



**City of Lambertville**  
**Regularly Scheduled Session of Mayor & Council**  
**Tuesday, June 18, 2013, 6:30 p.m.**  
**Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville**  
**MINUTES**

The meeting was called to order at 6:30 p.m. by Mayor DeVecchio who read a statement of compliance with the open public meeting act, providing the required notice on Friday, June 14, 2013 to the Beacon, the Democrat, the Times, posting the agenda to the bulletin board at city hall, the website at [www.lambertvillenj.org](http://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: Councilman Sanders, Councilwoman Warner, Council President Stegman, Mayor DeVecchio.

Absent: Councilwoman Asaro.

Please Note: Mayor and Council will go into closed session at 6:30 p.m. and reopen to the public at 7:00 p.m.

*Resolution to go into closed session to discuss contracts, personnel, acquisition of property and potential law suits.*

**RESOLUTION**

*“Authorizing a Closed Session at the June 18, 2013 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 June 18, 2013, in the Justice Center 25 South Union Street, Lambertville, to discuss the following matters: *Contracts, Personnel, Acquisition of Property, and 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: Councilman Sanders, Councilwoman Warner, Council President Stegman, Mayor DeVecchio.

Nays: None.

Mayor DelVecchio and City Council convened in closed session at 6:31 p.m.

Mayor DelVecchio and City Council re-convened in regular session at 7 p.m.

**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 in the United States Armed Forces.

**APPROVAL OF MINUTES.**

Councilwoman Warner made a motion to approve the following sets of minutes: May 21, 2013 Regularly Scheduled Session Minutes and May 21, 2013 Closed Session Minutes. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**ADMINISTRATIVE REPORTS.**

The police director, Bruce Cocuzza, received kudos from Council members for the submission of the Annual Report on the Police Department. Councilwoman Warner made a motion to approve the following Administrative Reports: Tax Collector – Bonnie Eick, Municipal Court Administrator – Barbara Halper, Construction Official – Ken Rogers, Zoning Officer/Fire Inspector – John Barczyk, Police Director – Bruce Cocuzza, Acting Public Works Director – Lester Myers, City Clerk – Cynthia L. Ege, Chief Financial Officer and Treasurer – Christie Ehret. 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 Warner made a motion to approve the bills list as submitted. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

**PROCLAMATIONS** – None.

**RESOLUTIONS.**

Resolution Number 89-2013: *A Resolution to Authorize the Credit/Debit Card Enabled Trial Period.*

Mayor DelVecchio informed the members of the public present that Resolution Number 89-2013 was being pulled from the consent agenda and action would be taken on it separately. He asked for a motion to adopt Resolution Number 89-2013.

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*A Resolution to Authorize Three Venders to Participate in The Credit/Debit Card Enabled Trial Period*

**WHEREAS**, the City of Lambertville advertised a bid proposal in the Trenton Times on April 26, 2013 for Credit/Debit Card-enabled Parking meters, and

**WHEREAS**, the bid proposal included a trial period to commence on June 3, 2013, and

**WHEREAS**, three venders responded to the request for a bid and they are as follows:

<b>Vender</b>	<b>Per Unit Fee</b>	<b>Transaction Fee</b>
DUNCAN PARKING TECHNOLOGIES Milwaukee, WI	\$495.00	.10 per transaction
IPS GROUP San Diego, CA	\$495.00	.13 per transaction
MACKAY METERS, INC.	\$480.00	8.25 per month/ meter

**WHEREAS**, Attorney Faherty has reviewed all three bids submitted and has determined they are all responsive and responsible bids, and

**WHEREAS**, a ten meters from each vender will be installed in a section of the City as designated by the Police Director for the same amount of days and the meter revenue will be tracked as part of the scoring process in determining the most advantageous product, and

**WHEREAS**, each bidder will provide the City with an agreement for the test period and an acknowledgement of the extension of the 60 day period of time, which will also include a list of fees to be charged during the test period.

**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 City Clerk are hereby authorized to sign an agreement with the three venders responding to the bid for Credit/Debit Card Enabled Meters, to participate in a test period which may result in the purchase or lease of upgraded meters.

**BE IT FURTHER RESOVLED** that the Police Director is hereby authorized to contact each vender for the sole purpose of entering into an agreement for the test period.

**ADOPTED:** May 21, 2013

Councilman Sanders made a motion to adopt Resolution Number 89-2013. Councilwoman Warner seconded the motion. A roll call vote was taken, defeating the motion, with Councilman Sanders, Councilwoman Warner, Council President Stegman and Mayor DelVecchio all casting a “no” vote. MOTION DEFEATED.

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

Resolution Number 97-2013: A Resolution Confirming Submission of Community Stewardship Incentive Program Grant Application in the Amount of \$3,180 for the Shade Tree Commission.

**City of Lambertville**

**RESOLUTION NUMBER 97-2013**

*A Resolution Confirming Submission of Community Stewardship Incentive Program Grant Application in the Amount of \$3,180 for the Shade Tree Commission*

**BE IT RESOLVED**, by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, the governing body hereby confirms the submission of the 2013 Community Stewardship Incentive Program grant application, in the amount of \$3,180,

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which was executed by the Mayor. The City of Lambertville’s Mayor and Council through the Lambertville Shade Tree Commission are providing an in-kind match of \$3,295.50.

ADOPTED: June 18, 2013

**Resolution Number 98-2013: An Anti-Harassment Resolution for All Boards, Committees, Volunteers of the City of Lambertville.**

**City of Lambertville**

**RESOLUTION NUMBER 98-2013**

*A Resolution to Extend the Harassment Policy of the City of Lambertville to Volunteers*

WHEREAS, the City of Lambertville has adopted a personnel policy that prohibits harassment of any type and includes sexual harassment and other unlawful harassment, *and*

WHEREAS, the Mayor and Council feel it is important to implement policies and procedures that ensure the rights of the public, *and*

WHEREAS, the City’s insurance company PAIC, has recommended the adoption of the Anti-Harassment Policy for all boards, commissions, committees and volunteers of the City of Lambertville.

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 attached policy will be forwarded to all boards and commissions of the City of Lambertville to be shared with their constituents and posted on the Bulletin Board of City Hall and the City’s website at [www.lambertvillenj.org](http://www.lambertvillenj.org).

