

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

Mayor DelVecchio called the meeting to order at 6:34 p.m. with a statement of compliance with the Open Public Meetings Act, providing the required notice on Friday, December 16, 2011 to the Beacon, the Democrat, the Times, posting of the Agenda to the Bulletin Board at City Hall, the website at www.lambertvillenj.org, and noticing various people on the list serve, inclusive of department heads, city attorney and city engineer.

ROLL CALL.

Mrs. Ege called the roll as follows:

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

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 honor of those serving their country in the United States Armed Forces.

APPROVAL OF MINUTES.

Council President Stegman made a motion to approve the following meeting minutes as amended: November 21, 2011 Regularly Scheduled Session Minutes, November 21, 2011 Closed Session Minutes, and December 6, 2011 Special Session Minutes. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADMINISTRATIVE REPORTS.

Council President Stegman made a motion to approve the 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, and Acting Chief Financial Officer and Director of Finance – Diane Sherry Buono. Councilwoman Warner 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 Warner made a motion to approve the Bills list for the evening. 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 Numbers 180-2011 to award the contract to AFLAC for Section 125 Cafeteria Plan and Resolution Number 181-2011 Awarding the Contract for Phone Services were pulled from the consent agenda.

The following resolutions were approved on the consent agenda:

Resolution Number 175-2011: A Resolution Approving the Raffle License application for South Hunterdon Parent, Teacher Student Organization for the Duck Race scheduled for April 29, 2012.

City of Lambertville
Resolution 175-2011

Resolution Approving the Raffle License for the South Hunterdon Parent, Teacher, Student Organization for April 29, 2012

WHEREAS, on December 5, 2011, South Hunterdon Parent, Teacher, Student Organization filed an application with the City Clerk for a Duck Race for the following: First Prize: \$1,000 Gift Card, Second Prize: \$500 Gift Card, and Third Prize: \$250 Gift Card, scheduled for April 29, 2012; and

WHEREAS, Janine MacGregor completed the required fingerprinting process, and.

WHEREAS, the police department reviewed the raffle license application and determined the applicant had no criminal history; and

THEREFORE, BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon in the State of New Jersey approves the raffle application, RA number 13-2011 for the South Hunterdon Parent, Teacher, Student Organization for a Duck Race to award the following: First Prize: \$1,000 Gift Card, Second Prize: \$500 Gift Card, and Third Prize: \$250 Gift Card, scheduled for April 29, 2012.

ADOPTED: December 19, 2011

Resolution Number 176-2011: *A Change Order, Reducing the Fee by \$8,672 for the Emergency Road Repair Completed Due to the Damage Caused by Hurricane Irene. (Waiting for number from Christine Ballard).*

City of Lambertville
RESOLUTION NUMBER 176-2011

“A Resolution Authorizing Change Order Number One for Emergency Road Work Due to Hurricane Irene in the Amount of \$8,672”

WHEREAS, the City of Lambertville contracted with Top Line for the emergency reconstruction project of Curley Lane and Grants Alley which was funded through an Emergency Resolution, and

WHEREAS, the project is substantially complete and the following is a representation of change order in the amount of \$8,672, and

WHEREAS, this change order is to reduce the quantities of product used to complete the reconstruction of both roadways as follows:

- Curley Lane, reduction of \$3,352.00
- Grants Alley, reduction of \$5,320.00

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 for Top Line Construction for the Emergency Road Work Due to Hurricane Irene is hereby approved to increase the contract amount by \$8,672.00.

ADOPTED: December 19, 2011

Resolution Number 177-2011: A Resolution Authorizing the Tax Lien Certificate 10-07 for block 1016, Lot 2, in the amount of \$2,060.82 with a \$5 premium.

