



City of Lambertville
Regularly Scheduled Session of Mayor & Council
Tuesday, October 15, 2013, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
MINUTES

Mayor DelVecchio called the meeting to order at 6:31 p.m. with a statement of compliance with the open public meeting act, with the required notice given on Friday, October 11, 2013 to the Beacon, the Democrat, the Times, posting 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, Councilwoman Warner, Council President Stegman, Mayor DelVecchio.

Absent: Councilman Sanders (signed on by phone and was disconnected).

RESOLUTION TO GO INTO CLOSED SESSION TO DISCUSS CONTRACTS, PERSONNEL, ACQUISITION OF PROPERTY AND POTENTIAL LAW SUITS.

Mayor DelVecchio informed the members of the public present that there would be no closed session.

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.

Councilwoman Asaro made a motion to approve the following sets of minutes: September 17, 2013 Regularly Scheduled Session Minutes, September 17, 2013 Closed Session Minutes, September 30, 2013 Special Session Minutes, and September 30, 2013 Closed 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.

Councilwoman Warner made a motion to approve the following administrative reports: Tax Collector – Bonnie Eick/Cynthia McBride, 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 L. Ege, and Chief Financial Officer and Treasurer – Christie Ehret. Councilwoman Asaro seconded the motion. An affirmative roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

APPROVAL OF BILLS LIST.

Council President Stegman made a motion to approve the bills list for the evening.

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

PROCLAMATION.

Blue Raccoon Celebrates 20 Years of Serving Our Community.

Mayor DelVecchio invited Nicholas Everett Bewsey and Nelson Andrew Zayas to the front of the room. Mayor DelVecchio informed the members of the public present that the Blue Raccoon is celebrating their 20 year anniversary. Mayor and Council members took turns reading the following proclamation into the record:

Proclamation

WHEREAS, Blue Raccoon Home Furnishings is an award winning lifestyle and home furnishing store located at 6 Coryell Street in the City of Lambertville, County of Hunterdon, State of New Jersey, *and*
WHEREAS, the Blue Raccoon features the latest furniture designs from top designers and manufacturers and an eye-catching assortment of home furnishings, rugs, lighting, accessories as well as beautiful gifts and accent pieces, *and*
WHEREAS, the co-founders of Blue Raccoon, Nicholas Bewsey and Nelson Zayas, opened the store on July 15, 1993, *and*
WHEREAS, the Blue Raccoon Home Furnishings proudly supports Lambertville's many community associations, including the Lambertville Chamber of Commerce, Lambertville Historical Society and the Kalmia Club, *and*
WHEREAS, the Blue Raccoon Home Furnishings continuously promotes the City of Lambertville in the national and local press, social media and to their customers as the best small town in the United States, *and*
WHEREAS, Blue Raccoon has contributed to the continued economic growth and development of Lambertville as a premier destination for retail shopping, *and*
NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, Blue Raccoon Home Furnishings is hereby congratulated on 20 years as a retail business in the City of Lambertville.
BE IT FURTHER RESOLVED THAT July 15, 2014 is hereby proclaimed "Blue Raccoon Day" in the City of Lambertville, in the County of Hunterdon, in the State of New Jersey.
ADOPTED: October 15, 2013

David M. DelVecchio, Mayor

Mr. Bewsey and Mr. Zayas thanked Mayor and Council for the recognition. They said they were honored and loved Lambertville.

Mayor DelVecchio asked for a motion to adopt the proclamation honoring the Blue Raccoon. Council President Stegman made a motion to adopt the proclamation. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTIONS.

Consent Agenda: *provides rapid response to items which do not require discussion.*

Resolution Number 145-2013 was removed from the consent agenda. Resolution Number 150-2013 was added.

Resolution Number 143 -2013: A Resolution to Authorize the Contract with Coded Systems to Codify the City's General and Land Use Ordinances in An Amount Not to Exceed \$18,050.