ADOPTED: June 18, 2013

**Resolution Number 99-2013: A Resolution Authorizing the Clerk to Sign and Issue the 2013-2014 Alcoholic Beverage Control Licenses.**

**City of Lambertville**

**RESOLUTION NUMBER 99-2013**

*“Annual Renewal of Alcoholic Beverage Control Licenses for 2013-2014”*

**WHEREAS**, application has been received from the following establishments for renewal of the Alcoholic Beverage License currently held by them for premises located in the City of Lambertville, New Jersey:

<b>Establishment</b>	<b>License Number</b>	<b>Type</b>
Boat House Inc. The	1017-32-006-003	Plenary Retail Consumption License with Broad Package Privilege
BPO Elks No 1070	1017-31-015-001	Club License
De Annas of Lambertville LLC	1017-33-003-003	Plenary Retail Consumption License
ETZ Food Inc.	1017-33-002-006	Plenary Retail Consumption License
Lambertville Operating Partnership LLC, AKA: Lambertville House	1017-33-008-007	Plenary Retail Consumption License
Masset Group Inc.	1017-33-005-008	Plenary Retail Consumption

		License
Mitchell's Café Inc.	1017-33-004-004	Plenary Retail Consumption License
Schermerhorn Jeffrey F.	1017-44-011-004	Plenary Retail Distribution License
Swan Hotel The	1017-33-009-002	Plenary Retail Consumption License
Targa Investments	1017-33-007-003	Plenary Retail Consumption License
Toscanni Post 120 American Legion	1017-31-012-001	Club License
Walker's Wine & Spirits, Inc.	1017-44-010-005	Plenary Retail Distribution License

**WHEREAS**, Stephen Williamson has filed a renewal for license number 1017-33-001-005 for a Plenary Retail Consumption License and is required to apply for a 12:39 Ruling, and Mr. Williamson is actively looking for a site for a Restaurant and/or Bar within the City limits, and

**WHEREAS**, each application is complete and accompanied by the required fees and affidavits; and the City Clerk has obtained the Alcoholic Beverage Retail License Clearance Certificate for each entity, and

**WHEREAS**, no written objection to the renewal of these licenses was received by the City Clerk; and

**WHEREAS**, the Lambertville Police Department, after conducting an inspection of each establishment, found each to be in compliance with the required licensing and posting documentation requirements and recommend approval; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the above licenses be renewed for the 2013-2014 license year and that the City Clerk be directed to forward a certified copy of this Resolution and the renewal applications to the Division of Alcoholic Beverage Control, Department of Law and Public Safety, for processing, and to the applicants; and

**BE IT FURTHER RESOLVED** that the City Clerk be authorized to issue the 2012-2013 licenses to the proper holder prior to the effective date of June 30, 2013.

ADOPTED: June 18, 2013

Resolution Number 100-2013: A Salary & Wage Resolution to Confirm the Hiring of Christopher Winther for the Position of Laborer with Public Works.

City of Lambertville

RESOLUTION NUMBER 100-2013

*A Salary & Wage Resolution*

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, the confirmation of the hiring of Christopher Winthur to work full time in Public Works, start date of June 11, 2013 at the following rates:

- Laborer: \$15 per hour
- Truck Driver: \$17.26 per hour

ADOPTED: June 18, 2013

Resolution Number 101-2013: *A Resolution to Approve the Grant Management Plan for the Small Cities Community Development Block Grant Program from the DCA for Housing Rehabilitation Projects.*

**City of Lambertville**

**RESOLUTION NUMBER 101-2013**

*A Resolution to Approve the Grant Management Plan for the Small Cities Community Development Block Grant Program from the DCA for Housing Rehabilitation Projects*

WHEREAS, the City of Lambertville has received funding through the Small Cities Community Development Block Grant Program from the New Jersey Department of Community Affairs for housing rehabilitation projects; and

WHEREAS, the remaining Small Cities Housing Rehabilitation Funding requires the City of Lambertville to comply with all federal regulations with respect to grant management; and

WHEREAS, the City of Lambertville is required to adopt a Grant Management Plan and Housing Rehabilitation Policy and Procedures Manual specifying the scope of services to be provided; and

WHEREAS, the City of Lambertville has prepared and reviewed a Grant Management Plan and Housing Rehabilitation Policy and Procedures Manual for its local Small Cities Community Development Block Grant Program; and

WHEREAS, the Rehabilitation Program Administrator, Housing Inspector and Administrative Assistant will be at the direction of, and will be responsible to, Millennium Strategies LLC, as laid forth within the City of Lambertville's adopted Housing Rehabilitation Policy and Procedural Manual for the Small Cities Program; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lambertville, County of Hunterdon and State of New Jersey, that:

The Grant Management Plan and Housing Rehabilitation Policy and Procedures Manual developed for the New Jersey Department of Community Affairs, Small Cities CDBG Program, are hereby amended and adopted by the City of Lambertville; and

The City of Lambertville will follow the regulations set forth in these documents for all Small Cities Housing Rehabilitation Community Development Block Grant programmatic activities.

This is to certify that the foregoing Resolution was duly adopted at a regular meeting of the City Council held on June 18, 2013.

ATTEST:

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.

**ORDINANCES – INTRODUCTION AND FIRST READING.**

Ordinance Number 10-2013: *An Ordinance to Amend Chapter Five, General License, Section 5-7 Contractor Registration.*

No action was taken in proposed Ordinance Number 10-2013.

**City of Lambertville**

**ORDINANCE NUMBER 10-2013**

***“AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE CITY OF LAMBERTVILLE, 1990, CHAPTER V: GENERAL LICENSE”***

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 V: General License be amended as follows:

SECTION 1: Section 5-7 Contractor Registration is hereby established as follows:

**5-7 Contractor Registration**

SECTION 2: Section 5-7.1 Purpose; applicability is hereby established as follows:

**5-7.1 Purpose; applicability**

- a. The purpose of this ordinance is to adopt a procedure for the registration of all construction contractors who are not required to register with the State of New Jersey to perform certain work within the City of Lambertville. This Ordinance shall apply to contractors performing services on all nonresidential sites.
- b. This ordinance shall apply to all persons, partnerships, corporations or other entities not otherwise licensed by the State of New Jersey who undertake to provide services within the City of Lambertville for a fee.
- c. Registration pursuant to this ordinance does not relieve the contractor of the requirement to obtain a construction permit or of any liability resulting from contractor's performance of service.

SECTION 3: Section 5-7.2 Definitions is hereby established as follows:

**5-7.2 Definitions**

- a. For this ordinance the word "services" shall mean to erect any new structure, add or remove rooms, dormers or other structures or to improve, modernize or modify an existing room or rooms or structures, including all plumbing, electrical, HVAC (mechanical) and fire additions and/or alternation, or to install, resurface or improve driveways or sidewalks or any improvement whatsoever upon any structure in the City of Lambertville where persons reside, will reside or conduct any type of business upon completion of the work.

SECTION 4: Section 5-7.3 Application for registration is hereby established as follows:

**5-7.3 Application for registration.**

Any person, partnership, corporation or other entity to whom this article applies shall, prior to commencing any work or service as herein described in the City of Lambertville, make application to the City Construction Office for registration as a contractor in the City of Lambertville. The failure to make application for such registration prior to commencement of work or services shall constitute a violation of this Ordinance. The form of application is attached and made a part of this Ordinance.