City of Lambertville
RESOLUTION NUMBER 177-2011

“A Resolution Authorizing the Tax Lien Redemption for Block 1016, Lot 2 for John Laflamme in the Amount of \$2060.82 plus a \$5 Premium”

WHEREAS, Tax Lien Certificate Number 10-07 on Block 1016, Lot 2 in the amount of \$128.95 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 RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that a check be authorized to John Laflamme for redemption of Tax Lien Certificate 10-07 in the amount of:

\$128.95 representing the amount of the certificate plus
\$170.54 interest and costs
\$1,761.33 subsequent liens paid
\$2,060.82 Total Amount Due
\$5.00 premium

Steven M. Stegman, Council President

David M. DelVecchio, Mayor

ADOPTED: December 19, 2011

Resolution Number 178-2011: A Resolution to Award the Contract for the Delevan Street Project to Top Line construction at an amount not to exceed \$10,000.

City of Lambertville
Resolution Number 178-2011

A Resolution to Award the Contract for Delevan Street Repairs to Top Line at an Amount Not to Exceed \$10,000

WHEREAS, the reconstruction project for Delevan Street funded by the DRJTBC has developed a problem with a sink hole at the corner of North Union and Delevan Street, and

WHEREAS, the City Engineer has determined that the sink hole was not due to the contractor's work completed in March of 2011, and

WHEREAS, two quotes were solicited from local contractors and the City's Engineer reviewed both quotes and determined that the quote submitted by Top Line was the most advantageous, price and other factors considered, and

WHEREAS, the quotes obtained are as follows:

Top Line Construction Corporation, Daily Rate: \$1,790.00

J. Cronic Septic and Excavating LLC, Daily Rate: \$1,950.00

WHEREAS, the City Engineer has determined an additional fee of \$1,500 should be reserved to pay for inspections made by the Engineer and employees of T and M Associates.

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 contract to fix the sink hole at the corner of North Union and Delevan Street is hereby awarded to Top Line Construction at an amount not to exceed \$10,000, and

BE IT FURTHER RESOLVED that an amount not to exceed \$1,500 is hereby authorized for inspections provided by the Engineering firm of T and M Associates, and

BE IT FURTHER RESOLVED that the total amount of this repair will be charged to the Various Streets Ordinance and funded by the grant appropriation made by the Delaware River Joint Toll Bridge Commission for the Delevan Street project.

ADOPTED: December 19, 2011

Resolution Number 179-2011: *A Resolution Authorizing the Payment of Salaries to the Sub Code Officials for the Interlocal Agreement for Frenchtown.*

City of Lambertville

Resolution Number 179-2011

A Resolution to Approve Salary and Wage for the Frenchtown Interlocal Agreement of Construction Services.

WHEREAS, Mayor and Council entered into an Interlocal agreement for construction services with Frenchtown on September 1, 2010, and

WHEREAS, the Department of Community Affairs approved this contract for shared services on September 1, 2010, and

WHEREAS, there is a need to compensate the employees for the time they have worked, and

WHEREAS, the following employees perform construction inspections for the Frenchtown Interlocal Agreement from May through December 2011:

Timothy Dieterman – Plumbing Sub Code Official, \$1,200
Daniel Longo – Electric Sub Code Official, at a rate of \$35 per hour which has been paid for a total amount of \$1,496.25
Kenneth Rogers – Construction Official Building Subcode Official, \$7,744.84

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, hereby approve the salary to compensate the sub code officials for the shared services contract with Frenchtown Borough from May through December, 2011.

ADOPTED: December 19, 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 180-2011: A Resolution Awarding the Contract for a Cafeteria Plan for the Employees of the City of Lambertville to AFLAC at no cost to the City.

Mayor DelVecchio informed the members of the public that the City is now required to offer employees a Cafeteria Plan. Councilman Sanders explained that the recent health benefits reform requires the City to offer the employees a section 125 plan which establishes an account for an employee who signs up and reimburses them with pretax earnings for eligible health care. The City received proposals from a number of vendors. AFLAC waived charges to the City.

