



City of Lambertville
Regularly Scheduled Session of Mayor & Council
Tuesday, August 20, 2013, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
Agenda

The meeting was called to order by Council President Stegman at 6:30 p.m. with a statement of compliance with the open public meeting act, providing the required notice on Friday, August 16, 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, Councilman Sanders, Council President Stegman, Mayor DelVecchio – signed on at 7 pm and participated by phone.

Absent: Councilwoman Warner.

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 August 20, 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 August 20, 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: Councilwoman Asaro, Councilman Sanders, Council President Stegman

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 7:06 p.m.

PLEDGE OF ALLEGIANCE.

Council President Stegman 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 Asaro made a motion to approve the following sets of minutes: July 16, 2013 Regularly Scheduled Session Minutes and July 16, 2013 Closed Session Minutes as submitted. Mayor DelVecchio seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present, except Councilman Sanders who abstained. MOTION CARRIED.

ADMINISTRATIVE REPORTS.

Councilman Sanders made a motion to approve the following Administrative Reports: Tax Collector – Bonnie Eick, Municipal Court Administrator – Barbara Halper, Construction Official – Ken Rogers, Zoning Officer/Fire Inspector – John Barczyk, Police Director – Bruce Cocuzza, 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 was taken in favor of the motion by all members present. MOTION CARRIED.

APPROVAL OF BILLS LIST.

Councilwoman Asaro made a motion to approve the Bills List. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

PROCLAMATION.

FACT Bucks County in honor of the Annual AIDS WALK, Walk with Your Heart and Soles!- On hold until September 17, 2013.

RESOLUTIONS.

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

Resolution Number 119 -2013: A Resolution to Support the Drive Sober or Get Pulled Over Grant.

City of Lambertville
Regularly Scheduled Session
August 20, 2013, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
Agenda
Page 3

Supporting the *Drive Sober or Get Pulled Over*
2013 Statewide Labor Day Crackdown Grant

Whereas, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

Whereas, 25% of motor vehicle fatalities in New Jersey are alcohol related; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the Labor Day weekend is traditionally a time of social gatherings which often include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout New Jersey to participate in the *Drive Sober or Get Pulled Over 2013 Statewide Labor Day Crackdown Grant*; and

Whereas, the project will involve increased impaired driving enforcement from August 16th through September 2nd; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be it resolved that the City of Lambertville declares its support for the *Drive Sober or Get Pulled Over 2013 Statewide Labor Day Crackdown* from August 16, 2013 through September 2, 2013 and pledges to increase awareness of the dangers of drinking and driving.

Adopted: August 20, 2013

Resolution Number 120-2013: A Resolution Authorizing the Removal of three Metered Spaces on Bridge Street, Pending Approval from the State of New Jersey Department of Transportation for the Mid-Block Crosswalk by the D&R Canal located by the Historic Bridge by the Lambertville Station.

City of Lambertville

RESOLUTION NUMBER 120-2013

A Resolution of Support for the Creation of the Mid-Block Crosswalk On Bridge Street And Authorizing the Removal of Three Metered Spaces, Subject to the Action of the State of New Jersey Department of Transportation

WHEREAS, the City of Lambertville and the Delaware and Raritan Canal State Park jointly requested the State of New Jersey's Department of Transportation consider a mid-block crosswalk which will allow pedestrian and bicycle traffic to safely cross the street and continue on the Tow Path, and

WHEREAS, on July 24, 2013, the State of New Jersey's Department of Transportation requested the City adopt a resolution supporting the removal of three metered spaces on Bridge Street as defined in their letter.

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 governing body of the City of Lambertville is supportive of the installation of the mid-block crosswalk on Route 179 (Bridge Street) to permit pedestrian and bicycle traffic to continue safely across the Tow Path.

BE IT FURTHER RESOLVED that the City of Lambertville is supportive of the removal of three metered parking spaces upon the construction of the mid-block crosswalk by the State of New Jersey's Department of Transportation as follows:

Mid-Block Crosswalk:

Name of Street

Route NJ 179 (Bridge Street)

Location

Beginning at a point 205 feet north of the center line of Lambert Lane and extending to a point 10 feet northerly there from.

BE IT FURTHER RESOLVED that a copy this resolution and the letter dated July 24, 2013 from the State of New Jersey's Department of Transportation be filed with Michael E. Mihalic, Supervisor, Traffic Investigations, Bureau of Traffic Engineering of the State of New Jersey.

Adopted: August 20, 2013

Resolution Number 121-2013: A Resolution Authorizing the City Clerk and Police Director to Sign the One Day Social Affairs Permit filed by Friends of Ely Park for the October 5th Event at Rago's Art and Auction Center located at 333 North Main Street in the City.