SECTION 5: Section 5-7.4 Term of registration; fee is hereby established as follows:

**5-7.4 Term of registration; fee.**

- a. All registration numbers issued pursuant to this Ordinance shall expire one year from the date of issuance. Such registration may be renewed annually upon payment of the required fee and submission to the City Construction Office of a current certificate of insurance.

- b. The initial fee to register as a contractor in the City of Lambertville shall be \$200.00. The fee for renewal registrations shall be \$100.00. **The following exception will apply to the registration fee:**

- 1) **A contractor with a physical address in the City of Lambertville will not be required to pay the initial or renewal registration fee as long as they comply with all other requirements of registration. The physical address may be the contractor's personal place of residence or a physical office space. P O Box numbers will not qualify for the exception.**

SECTION 6: Section 5-7.5 Insurance Requirements is hereby established as follows:

**5-7.5 Insurance Requirements.**

Each applicant shall be required to submit a certificate of insurance to the City Construction Office evidencing a current policy for workers compensation insurance and public liability insurance with a minimum liability of \$100,000/\$300,000.

SECTION 7: Section 5-7.6 Grounds for denial of initial registration or revocation or denial of existing registration is hereby established as follows:

**5-7.6 Grounds for denial of initial registration or revocation or denial of existing registration.**

- a. Failure to maintain and keep current an adequate workers compensation insurance policy or certification of no employees requiring workers compensation insurance.
- b. Failure to maintain and keep current a public liability insurance policy;
- c. Failure to comply with the construction standards required by State law or regulations or local ordinances or codes after having been given notice of such noncompliance and failing to alleviate noncompliance without just cause;
- d. Any of the following:
  - 1. Failure to comply with the lawful instructions of the Construction Code Official regarding site safety, or building code violations.
  - 2. Altering plans submitted in obtaining a construction (building, electrical, plumbing, fire) permit without further receiving the approval of the Construction Official;
  - 3. Failure to obtain a construction permit where required;
  - 4. One owner/resident complaint against the contractor for unsafe services, unjustified interruption of work, or substandard workmanship which complaint has been personally verified by the Construction Official or his deputy;
  - 5. Failure to complete the project according to terms of contract;
  - 6. Failure to correct building, zoning or city violations in connection with project;
  - 7. Breach of contract by registrant;
  - 8. Failure to request and obtain final inspection approvals and Certificate of Approval/Occupancy within the timeframe allowed by the Uniform Construction Code.



9. Any registrant that has had his registration revoked three times, in accordance with this Ordinance, the City Clerk or Construction Official may, upon notice to the registrant, request the Mayor and City Council conduct a public hearing to determine whether or not said registrant shall be permanently barred from performing work within the City.
- e. The revocation of prior registration by the City of Lambertville City Clerk or Construction Official or the revocation of any local contractor's license or registration by another municipality in the State of New Jersey for any cause other than failure to pay licensing or registration fees.

SECTION 8: Section 5-7.7 Appeals on denial or revocation is hereby established as follows:

**5-7.7 Appeals on denial or revocation.**

In the event that the City Clerk denied or revoked a registration to an applicant or has refused to renew such registration upon submission of the required fee, the aggrieved contractor may appeal such denial, in writing to the Mayor and Council of the City of Lambertville. Upon such appeal the following action shall be taken:

- a. Upon receipt of the written appeal, the City Clerk shall set a date for the Mayor and Council to hear such appeal. This date may be adjourned for a period of sixty (60) days at the request of the Mayor and Council or the contractor.
- b. At the time, date and place set for the hearing, the Mayor and Council shall hear testimony from the City Clerk and/or Construction Official as to the grounds for denial and hear testimony from the contractor contesting such denial. At the hearing, the contractor shall be entitled to call witnesses and to be represented by counsel.
- c. At the conclusion of the hearing, a determination shall be made. If denial is deemed to have been inappropriate, the City Clerk shall be directed to issue a registration number to the contractor. If it is determined that the denial was proper, the Mayor and Council shall have the discretion to take one of the following actions:
  1. Uphold the denial without further action.
  2. If circumstances warrant, direct the City Clerk to register the contractor upon conditions imposed by the Mayor and Council and Construction Official which are designed to reasonably ensure compliance by the contractor and this Ordinance.
  3. If circumstances warrant, direct the Construction Official to register the contractor when the deficiencies have been alleviated by the contractor, to the Construction Official's satisfaction.
- d. Within ten (10) business days from the hearing date, the Construction Official and the contractor shall receive notification, in writing, the determination of the Mayor and Council and any conditions which have been placed upon the approval for the application for registration.

SECTION 8: Section 5-7.8 Duties of the Construction Official is hereby established as follows:

**5-7.8 Duties of the Construction Official.**

The Construction Official shall have the responsibility to do the following:

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- a. Monitor the accuracy and current status of the information contained in the application for contractor's registration.
- b. Keep all registration applications on file so that they are available for inspection and copying by any interested party as public documents.
- c. Notify the owner of the property on which work is being performed by the contractor of the revocation of contractor's registration for failure to keep current its public liability insurance.

SECTION 9: Section 5-7.9 Violations and penalties is hereby established as follows:

**5-7.9 Violations and penalties.**

It shall be considered a violation of this Ordinance for any person or firm as described herein to fail to make application for a contractor's registration or to perform any work as described herein without first having applied for and received a contractor's registration number. Following a conviction of violation of this article by a court of competent jurisdiction, a fine of not less than \$250.00 nor more than \$1,000.00 shall be imposed.

*Ordinance Number 14-2013: A Bond Ordinance in the Amount of \$500,000 to Fund Phase III of the North Union Street Reconstruction, Beginning at York Street and Ending at Delaware Avenue, Which is Offset by a Grant from the State of New Jersey Department of Transportation in the Amount of \$155,000.*

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance is to fund the reconstruction of North Union Street beginning at York Street and running North to Delaware Avenue. It includes new curbing, sidewalks and resurfacing of the road. The City was awarding grant funding from the State of New Jersey Department of Transportation in the amount of \$155,000 for this project.

**CITY OF LAMBERTVILLE, NEW JERSEY**  
**ORDINANCE NO. 14-2013**

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**AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO NORTH UNION STREET IN AND FOR THE CITY, APPROPRIATING \$500,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$500,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE CITY TO FINANCE THE SAME.**

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**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 improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as general improvements. For the improvements or purposes described in Section 3

hereof, there is hereby appropriated the \$500,000, including a grant of \$155,000 to be received by the City on a reimbursement basis from the New Jersey Department of Transportation (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is required because the project set forth in Section 3 is being funded in part by the State Grant.

**Section 2.** In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$500,000, 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 improvements hereby authorized and the purposes for which the bonds or notes are to be issued are improvements to the curbing, sidewalks, roadways and intersection on North Union Street from York Street to Delaware Avenue, as more fully set forth in the project summary dated May 10, 2013 prepared by the City Engineer and on file in the Office of the City Clerk, and including all work and related materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes authorized herein is equal to the amount of the appropriation herein made therefor.