City of Lambertville

Resolution Number 180-2011

A Resolution to Award the Contract with AFLAC for a Section 125 Cafeteria Plan for the Employees of the City of Lambertville

WHEREAS, Under the 2011 Pension and Health Care Reforms, the City of Lambertville has to offer employees a Flexible Spending Account to assist with unpaid medical and dental expenses, and

WHEREAS, the City has investigated options for the employees, and

WHEREAS, the City Attorney has reviewed the proposal and,

WHEREAS, it is determined that the proposal submitted by AFLAC was most advantageous and cost effective for the employees and for the City, and

WHEREAS, two proposals were considered and they are as follows:

AFLAC: All fees are waived, included an administrative fee of \$4 per employee,

P&A GROUP: \$1,050, plus \$4 per employee and \$1 per confirmation statement,

Horizon: \$2,000 set up fee, plus \$6 per employee and \$1 for enrollment.

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 proposal submitted by AFLAC is hereby awarded beginning 2012 for a Flexible Spending Account for the employees of the City of Lambertville, and

BE IT FURTHER RESOLVED, that the maximum amount that can be established for the purpose of a Flexible Spending Account is \$1,000.

ADOPTED: December 19, 2011

Mayor DelVecchio asked for comments. The Police Director asked if this was like deferred compensation. Councilman Sanders and Councilwoman Warner explained that it was a service provided to employees to save earnings through a deduction plan of pre-tax dollars for eligible health care costs. If you don't use it, you lose it. There being no further questions, Mayor DelVecchio asked for a motion.

Councilman Sanders made a motion to approve Resolution 180-2011 which awarded the contract for Section 125 Benefits to AFLAC. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Resolution Number 181-2011: A Resolution Awarding the Contract for Phone Services to Magellan Hill, effective January 1, 2012.

Mayor DelVecchio thanked Councilwoman Asaro for her work on the phone services proposals. The City on two occasions followed a formal bid process for phone services for the City of Lambertville. On two occasions, the bids were rejected as High Bids. In accordance with NJSA 11, the City is now able to negotiate for the lowest and most responsive bid. The City received two bids and an in-depth review of both proposals projected the same savings to the City. The City then considered the reputation of both companies. Spectrotel is a national carrier, however they have a number of BBB complaints and no major local presence. Alternately, Magellan Hill is a reseller. They have won numerous Phila local "growing business" awards and among their clients are key hospitals and municipalities. In addition they have an excellent customer service reputation.

City of Lambertville
Resolution Number 181-2011
A Resolution to Award the Contract for Phone Services to Magellan Hill

WHEREAS, the City of Lambertville solicited for bids for phone services on two occasions: October 11, 2011 in the Times, and on June 2, 2011 in the Beacon and June 9 issue of the Times, and

WHEREAS, the City of Lambertville reviewed the bids submitted and rejected them as High Bids, and

WHEREAS, on November 7, 2011, the City solicited for quotes for phone services from various vendors, and

WHEREAS, on November 30th, two quotes were received and have been reviewed by the City's Attorney and Councilwoman Asaro, and

WHEREAS, it has been determined the quotes submitted would provide similar savings to the City, and

WHEREAS, Spectrotel is a national carrier with a number of BBB complaints, and

WHEREAS, it was determined that Magellan Hill is the most advantageous, cost and other factors considered,

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 phone services contract be awarded to Magellan Hill, effective January 1, 2011, and ending December 31, 2013.

ADOPTED: December 19, 2011

Councilman Sanders made a motion to adopt 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.

ORDINANCES – FIRST READING AND INTRODUCTION – NONE.

CORRESPONDENCE.

BOARD OF CHOSEN FREEHOLDERS, COUNTY OF HUNTERDON: A Resolution requesting that PARIS grant funding is restored for Hunterdon County.

TOWNSHIP OF CLINTON: A Resolution Opposing S-2887 and A-3992, revising standards for wind generation facilities on farmland.

TOWNSHIP OF READING: A Resolution Opposing S-2887 regarding Wind Energy Generation Projects of Farms.

STATE OF NEW JERSEY: FY2012 Annual Fee Report and Assessment of Fees for the New Jersey Pollutant Discharge Elimination System permit program are now online.