City of Lambertville

RESOLUTION NUMBER 143-213

A Resolution to Authorize the Contract with Coded Systems to Codify the City of Lambertville's General and Land Use Ordinances

WHEREAS, the City of Lambertville last codified the general ordinances in 2002 and the land use ordinances are in need of codification, and

WHEREAS, in accordance with N.J.S.A. 40:49-4, the governing body may provide, from time to time, for the revision and codification of its ordinances, and

WHEREAS, in accordance with N.J.S.A. 40A:11-5 (x), a formal bid process for the printing of municipal ordinances or other services necessarily incurred in connection with the revision and codification of municipal ordinances is an exception, and

WHEREAS, the City received two quotes for the codification of ordinances from the following:

Coded Systems, Spring Lake Heights, NJ, total: \$18,050 (General Ordinances: \$8,970.00, Land Use Ordinances: \$8,530.00, Code on the internet: \$550.00)

Municode, Tallahassee, Florida: estimated total: \$47,685 (General Ordinances \$18 per page x 1,999 (2002 ordinance book) pages = \$35,982 plus Land Use Ordinances (estimate of 551 pages x \$18 per page = \$9,918 estimate), plus \$1,000 on-site conference, Graphics, tabular matter \$10 per page, Code on the internet, \$700 Electronic Delivery handling fee per delivery, \$75.

WHEREAS, the Certified Municipal Finance Officer has certified the funds are available which will be paid for by Ordinance Number 21-2013, a special emergency as permitted under N.J.S.A. 40A-55.1.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that Coded Systems of Spring Lake Heights, New Jersey is hereby awarded the contract to codify the City's general and zoning/land use ordinances in an amount not to exceed \$18,050.

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to sign the contract with Coded Systems for the services outlined in this resolution.

ADOPTED: October 15, 2013

Resolution Number 144-2013: A Resolution Authorizing the Refund of a Construction Permit Fee to Christopher Rose in the Amount of \$144.00, 259 Mt. Airy-Harbourton Road/West Amwell Township.

City of Lambertville

RESOLUTION NUMBER 144-213

A Resolution to Authorize the Refund of a Construction Permit Fee to Christopher Rose in the Amount of \$144 for 259 Mt. Airy-Harbourton Road

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the refund to Christopher Rose for 259 Mt. Airy-Harbourton Road, a permit filed in Lambertville due to a conflict of interest for a

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resident of West Amwell Township who is also a West Amwell Township employee, is hereby authorized in an amount not to exceed \$144.00.

ADOPTED: October 15, 2013

Resolution Number 146-2013: A Resolution to Approve the Raffle Application Filed by RAS, St. John's for the January 19, 2014 Raffle of a Woven Blanket to benefit St. John's Religious Education Programs.

City of Lambertville

RESOLUTION NUMBER 146-213

A Resolution to Approve the Raffle Application Filed by RAS St. John's for the January 19, 2014 Raffle of a Woven Blanket to Benefit the Religious Education Program at St. Johns

WHEREAS, the City Clerk received the application on October 7, 2013 from RAS, St. John's for the January 19, 2014 raffle of a woven blanket to benefit the religious education program at St. Johns, and

WHEREAS, in accordance with the laws governing the Legalized Games of Chance Control Commission, the application was submitted within the seven day time frame and after approval from the Mayor and Council of the City of Lambertville will be forwarded to LGCCC for the fifteen day waiting period, and

WHEREAS, on October 7, 2013 a copy of the application was delivered to the police department for their review and documentation, and

WHEREAS, the City Clerk has reviewed the application and verified it is complete and has prepared the determination statement in accordance with the statute.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the raffle application submitted by RAS St. John's for the January 19, 2014 raffle is hereby authorized for submission to the State of New Jersey Legalized Games of Chance Control Commission.

ADOPTED: October 15, 2013

Resolution Number 147-2013: A Resolution Approving the Refund of a Cash Bond to Lynn Haberkern of 39 Jefferson Street, Block 1025, Lot 21.

City of Lambertville

RESOLUTION NUMBER 147-213

A Resolution to Approve the Refund of the Cash Performance Bond to Lynne Haberkern of 39 Jefferson Street, Block 1025, Lot 21 for the Street Opening Permit filed in August of 2011 to install a Gas Line

WHEREAS, the City Clerk received the application for a Street Opening Permit on August 25, 2011, and

WHEREAS, in accordance with the Ordinance, Ms. Haberkern posted the required performance bond in the amount of \$4,819.62, and

WHEREAS, on October 21, 2011, \$2,409.81 was returned to the applicant after the City inspected the opening of the street, and

WHEREAS, the Acting Public Works Director has visited the site in October of 2013 and confirmed the roadway has not been compromised by the construction, and

WHEREAS, the Certified Municipal Finance Officer has certified the funds are available in an escrow account.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the refund to Lynne Haberkern of 39 Jefferson Street, Block 1025, Lot 21 for the street opening permit filed in 2011 is here by authorized in an amount not to exceed \$2,409.81.