**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 bond 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 N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, 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 bond 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 capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 20.00 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 \$500,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$125,000 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 improvements or purposes.

(e) The City reasonably expects to commence the acquisition of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

**Section 7.** Any grant moneys received for the purposes described in Section 3 hereof, including the State Grant, shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

**Section 8.** The full faith and credit of the City is 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 as to rate or amount.

**Section 9.** The City Council hereby covenants on behalf of the City to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

**Section 10.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor DelVecchio asked if there were any questions from the public. There being no comments or questions from the public, Mayor DelVecchio asked for a motion to introduce Ordinance Number 14, 2013. Council President Stegman made a motion to introduce Ordinance Number 14-2013. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

The public hearing is scheduled for July 16, 2013.

## **ORDINANCES – SECOND READING AND FINAL ADOPTION.**

Ordinance Number 9-2013: An Ordinance to Amend Chapter Ten, Fees for Construction Permits.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance is to increase fees and address the language issues as identified by the State of New Jersey Department of Community Affairs.

**City of Lambertville**  
**ORDINANCE NUMBER 09-2013**

*An Ordinance to Amend Chapter Ten, Fees for Construction Permits*

**10-1.3 Fees for a Construction Permit.**

*Fees.* The fee for a construction permit in Lambertville or any interlocal arrangement shall be the sum of the subcode fees listed in paragraphs 1(a) through 6(d) hereof and shall be paid prior to the issuance of a permit. Twenty (20%) percent of the construction permit fee shall be considered as the plan review fee, which will be paid at the enforcing agency's office at the time the permit application is submitted and is non-refundable.

*1. Building Subcode Fees.*

- a. Fees for new construction shall be based upon the volume of the structure. This fee shall be in the amount of \$.050 per cubic foot, except that agricultural structures on farms shall be in the amount of \$0.010.
- b. Fees for renovations, alterations, repairs, commercial roofing, commercial siding, and for foundations and on site work for pre-manufactured construction or relocated structures, the fee shall be based upon the estimated cost of work. The City reserves the right to require a copy of actual contracts or current market price evaluation based on common estimating practices; or an architect or engineer's cost estimate; or actual third party estimates. The cost shall include all labor and material (including bartered, donated, free, etc. labor and/or materials)
- c. This fee shall be as follows:
  - i. \$32.00 per \$1,000.00 of estimated cost of work up to \$50,000.00 of estimated cost of construction;
  - ii. \$28.00 per \$1,000.00 for estimated cost of work from \$50,001.00 to \$100,000.00 estimated cost of construction; and
  - iii. \$24.00 per \$1,000.00 for additional costs over \$100,000.00 estimated cost of construction.
- d. The fee for temporary structures shall be based on the volume of the structure. The building subcode fee shall be .020 per cubic foot. Electric, plumbing and fire subcode fees shall be based on the normal fee schedule. All structures for which volume cannot be computed shall be \$75.00.
- e. Fees for additions shall be computed on the same basis as for new construction (volume) for the added portion.
- f. Fees for combination renovations and additions shall be computed as the sum of the fees computed separately in accordance with paragraphs (a) and (b) above.
- g. The fee for construction or installation of a single family residential in-ground swimming pool shall be \$150.00. The fee for construction or installation of all other use group in-ground swimming pools shall be \$200.00. The fee for aboveground pools shall be \$40.00.
- h. The fee for construction or installation of retaining walls shall be as follows:
  - i. The fee for a retaining wall with a surface area of 550 square feet or less that is associated with a single Class 3 residential structure shall be \$100.00.
  - j. The fee for a retaining wall with a surface area of more than 550 square feet that is associated with a single Class 3 residential structure shall be \$200.00.
- k. The fee for all other retaining walls shall be based on the cost of work as follows:
  - i. \$18.00 per \$1,000.00 of estimated cost of work up to \$50,000.00,
  - ii. \$14.00 per \$1,000.00 of estimated cost of work from \$50,001.00 to \$100,000.00,
  - iii. \$10.00 per \$1,000.00 of estimated cost of work over \$100,000.00,

- l. The fee for the construction of a new deck shall be \$0.80 per square foot with the minimum fee of \$120.00.
  - m. The installation of sheds under 200 square feet shall be \$100.00. The installation of sheds over 200 square feet shall be a minimum of \$150.00
  - n. The fee for a residential roof or siding replacement shall be \$85.00 and for commercial roof or siding replacement shall be based on the cost of work.
  - o. The fee for a demolition and/or removal permit of a building or structure shall be \$95.00 for Class 3 residential and \$180.00 for all other use groups, provided that the fee shall be \$50.00 for structures under 400 square feet in area.
  - p. The fee for removal or abandonment of underground storage tanks shall be \$85.00 each for tanks up to 1,000 gallons and \$150.00 each for tanks over 1,001 gallons.
  - q. The fee to construct or erect a sign shall be \$2.50 per square foot surface area of the sign, computed on one side only for double-faced signs. The minimum fee shall be \$50.00.
  - r. The minimum fee for the building technical section shall be \$60.00
2. *Plumbing Subcode Fees.*
- a. The fee shall be in the amount of \$22.00 per fixture or stack such as sinks, water closets, urinals, bath tubs, showers, clothes washers, dishwashers, hose bibs, gas piping per outlet, condensate pump, etc., except as listed below in 2(b) and (c).
  - b. The fee for domestic hot water heater replacement fee shall be \$75.00.
  - c. The fee for special devices shall be \$90.00 for the following: grease traps, oil separators, water-cooled air-conditioning units, air-conditioning compressors, refrigeration units, hot water boilers, fuel oil piping, new gas service and underground gas lines, interceptors, water and sewer connections, active solar systems, sewer pumps.
  - d. For equipment listed in NJAC 5:23-2.23(l) such as backflow preventers, high pressure boilers, refrigeration systems, etc. the fee shall be \$85.00 for the first device and \$25.00 for additional similar devices in the same building.
  - e. The minimum fee for the plumbing technical section shall be \$60.00
3. *Electrical Subcode Fees.*
- a. For from one to 25 devices, receptacles or fixtures, the fee shall be in the amount of \$65.00; for each additional device, receptacle or fixture in addition to this, the fee shall be in the amount of \$1.00 per device, receptacle or fixture. For the purpose of computing this fee, devices, receptacles or fixtures shall include but are not limited to the following: lighting outlets or fixtures, switches, fluorescent fixtures, receptacles, light standards less than 8 foot in height, communication points, alarm devices, and other panels or devices rated less than 20 amps, smoke and heat detectors, or similar fixtures, and motors or devices of less than or equal to one horsepower or one kilowatt.
  - b. For each motor or electrical device greater than one horsepower and less than or equal to 10 horsepower; and for photovoltaic system arrays, greater than one kilowatt and less than or equal to 10 kilowatts, the fee shall be \$25.00.
  - c. For each motor or electrical device greater than 10 horsepower and less than or equal to 25 horsepower; for photovoltaic system arrays, greater than 10 kilowatts and less than or equal to 25 kilowatts or kva; the fee shall be \$45.00.
  - d. For each motor or electrical device greater than 26 horsepower and less than or equal to 50 horsepower; and for photovoltaic system arrays, greater than 26 kilowatts and less than or equal to 50 kilowatts or kva, the fee shall be \$90.00.