DELAWARE TOWNSHIP: A Letter from Mayor Tatsch asking for support for explorations of the six miles of unused Black River and Western Railroad right-of-way.

The City Clerk was asked to send a letter of support of the Rail Trail to Mayor Tatsch of East Amwell. Council President Stegman asked the Clerk to include a suggestion that they contact Holcombe Jimison Farm for input.

COMCAST: A Letter Informing the City that after January 11, 2012, Comcast will convert all channels in its Limited Basic level of service to digital delivery.

JCP&L: In the matter of the Verified Petition of Jersey Central Power & Light Company For the Review and Approval of Costs Incurred for Environmental Remediation of Manufactured Gas Plant Sites Pursuant to the Remediation Adjustment Clause of Its Filed Tariff ("2010 Annual RAC Filing"), BPU Docket No. ER11030141.

GEOFFREY F. TOWLE: Redevelopment of 28 Hancock Street, Block 1087, Lot 16, request for six to twelve month extension.

Council President Stegman made a motion to approve the request for an extension made by Geoffrey Towle not to exceed twelve months. Councilman Sanders 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 – Attorney Faherty reported that he received the last piece of documentation from the Bonding Company. He is in the process of scheduling the training for the fire doors.

Construction:

North Union Street – Phase 2 – The Acting Public Works Director reported that the project is substantially complete.

South Franklin & Weeden Streets Drainage Engineering – we expect to hear shortly on the NJDOT grant application, in April on the USDA grant and September for FEMA Funding.

Update on projects for flood relief.

Swan Creek: application was submitted to the State. They will submit to FEMA by December 31, 2011. Mayor DelVecchio asked the Clerk to obtain an update from the Engineer.

Ely Creek: we are in the permitting phase for DEP and have a meeting scheduled for January 9 in Trenton. Attorney Faherty commented that the Taylors still have questions and the Engineer is working with them to address their concerns. The Clerk was asked to obtain a timeline from the Engineer.

Miscellaneous

Update on various non-construction projects.

Shared Services: Mayor DeVecchio reported that the City is meeting with West and East Amwell to discuss shared services for Animal Control Officer.

South County Renewable Energy Coop (SHREC) – nothing to report.

Work Group on SHRHS: Councilman Sanders reported on the status of work with the South Hunterdon Regionalization Committee and the Work Group. With respect to the Regionalization Committee, he noted that the next meeting of the group is scheduled for January 5, 2012. He also noted the website for the project is up and running at: <http://www.southcountyregionalization.com/>. And he reported that the status is that the firm conducting the study, Porzio, Bromberg & Newman PC, has reported that all of the data has been collected and is compiling it and plans to complete the report later in December. The final report is expected to be made public in January or February. With respect to the Shared Services Work Group, W. Sanders reported that the group was attempting to schedule meetings in January, February and March of this year.

Committee on Snow Removal: Mayor DeVecchio asked the Acting Public Works Director for a copy of his proposal.

Committee on Garbage and Recycling: the change to Same Day Garbage and Recycling has been put on the website, distributed to the newspapers, and public works is in the process of hand delivering the flyer to the residents and business owners in the City.

NEW BUSINESS.

Appointments.

ANNOUNCEMENTS.

FREE METERS: Starting December 17 and ending December 26.

ANNUAL MENORAH LIGHTING: Tuesday, December 27 at 6:30 PM at the Corner of Bridge and Union Streets. Council President Stegman informed the members of the public that he would be lighting the Menorah starting December 20th. The formal ceremony with Rabi Kornfeld will be held on December 27th.

MAYOR AND COUNCIL END OF YEAR: December 29, 2011, 7 PM at the Justice Center.

