" she meant South Franklin Street. He apologized for the misunderstanding but said the City can only work on public space not private property as it is not authorized under law. This was an Act of God or Act of Nature and the City is not in a position to be able to provide assistance. Ms. Hannah commented that she continues to have problems with FEMA. Mayor DelVecchio encouraged her to reach out to Sarah Steward at Congressman Holt's Office for assistance with her application and/or appeal. Ms. Hannah asked about the status of the grants for the reconstruction of South Franklin Street and Mrs. Ege replied that they were handled by the City's Engineer and submitted.

JCP&L: Mayor DelVecchio informed the members of the public that he and Mr. Burd both attended sessions with JCP&L regarding their service during Hurricane Irene. JCP&L understands the need for monitoring the service areas, providing notice for the anticipated shut down of service, and daily updates to local officials. Mayor DelVecchio commented that this was the first time the City experienced a problem with JCP&L. JCP&L stated they had 2,100 lines down from trees, 1.1 million customers and 800,000 were with out service. In the past, they have experienced 200,000 outages.

UNITED WATER: Mayor DelVecchio stated he is waiting for a date to meet with the President of United Water Ed DeVoux.

SWIFT 911: Dave Burd, Coordinator of OEM gave a brief overview of SWIFT 911, which is a reverse 911 call system to notify residents of an emergency. It will cost the City approximately \$1,200 per year with \$150 twice a year for updates to the call list. People can also sign onto the City's website and register their cell phones, email addresses, etc. If power does go down, the OEM Coordinator will be able to call SWIFT 911 and send out a message.

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The Mayor asked the City Clerk to see if we have funds available. There will be more information available at the October 17th regularly scheduled session.

ADJOURNMENT.

Councilman Sanders made a motion to adjourn at 8:20 pm. Councilwoman Asaro seconded the motion. An affirmative voice call 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

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