- e. For each motor or electrical device greater than 51 horsepower and less than or equal to 100 horsepower; and for photovoltaic system arrays, transformers and generators greater than 51 kilowatts and less than or equal to 100 kilowatts or kva, the fee shall be \$150.00.
  - f. For each motor or electrical device greater than 100 horsepower; and for photovoltaic system arrays, transformers and generators greater than 100 kilowatts or kva, the fee shall be \$600.00.
  - g. Equipment, devices rated by kilowatt or kva include but are not limited to the following: electric ranges/receptacles, ovens, surface units, electric hot water heaters, electric dryers/receptacles, dishwashers, central AC units, baseboard heaters, transformers, generators, steam shower units or any other devices consuming or generating electrical current. Equipment or devices rated by horsepower include but are not limited to the following: garbage disposals, motors, etc. Space heaters or air handlers may be rated by HP, kW or kva.
  - h. For each service, panel or motor control and for inverters, panels and disconnects for photovoltaic systems, rated up to 100 amps the fee shall be \$65.00
  - i. For each service, panel or motor control and for inverters, panels and disconnects for photovoltaic systems, rated 101 amps up to 200 amps the fee shall be \$130.00
  - j. For each service, panel or motor control and for inverters, panels and disconnects for photovoltaic systems, rated 201 amps up to 400 amps the fee shall be \$290.00
  - k. For each service, panel or motor control and for inverters, panels and disconnects for photovoltaic systems, rated over 400 amps the fee shall be \$600.00.
  - l. For all the following: signs; fire, security, burglar control stations; communication control units; smoke, heat, fire, burglar alarm systems in 1 and 2 family dwellings; utility load management devices; lighting standards over 8 foot the fee shall be \$50.00.
  - m. For in-ground pools the fee shall be \$200.00.
  - n. For spas, hot tubs, or fountains the fee shall be \$100.00.
  - o. For storable or portable pools the fee shall be \$50.00.
  - p. For a swimming pool bonding certificate of compliance the fee shall be \$85.00
  - q. Transformers and generators less than or equal to 20kw shall be \$75.00. Transformers and generators greater than 20kw and less than or equal to 50kw shall be \$125. Generator panels shall follow (h) thru (k) above.
  - r. The minimum fee for the electrical technical section shall be \$60.00.
4. *Fire Subcode Fee.*
- a. The fee for sprinkler systems shall be \$85.00 for up to 12 heads;
  - b. For 13 to and including 40 heads the fee shall be \$150.00;
  - c. For 41 to and including 100 heads the fee shall be \$250.00; and
  - d. For all heads over 100 the fee shall be \$2.00 per head.
  - e. The fee for each standpipe shall be \$325.00.
  - f. The fee for each independent pre-engineered suppression system shall be \$175.00.
  - g. The fee for each gas or oil-fired appliance shall be \$60.00
  - h. The fee for each kitchen exhaust system shall be \$190.00.
  - i. The fee for spray booths exhaust system shall be \$150.00.
  - j. The fee for a wood/coal burning stove, fire place inserts, pre-fab or masonry fireplace shall be \$60.00.
  - k. The fee for Dry pipe, Pre-action or sprinkler alarm valves and for smoke, heat detectors and manual fire alarms shall be \$95.00 for up to 12 alarms, except that hard wired and interconnected alarms for 1 and 2 family residential the fee shall be \$60 for up to 12 alarms;
  - l. Each device over 12 shall be \$7.00 each
  - m. The fee for R3, R4 and R5 fire alarm systems shall be \$75.00.
  - n. The fee for fire pumps shall be \$300.00 each.

- o. The fee for incinerators shall be \$300.00 each.
  - p. The fee for crematoriums shall be \$300.00 each.
  - q. The fee for unit heaters shall be \$25.00 each.
  - r. The fee for exit-egress lighting shall be \$5.00 each.
  - s. The fee for chimney relining shall be \$65.00.
  - t. The fee for the installation of under or above ground fuel storage tanks up to 550 gallons shall be \$60.00. For tanks 551 to 1,000 gallons shall be \$125.00. For tanks over 1,001 gallons, the fee shall be \$250.00.
  - u. The fee for a fire sprinkler water storage tank shall be \$200.00.
  - v. The minimum fee for the fire technical section for 1 or 2 families residential shall be \$60.00 and for all other use groups shall be \$90.00.
5. *Certificates and Other Special Fees.*
- a. The fees for certificates shall be as follows:
  - b. Certificate of occupancy, residential (single family) is \$120.00, except the fee for a certificate of occupancy for pools, decks and small additions (under 400 square feet) is \$35.00.
  - c. Certificate of occupancy, other than single family is \$180.00.
  - d. Certificate of occupancy for changes in use group is \$180.00.
  - e. Certificate of approval, no fee.
  - f. Continued certificate of occupancy is \$180.00 per unit or tenant space.
  - g. Temporary certificate of occupancy, renewal fee is half of the certificate fee.
  - h. Certificate of Compliance, no fee.
  - i. The fee for asbestos or lead abatement projects shall be as follows:
  - j. The administrative fee for each construction permit issued for an asbestos hazard abatement project shall be as specified at NJAC 5:23-8.9
  - k. The administrative fee for each certificate of occupancy issued following the successful completion of an asbestos hazard abatement project shall be as specified at NJAC 5:23-8.9
  - l. The fee for a permit for lead hazard abatement projects shall be \$190.00.
  - m. The fee for a lead abatement clearance certificate shall be \$35.00.
  - n. The fee for a variation request application shall be \$75.00 for Class 3 residential and; \$200.00 for Class 3 other than residential and Class 2 and; \$750.00 for Class 1 buildings. The fee for resubmission of an application for a variation shall be one half (1/2) of the original fee if required by the Construction Official.
  - o. The fee for an application for the construction board of appeals shall be as specified by the Hunterdon County Construction Board of Appeals application.
  - p. A fee of \$110.00 per hour may be charged for review of any amendment or change to a plan that has already been released, or any other additional work required by ordinance or interlocal agreement.
  - q. The fee for a zoning permit is \$35.00.
  - r. The fee for a Flood Development Permit shall be \$125.00 plus any applicable City engineering review costs, if required by the City Engineer.
  - s. The fee to reinstate a lapsed permit shall be fifty (50%) percent of the initial permit fee provided such application is made within one (1) year from the date the initial permit lapsed. Thereafter, the fee to reinstate a lapsed permit shall be based on the current fee schedule.
  - t. The fee for an annual permit shall be charged annually, and shall be a flat fee based on the number of maintenance workers (excluding managers, engineers and clerks) who are primarily engaged in work governed by a subcode (building/fire, electrical and plumbing). Fees shall be as follows:



- i. One (1) through twenty-five (25) workers (including foreman or forewoman), \$1000.00 per worker;
    - ii. each additional worker over twenty-five (25), \$350.00 per worker.
  - u. Prior to the issuance of the annual permit a training registration fee of \$176.00 per subcode shall be submitted by the applicant and shall be forwarded by the Construction Official to the Department of Community Affairs, Construction Code Element, Training Section along with a copy of the construction permit (Form F-170). Checks shall be made payable to "Treasurer, State of New Jersey." The Department shall register these individuals and notify them of the courses being offered.
- 6. *Exempt Fees.*
  - a. No fees shall be charged for construction of any permitted building or structure owned by the City of Lambertville or any of its respective agencies.
  - b. Newly constructed and rehabilitated residential units that are to be legally restricted to occupancy by households of low income may qualify for reduce fees or be exempt from construction permit fees as authorized by City Council on an individual basis, except for the State Training Fee.
  - c. Pursuant to N.J.S.A. 52:27D-126e and N.J.S.A. 40:55D-8, no person shall be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by disabled persons to an existing public or private structure for any of the facilities contained therein. A disabled person, or a parent or sibling of a disabled person, shall not be required to pay any municipal fee or charge in order to secure a construction permit for any construction, reconstruction, alteration or improvement which promotes accessibility to his or her own living unit. For purposes of this subsection, the term "disabled person" means a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, including blindness, and shall include, but not be limited to, any resident of this state who is disabled pursuant to Federal Social Security Act (42 U.S.C. §416), or the Federal Railroad Retirement Act of 1974 (45 U.S.C. §231, et seq.), or is rated as having a sixty (60%) percent disability or higher pursuant to any federal law administered by the United States Veterans Act. For purposes of this paragraph, the term "blindness" means central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than twenty (20) degrees shall be considered as having a central visual acuity of 20/200 or less.
  - d. Outside agency fees. Notwithstanding any other fee hereinafter set forth, when the township has retained a private on-site inspection or plan review agency to carry out subcode official responsibility no fee charged shall exceed the amount paid by the Township to that private agency plus thirty (30%) percent.

INTRODUCTION AND FIRST READING: May 21, 2013

PUBLIC HEARING AND SECOND READING: June 18, 2013

Mayor DelVecchio opened the public hearing on Ordinance Number 09-2013. He asked for any public comments or questions. There being no questions or comments from the public, Mayor DelVecchio asked for a motion to close the public hearing on Ordinance Number 09-2013. Council President Stegman made a motion to close the public hearing. Councilwoman Warner 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 to adopt on second reading and final approval, Ordinance Number 09-2013. Councilman Sanders made a motion to adopt Ordinance Number 09-2013 on second reading and final approval. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

*Ordinance Number 11-2013: A Bond Ordinance in the Amount of \$370,000 to fund the Reconstruction of Cavallo Park, which is offset by a \$300,000 Loan from Green Acres.*

Mayor DelVecchio read Ordinance Number 11-2013 into the record by title. He informed the members of the public present that this Ordinance will fund the following upgrades to Cavallo Park: Masonry Wall, Brick paving, Ornamental Gate, Kiosk, bike rack, light fixtures, water fountain, electrical modifications, a pavilion, picnic tables, trash receptacles, barbeque, new play equipment, benches and landscaping. The City is the recipient of \$300,000 in loans from the State of New Jersey, Department of Environmental Protection.

**CITY OF LAMBERTVILLE, NEW JERSEY  
ORDINANCE NO. 11-2013**

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**AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR IMPROVEMENTS TO CAVALLO PARK IN AND FOR THE CITY, APPROPRIATING \$370,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$370,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE CITY TO FINANCE THE SAME.**

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**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 improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as general improvements. For the improvements or purposes described in Section 3 hereof, there is hereby appropriated the \$370,000, including a grant of \$300,000 to be received by the City on a reimbursement basis from the Green Acres Program within the New Jersey Department of Environmental Protection (the "State Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is required because the project set forth in Section 3 is being funded in part by the State Grant.

**Section 2.** In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$370,000, 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 improvements hereby authorized and the purposes for which the bonds or notes is the improvements to Cavallo Park, as detailed by an architect's estimate, dated April 18, 2013, on file in the Office of the City Clerk, and including all work and related materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes authorized herein is equal to the amount of the appropriation herein made therefor.

**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 bond 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 N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, 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 bond 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 capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 15.00 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 \$370,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$70,000 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 improvements or purposes.

(e) The City reasonably expects to commence the acquisition of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

**Section 7.** Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

**Section 8.** The full faith and credit of the City is 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 as to rate or amount.

**Section 9.** The City Council hereby covenants on behalf of the City to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

**Section 10.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor DelVecchio opened the public hearing on Ordinance Number 11-2013. He asked for public comment. There being no public comment or questions, Mayor DelVecchio asked for a motion to close the public hearing on Ordinance Number 11-2013. Council President Stegman made a motion to close the public hearing. Councilwoman Warner 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 to adopt Bond Ordinance Number 11-2013 to fund the reconstruction of Cavallo Park. Council President Stegman made a motion to adopt Ordinance Number 11-2013 on second reading and final approval. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

*Ordinance Number 12-2013: A Bond Ordinance in the Amount of \$765,000 to fund the Purchase of Block 1097, Lot 7.01 and Block 1002, Lot 64 (the Appraised Value of \$750,000 and Fees Necessary to Bond for the Project).*

Mayor DelVecchio read the Ordinance by title into the record. He informed the members of the public present that this is a Bond Ordinance to fund the purchase of the McCann property for Open Space Preservation, also known as Block 1097, Lot 7.01 on Jean Street and Block 1002, Lot 64 on York Street in the City of Lambertville. This finishes the City's purchase of the Music Mountain track which overlooks Ely Field and North Franklin Street residents. This purchase was approved by referendum in November of 2008. The City has been negotiation with the property owner since 2008. The Ordinance for Eminent Domain was approved at the May 21<sup>st</sup> session and will be finally adopted on July 17, 2013. The City is in the process of hiring an attorney to handle the paperwork with the Courts.

This purchase will be offset by funds provided by Green Acres: \$220,000 in loans, \$220,000 in grants, Hunterdon County Open Space Funds in the amount of \$185,000, and the City's open space tax.