REORGANIZATION MEETING SCHEDULE:

Mayor and Council, Sunday, January 1, 2012 at 11 AM

Mayor and Council, Regularly Scheduled Session, Tuesday, January 17, 2011, 6:30 PM

Planning Board, Wednesday, January 4, 2012, 7:00 PM

Library Board, Tuesday, January 10, 2012, 7:00 PM at the Library, 6 Lily Street

Historical Preservation, Tuesday, January 10, 2012, 7:30 PM

Recreation Commission, Wednesday, January 11, 2012, 7:30 PM

Office of Emergency Management, Thursday, January 12, 2012, 7:00 PM

Environmental Commission, Wednesday, January 18, 2012, 7:30 PM
Shade Tree Commission, Tuesday, January 31, 2012, 7:30 PM
Zoning Board of Adjustment, Thursday, January 26, 2012, 7:30 PM

ORDINANCES – SECOND READING AND PUBLIC HEARING.

Ordinance 25-2011: An Ordinance to Amend the Fees for Dog and Cat Licensing

At 7 p.m., Mayor DelVecchio opened the public hearing on Ordinance 25-2011, An Ordinance to Amend the Fees for Dog and Cat Licensing and he read the Ordinance into the record by title.

City of Lambertville

ORDINANCE NUMBER 25-2011

***“AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES
OF THE CITY OF LAMBERTVILLE, 1990, CHAPTER 9: ANIMAL
CONTROL”***

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 IX: Animal Control be amended as follows:

SECTION 1: Section 9-4.10 Fees is amended as follows:

DOG LICENSING FEES

The annual fee for a license and registration tag for dogs which are spayed or neutered shall be fifteen (\$15) dollars. The annual fee for dogs not spayed or neutered shall be eighteen (\$18) dollars.

CAT LICENSING FEES

Indoor Cats

The annual fee for a license of an indoor cat will be waived with proof of rabies inoculation and a certification from the pet owner that the cat does not go outside.

Outdoor Cats

The annual fee for a license of a cat that goes outdoors which is spayed or neutered shall be fifteen (\$15). The annual fee for cats that go outside which are not spayed or neutered shall be eighteen (\$18) dollars per cat.

LATE FEES

All animals are required to be registered annually. The City will give pet owners a grace period through the end of February. A late fee of \$25 will be charged for all animals not registered starting March 1 of each year.

NEW PETS

All pet owners shall have ten (10) days to register and license a new pet. All puppies and kittens shall be registered by the time they reach seven (7) months of age. The late fee will apply to all pets of seven (7) months of age and older who have received their rabies inoculation and have resided with their owner for a minimum of ten (10) days.

Introduced: November 21, 2011

Public Hearing: December 19, 2011

Mayor DelVecchio commented that the last time the fees were increased for the licensing of a dog or cat was in 2007. This ordinance will not require owners of cats who do not go outside to be licensed. Pet owners have the option of registering them for information purposes.

Mayor DelVecchio asked for comment from the public. There being no comment from the public, Mayor DelVecchio asked for a motion to close the public hearing.

Council President Stegman made a motion to close the public hearing on Ordinance 25-2011. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor DelVecchio asked for a motion on second reading and final approval on Ordinance 25-2011. Councilman Sanders made a motion to adopt on second reading and final approval, Ordinance 25-2011. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

This ordinance will take effect on or about January 18, 2012.

PUBLIC PARTICIPATION/PETITIONS OF CITIZENS AND PUBLIC DISCUSSION.

Attorney Faherty reported that Steve Lang is in the process of purchasing the Baptist Church. He plans to make the necessary repairs and sell the property.

Mayor DelVecchio reported that the Baptist Church on Bridge Street was sold and the owner is looking into an Artistic Venture.

Police Director Cocuzza reported that Red Flex finished their survey of the lights. In a 12 hour day, they had 86 violations. The Police Director will contact Red Flex to determine the next step.

RESOLUTION TO GO INTO CLOSED SESSION TO DISCUSS PERSONNEL, CONTRACTS, POSSIBLE LITIGATION/LAW SUITES, ACQUISITION OF PROPERTY AND APPOINTMENTS.

Mayor and Council did not go into closed session.

ADJOURNMENT.

The meeting adjourned at 7:20 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Warner. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,

Cynthia L. Ege, CMR, RMC,
City Clerk

Approved at the regularly scheduled session of Mayor and Council held on January 17, 2012.