ADOPTED: October 15, 2013

Resolution Number 148-2013: *A Resolution Requesting the Insertion of A Special Item of Revenue in the Budget of Any County or Municipality Pursuant to N.J.S.A. 40A:4-87 for Drunk Driving Enforcement in the Amount of \$8,907.77.*

City of Lambertville

RESOLUTION NUMBER 148-2013

RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159 P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of local Finance may approve the insertion of any special item if revenue in the budget of any County or Municipality when such item have been made available by Law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount.

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of \$8,907.77 Drunk Driving Enforcement Grant.

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2013 CY Budget in the amount of \$8,907.77 which item is now available as revenue from the receipt of the Drunk Driving Enforcement Grant.

BE IT FURTHER RESOLVED that a like sum of \$8,907.77 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"
Drunk Driving Enforcement Grant \$8,907.77

BE IT FURTHER RESOLVED that the City Clerk forward two certified copies of this resolution to the Director of Local Government Services for approval, with a copy of the letter awarding the Grant.

ADOPTED: October 15, 2013

Resolution Number 149-2013: *A Salary & Wage Resolution to hire Glen Hartzler as a Substitute Electrical Inspector for the City of Lambertville.*

City of Lambertville

RESOLUTION NUMBER 149-213

A Resolution to Approve the Salary & Wage Resolution

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that Glen Hartzler is appointed as the substitute Electrical Inspector for the City of Lambertville at a rate not to exceed \$35 per hour.

ADOPTED: October 15, 2013

Resolution Number 150-2013: A Resolution to Authorize the Mayor and Clerk to Sign the Contract with T and M Associates for the D&R Canal Parking Study in An Amount Not to Exceed \$5,000 to be Paid for through Ordinance Number 2007-06.

City of Lambertville

RESOLUTION NUMBER 150-213

A Resolution to Authorize the Mayor and Clerk to Sign the Contract with T and M Associated for the D&R Canal Parking Study by T and M Associates in An Amount Not To Exceed \$5,500

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the Mayor and Clerk are hereby authorized to sign the contract with T and M Associates for the D&R Canal Parking Study in an amount not to exceed \$5,500, which will be funded by Ordinance Number 2007-06.

ADOPTED: October 15, 2013

Mayor DelVecchio asked for a motion to approve the resolutions on the consent agenda. Councilwoman Warner made a motion to approve the resolutions on the consent agenda. 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 145-2013: A Resolution to Award the Contract to Top Line Construction Corp in the Amount of \$422,739.93 for the North Union Street Phase III Reconstruction Project.

City of Lambertville

RESOLUTION NUMBER 145-213

A Resolution to Award the Contract with Top Line Construction Corp in the Amount of \$422,739.93 for North Union Street Phase III Reconstruction

WHEREAS, the City of Lambertville is the recipient of a grant from the State of New Jersey, Department of Transportation in the amount of \$155,000, and

WHEREAS, the City of Lambertville adopted Bond Ordinance Number 14-2013 in the amount of \$500,000 to fund the reconstruction of North Union Street beginning at York Street and ending at Delaware Avenue, and

WHEREAS, on September 27, 2013, the City opened and read aloud the bid received from Top Line Construction Corp. of Somerville, New Jersey, in the amount of \$422,739.93, and

WHEREAS, the City Attorney has reviewed the bid packet and has found that the bid is responsive and responsible, and

WHEREAS, the City Engineer has reviewed the bid packet and recommends the City reject the bid received as it is in excess of the funds available to complete the project.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the bid received from Top Line Construction Corp of Somerville, New Jersey in the amount of \$422,739.93 is here by approved.

ADOPTED: October 15, 2013

Mayor DelVecchio explained that this resolution is to award the bid for Phase III of the North Union Street Project. He explained that the City Engineer recommends that we reject the bids as the amount exceeds the current budget. He asked for a motion in the affirmative to award the bid for the North Union Street Phase III Project. Council President Stegman made a motion to approve Resolution 145-2013. Councilwoman Warner seconded the motion. An opposing vote was taken, rejecting the motion by all members present. MOTION DEFEATED.

ORDINANCES – INTRODUCTION AND FIRST READING – None.

ORDINANCES – SECOND READING AND FINAL ADOPTION – None.

CORRESPONDENCE.

SHIRLEY K. TURNER: A letter from Senator Turner thanking the City for the submission of the Resolution in Support of the Increase in the Minimum Wage.

HOLLAND TOWNSHIP: A Resolution Requesting Assistance from Hunterdon County with the Animal Control Officer Position/Coverage.