**CITY OF LAMBERTVILLE, NEW JERSEY**  
**ORDINANCE NO. 12-2013**

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**AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF THE McCANN PROPERTY IN AND FOR THE CITY, APPROPRIATING \$765,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$765,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE CITY TO FINANCE THE SAME.**

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**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 improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as general improvements. For the improvements or purposes described in Section 3 hereof, there is hereby appropriated the \$765,000, including a grant of \$220,000 to be received by the City on a reimbursement basis from the Green Acres Program within the New Jersey Department of Environmental Protection (the "State Grant"), \$220,000 in loans from New Jersey Department of Environmental Protection, use of banked funds in the Hunterdon County Open Space Account and the City's Open Space Tax Account. Pursuant to N.J.S.A. 40A:2-11(c), no down payment is required because the project set forth in Section 3 is being funded in part by the State Grant.

**Section 2.** In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$765,000, 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 improvements hereby authorized and the purposes for which the bonds or notes is the acquisition of the McCann Property, being Block 1097, Lot 7.01 and Block 1002, Lot 64 on the tax maps of the City, and including all costs associated with the acquisition of the same, including legal, recording, appraisal and investigation costs and including all work and related materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes authorized herein is equal to the amount of the appropriation herein made therefor.

**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 bond 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 N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, 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 bond 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 capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the City may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 40.00 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 \$765,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$50,000 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 improvements or purposes.

(e) The City reasonably expects to commence the acquisition of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

**Section 7.** Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

**Section 8.** The full faith and credit of the City is 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 as to rate or amount.

**Section 9.** The City Council hereby covenants on behalf of the City to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

**Section 10.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor DelVecchio opened the public hearing on Ordinance Number 12-2013, a Bond Ordinance to fund the purchase of the McCann Property for Open Space Preservation. He asked for questions or comments from the public. There being no questions or comments from the public, Mayor DelVecchio asked for a motion to close the public hearing on Ordinance Number 12-2013. Councilwoman Warner made a motion to close the public hearing on Ordinance Number 12-2013. Council President Stegman 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 to adopt Bond Ordinance Number 12-2013. Councilwoman Warner made a motion to adopt on second reading and final approval Bond Ordinance Number 12-2013. 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 13-2013: An Ordinance to Amend the Salary & Wage Ordinance of the City of Lambertville.

Mayor DelVecchio read the Ordinance into the record by title. He informed the members of the public present that this ordinance sets the salary ranges for City employees.

**City of Lambertville**  
**ORDINANCE NUMBER 13-2013**  
*An Ordinance to Amend the Salary & Wage Ordinance for the City of Lambertville*

**SALARY AND WAGE ORDINANCE**

**BE IT ORDAINED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey as follows:**

**SECTION ONE:** The following shall be the range of compensation for the officials and employees of the City of Lambertville not covered by separate bargaining units:

Police Director	\$50,000 - \$80,000
Senior Police Administrative Assistant	\$23,000 - \$40,000
Secretary, Part-time	\$11.00 - \$18.00 per hour
Crossing Guard	\$10.00 - \$15.00 per hour
Parking Enforcement Officer, Full Time	\$12.00 - \$20.00 per hour
Parking Enforcement Officer, Part-time	\$11.00 - \$18.00 per hour
Class I Special Police Officer	\$11.00 - \$15.00 per hour
Police Officer, Part-time	\$12.00 - \$45.00 per hour
Matron	\$12.00 - \$30.00 per hour
Court Administrator	\$26,000 - \$45,000
Deputy Court Administrator Part Time	\$11.00 - \$20.00 per hour
Municipal Court Judge	\$10,000 - \$20,000
Municipal Court Judge, DWI	\$110.00 - \$150.00 per hour
Chief Financial Officer/Director of Finance	\$7,000 - \$55,000 or \$29 to 60 per hour
Tax Collector	\$25,000 - \$43,000
Tax Assessor	\$20,000 - \$35,000
Tax Assessor, Reassessment work	\$5,000 - \$10,000
Mayor & City Council	\$500 - \$5,000

**City of Lambertville**

**Regularly Scheduled Session**

**June 18, 2013, 6:30 p.m.**

**Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville**

**MINUTES**

**Page 24**

Municipal Clerk	\$50,000 - \$75,000
Administrative Assistants	\$20,000 - \$35,000
Bookkeeper	\$20,000 - \$35,000
Planning Board Administrative Officer	\$3,000 - \$7,000
Zoning Board Administrative Officer	\$3,000 - \$7,000
Zoning Officer	\$4,000 - \$8,000
Construction Code Official	\$17,000 - \$45,000
Electric Subcode Official	\$9,000 - \$15,000
Plumbing Subcode Official	\$4,000 - \$20,000
Fire Subcode Official	\$4,000 - \$13,000
Fire Prevention Official	\$10,000 - \$18,000
Sub Code Officials – Hourly Rate	\$18.00- \$40.00 per hour
Fire Prevention Secretary	\$10.00 - \$18.00 per hour
Construction Control Person/TACO	\$18,000 - \$35,000
Substitute Official/Inspector	\$18.00 - \$40.00 per hour
Custodian	\$11.00 - \$20.00 per hour
Public Works Director	\$25.00 - \$50.00 per hour
Public Works Foreman	\$16.00 - \$40.00 per hour
Solid Waste Driver	\$15.00 - \$30.00 per hour
Solid Waste Collector	\$5.15 - \$10.00 per hour
Truck Driver/Labor	\$14.00 - \$25.00 per hour
Labor	\$14.00 - \$25.00 per hour
Public Works Operator	\$15.00 - \$30.00 per hour
Librarian	\$18.00 - \$30.00 per hour
Children’s Librarian	\$14.00 – \$25.00 per hour
Library Assistant	\$7.00 - \$20.00 per hour
Public Assistance Director	\$7,000 - \$30,000
Animal Control Officer	\$4,000 - \$9,500
Historic Commission Secretary	\$250 - \$1,500
Hourly Rate for Part Time Work	\$11.00 - \$40.00 per hour

WHEREAS, the establishment of a hourly rate is needed for positions that may not fall into a category listed above or to compensate an employee for work completed on an Inter Local Agreement, and

WHEREAS, Mayor and Council recognize there is a need from time to time to hire a qualified individual to complete a job or tasks within the City of Lambertville.

NOW THERE FORE BE IT RESOLVED that Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, by way of adoption of the Salary and Wage Ordinance for 2011, hereby authorize the Salary and Wage Ordinance for 2011.

First Reading and Introduction: May 21, 2013

Second Reading and Public Hearing: June 18, 2013

Mayor DelVecchio opened the public hearing on Ordinance Number 13-2013 and asked for comments from the public. There being no comments or questions from the public, Mayor DelVecchio asked for a motion to close the public hearing. Councilwoman Warner made a motion to close the public hearing on Ordinance Number 13-2013. Council President Stegman



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. Council President Stegman made a motion to adopt Ordinance Number 13-2013. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

### **CORRESPONDENCE.**

BUCKS COUNTY CARRIAGES: letter from Wendy F. McCook asking Mayor and Council to reconsider the fee for horse-drawn carriages.