PIVOTAL UTILITY HOLDINGS, INC., D/B/A ELIZABETHTOWN GAS, NOTICE OF PUBLIC HEARINGS: on the infrastructure upgrades, October 16, 2013 in Rahway and October 22, 2013 in Flemington.

PIVOTAL UTILITY HOLDINGS, INC., D/B/A ELIZABETHTOWN GAS, NOTICE OF PUBLIC HEARINGS: BPU docket number GR13090839 to revise the remediation adjustment clause (RAC).

PIVOTAL UTILITY HOLDINGS, INC., D/B/A ELIZABETHTOWN GAS, NOTICE OF PUBLIC HEARINGS: BPU docket number GR13080771 to revise its Weather Normalization Clause (WNC), its Clean Energy Program (CEP) component of the Societal Benefit Charge (SBC) on its on-system margin sharing credit (OSMC).

UNFINISHED BUSINESS.

Update on Various Construction Improvement Projects.

Mayor DelVecchio informed the members of the public present that there are currently three projects that are active. They are as follows:

City Hall – a new automatic generator is in the process of being installed. This requires a new gas main and work will begin on that in approximately one week. The second and third project involves the paving of York Street which will be bid once United Water (new water main) and Elizabethtown Gas (gas main for new generator) are finished with their projects.

Police Station – no update.

Construction Projects.

South Franklin & Weeden Street Drainage Project: The City Engineer and City Attorney are having discussions about closing out the project.

North Union Street Phase III the bid received was rejected tonight. The project will be

rebid in January.

York Street the grant application to NJDOT was filed by the City's Engineer to fund the reconstruction of York Street from North Franklin to Route 179, inclusive of Washington Street and York Street Extension.

Cottage Hill – this will be bid with North Union Street Phase III.

Update on projects for flood relief:

Swan Creek – Mayor DelVecchio informed the members of the public present that the application to FEMA to fund the Swan Street Flood Gates was submitted by the City Engineer. We received notice from the City Engineer that the project was approved by the State to be forwarded to FEMA for the approval process. Caren Franzini was present and asked if the City knew what our grant was ranked. Mayor DelVecchio responded that we would look into it. Ms. Franzini asked if there was something more residents could do. Mayor DelVecchio said they could write their legislators and ask for support.

Miscellaneous – nothing to report.

Update on various non-construction projects:

Shared Services.

SHRHS Regionalization Work Group – Mayor DelVecchio informed the members of the public present that a transition group was formed to help guide the new board. This is an advisory board only and they have no powers to spend money. Councilwoman Warner informed the board that the County Superintendent today started soliciting for resumes for board members. The configuration will remain the same as with South Hunterdon Regional High School's board of education; five representing Lambertville, three representing West Amwell Township and one representing Stockton Borough. The board of education in existence today will remain until June 30, 2014 or until the Commissioner of Education feels they are no longer needed.

SHREC - Community Aggregation is in process.

Miscellaneous.

Garbage & Recycling – no report this month.

Lambertville Chamber of Commerce Request for Use of the North Union Street Parking Lot for the 2014 Shad Festival – *on hold*.

NEW BUSINESS.

Appointments & Resignations from Boards – no action.

Shade Tree Commission. Discussion on the acceptance of applications and application fees for the removal of shade trees – *on hold*.

ANNOUNCEMENTS.

SPECIAL ELECTION SCHEDULE:

October 16, 2013: Senate Election. Polling Places open at 6 am and close at 8 pm.

November 5, 2013: General Election. Polling Places open at 6 am and close at 8 pm.

300th ANNIVERSARY OF HUNTERDON COUNTY: will be celebrated in each Community in 2014.

350th FOUNDING OF NEW JERSEY: will be celebrated in 2014.

200th ANNIVERSARY OF THE LAMBERTVILLE/NEW HOPE BRIDGE will be celebrated through a DVD about the bridge.

PUBLIC PARTICIPATION/PETITION OF CITIZENS AND PUBLIC DISCUSSION.

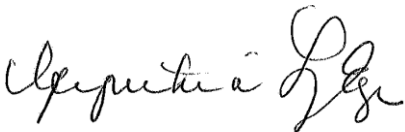
Councilwoman Asaro informed the Mayor and Council members that she would like to work on a property maintenance ordinance.

Council President Stegman wished the Mayor a Happy Birthday.

ADJOURNMENT.

The meeting adjourned at 7:00 p.m. with a motion made by Council President Stegman 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: *Regularly Scheduled Session of Mayor and Council held Monday, November 18, 2013.*