Mayor DelVecchio informed the members of the public present that Ms. McCook requested that Mayor and Council take a look at their Ordinance pertaining to the licensing of liveries and taxi cabs. She felt it was not fair to charge the same fee as Taxi's since her business is not a 24/7 operation. Discussion ensued.

Mayor and Council asked the Clerk to draft an ordinance for their consideration, setting the license fee at \$100 per carriage, establishing an application process for annual renewal, and setting the number of licenses available at 5. This will be on the July 16<sup>th</sup> meeting agenda.

FACT BUCKS COUNTY: Annual 10K Walk is scheduled for 10 AM on Sunday, October 6, 2013. Mayor DelVecchio asked if the Clerk had a response yet from FACT regarding the proclamation. She responded that she did not.

TOWNSHIP OF READING: Resolution Opposing Jersey Central Power & Light Company Petition for a Rate Increase.

NJ TRANSIT: Disadvantaged Business Enterprise Triennial Agency Goal Announcement.

TOWNSHIP OF UNION: Resolution Opposing Jersey Central Power & Light Company Petition for A Rate Increase.

### **UNFINISHED BUSINESS.**

#### Update on Various Construction Improvement Projects.

City Hall – the City sent an invoice to the Bond Attorney for Watertrol. We need to have the concrete decorative stone put back on the building, the handicapped parking space needs to be patched, the door needs to be rehung leading to the basement.

Construction Projects.

South Franklin & Weeden Street Drainage Project. Phase II is underway.

Miscellaneous.

Update on projects for flood relief:

Swan Creek – nothing to report.

Update on various non-construction projects:

SHRHS Regionalization Work Group: Councilman Sanders reported that there will be a town hall meeting at the Phillip L. Pittore Justice Center on July 23<sup>rd</sup> at 7 pm. The town hall meeting was held in West Amwell on May 23 and will be held in Stockton on July 11<sup>th</sup>.

Garbage & Recycling: Mayor DelVecchio reported garbage is 5.97% less than in 2011 and 2.34% more than in 2012. Recycling is 12.1% more than in 2011, but 9.9% less than in 2012. Councilman Sanders thanked the Acting Public Works Director for the addition of recycling containers at Ely Field. He commented that the City should set the example by providing recycling and garbage containers at all public parks.

## **LAMBERTVILLE MUSIC HALL PROJECT**

Mayor DelVecchio informed the members of the public present that Mayor and Council received approximately 20 letters from residents regarding the Lambertville Music Hall Project. He read the following statement into the record.

We appreciate that this project has created a lot of interest and concern, both for and against it. This council has no jurisdiction over the zoning parts of the application and there is nothing we will be doing as a Mayor and Council at this time. We cannot pass any law concerning it, or otherwise interfere. The law requires the Zoning Board to apply the ordinance in place at the time the application was deemed complete. Any ordinance changes we would make will not apply to the project unless the owners withdraw their application and start over.

That is an application for variances and other relief which is pending before our Zoning Board. They have had a couple of hearings so far and the next hearing will be here on Thursday, June 27 at 7:30 p.m. The hearing is before the Zoning Board because a portion of the church property is in our R-2 residential zone, so the owners have to obtain use variances to allow the uses they want to put in that building (theater, restaurant, tavern). Those uses are not permitted in the R-2 zone.

The Zoning Board is still taking testimony from the owners and their professionals. They will also be taking questions and comments from the public, both in support and in opposition to the application. There could well be at least a couple of more hearings beyond the June 27 hearing. The owners may decide to adjourn one or more hearings to make revisions to their application based on those questions and comments, as well as questions and input from our planner, engineer and attorney.

It is the owners' burden to show their application has merit, and that they are entitled to the variances they seek. Legally they must satisfy the Zoning Board that they have special reasons

for the granting of the variances. They must also show that those variances and the other relief they want can be granted without detriment to the public good, will not impair the purpose of the zone plan and zoning ordinance. The Zoning Board could decide to grant all of the requested variances, or none, or they could grant some variances but not others. If the Zoning Board is to approve any variances, they must do so with at least five "yes" votes. Whoever is dissatisfied with their decision can appeal to the Superior Court after the written resolution explaining their rulings is adopted.

We have heard concerns that not everyone who has wanted to be heard has gotten chance to speak yet to the Zoning Board. You can be sure that the public will get to be heard, but you will have to be patient, and you will have to be present at the hearings to speak in order for your statements to be considered by the Board. Neither the Zoning Board, nor we as a Council, can accept petitions, e-mail chains or letters for or against the project, because the law does not permit those to be considered as evidence or testimony.

## **NEW BUSINESS.**

Appointments & Resignations from Boards.

Mayor DelVecchio nominated Jeff Reilly to Recreation Commission. Councilwoman Warner made a motion to accept the resignation of David Conant-Ringer from the Historic Preservation Commission and Edward Closson from the Recreation Commission, and to confirm the Mayor's appointment of Jeff Reilly to the Recreation Commission. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

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

## **ANNOUNCEMENTS.**

PHILLIP L. PITTORE JUSTICE CENTER BUILDING DEDICATION is scheduled for Wednesday, July 24, 2013 at 7 pm at 25 South Union Street.

### **SPECIAL ELECTION SCHEDULE:**

- i. August 13, 2013: Senate Primary. Polling Places open at 6 am and close at 8 pm.
- ii. September 24, 2013: Special Referendum for the School Boards. Tentatively scheduled. Polling Place hours is to be determined.
- iii. October 16, 2013: Senate Election. Polling Places open at 6 am and close at 8 pm.
- iv. November 5, 2013: General Election. Polling Places open at 6 am and close at 8 pm.

300<sup>th</sup> ANNIVERSARY OF HUNTERDON COUNTY: will be celebrated in each Community in 2014.

350<sup>th</sup> FOUNDING OF NEW JERSEY: will be celebrated in 2014.

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

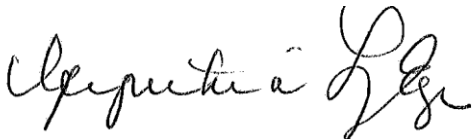
**PUBLIC PARTICIPATION/PETITION OF CITIZENS AND PUBLIC DISCUSSION.**

Council President Stegman asked the Acting Public Works Director about the status of the road projects for Cottage Hill and York Street. Mr. Myers reported that he has received only one quote to date and is anticipating one more tomorrow, June 19<sup>th</sup>. Council President Stegman asked why the City wasn't receiving more quotes. Mayor DeVecchio responded that this is a very busy season for contractors. He further stated that if the City didn't receive a second quote, they would go to plan b.

Adjournment.

Council President Stegman made a motion to adjourn at 7:39 p.m. Councilwoman Warner seconded the motion. 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

*The minutes were approved at the regularly scheduled session of Mayor and Council held on Tuesday, July 16, 2013.*