City of Lambertville

RESOLUTION NUMBER 121-2013

A Resolution to Authorize the Clerk and Police Director to Sign the One Day Social Affairs Permit Filed by the Friends of Ely Park for the October 5th Event at Rago Art and Auction Center

WHEREAS, the Friends of Ely Park submitted an application for a One Day Social Affairs Permit at Rago Art and Auction Center located at 333 North Main Street for an event scheduled for October 5, 2013 from 7 – 11 p.m., and

WHEREAS, the Police Director reviewed the request with Megan Ruf, the event coordinator and feels there are sufficient controls to allow for a fun and safe event, and

WHEREAS, the funds raised for the event will be used to continue the Ely Field project designed by James Hamilton.

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 Police Director and City Clerk are hereby authorized to sign the One Day Social Affairs Permit.

Adopted: August 20, 2013

Resolution Number 122-2013: A Resolution to Cancel the Balances on Bond Ordinances Which Are Not Funded.

City of Lambertville

RESOLUTION NUMBER 122-2013

A Resolution to Cancel the Balance on Various Bond Ordinances

WHEREAS, a review of bond ordinances of closed projects revealed open balances, and

WHEREAS, the city's auditor reviewed the accounts and agrees with the balances, 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, that the following balances on bond ordinances are hereby cancelled:

City of Lambertville
Regularly Scheduled Session
August 20, 2013, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
Agenda
Page 5

<u>Ordinance Number</u>	<u>Description</u>	<u>Balance</u>
2006-27	Traffic Calming	\$66,664.03
2008-03	Improvements to Kline's Court	\$6,129.71
2008-13	Swan Street Traffic Control Device	\$26,012.60
2008-17	Quarry Street Reconstruction	\$101,234.09
2008-24	Blair Tract Improvements	\$103,011.52
2010-01	North Union Street Phase I	\$67,237.88
2010-06	McCready's Alley	\$5,611.68
2010-21	Perry Street Reconstruction	\$37,161.88
2010-27	SHREC	\$458.81
2011-03	PW Equipment Purchase	\$35,023.49
2011-04	North Union Street Phase II	\$29,180.45
2011-05	South Franklin Street Engineering	\$2,061.61
2012-07	Acquisition of Vehicles/Tahoe	\$2,365.33
2012-19	Computers & Equipment	\$97.37

BE IT FURTHER RESOVLED that these ordinances were unfunded and this action is to remove the outstanding balances on the books of the City of Lambertville.

Adopted: August 20, 2013

Resolution Number 123-2013: A Resolution to Award the Contract for the Electrical Work for the Automatic Generator at City Hall and the Portable Generators at the Library and the Phillip L. Pittore Justice Center.

City of Lambertville

RESOLUTION NUMBER 123-2013

A Resolution to Award the Contract for the Generator Projects

WHEREAS, the City of Lambertville advertised for the bid opening in the Trenton Times and the Bucks County Courier News, and

WHEREAS, the bid opening was held on Thursday, August 8, 2013, and

WHEREAS, the following bids were received:

Company	Bid	Alternate Bid	Total
Zsenak Electric., Inc. Hamilton, NJ	\$124,000.00	Deduction of \$32,000 for generator	\$92,000.00
Mulhern Electric Abbington, PA	\$135,478.00	Deduction of \$17,000 for generator	\$152,478.00
Power With Prestige Newton, NJ	\$138,000.00	Deduction of \$28,000 for generator	\$110,000.00

WHEREAS, the City Attorney reviewed the bids and determined they were responsive. The City Engineer reviewed the bid documents and determined the most advantageous bid was submitted by Zsenak Electric Co., Inc. of Hamilton, NJ, and

WHEREAS, it was determined that it was most advantageous, cost and other factors considered to go with the **full bid/alternate bid** without the generator.

City of Lambertville
Regularly Scheduled Session
August 20, 2013, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
Agenda
Page 6

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 contract is hereby authorized with Zsenak Electric Co., Inc., of Hamilton, NJ, for the Alternate Bid, in an amount not to exceed \$92,000, funded through Ordinance Number 2013-01.

BE IT FURTHER RESOVLED that the Mayor and Clerk are hereby authorized to sign the contract with Zsenak Electric Co., Inc. of Hamilton.

Adopted: August 20, 2013

Resolution Number 124-2013: A Resolution to Authorize the Grant Application to the State of New Jersey Department of Transportation for the Reconstruction of Upper York Street.

City of Lambertville

RESOLUTION NUMBER 124-2013

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE UPPER YORK AND WASHINGTON STREETS IMPROVEMENT PROJECT.

_____ offered the following resolution and moved its adoption:

WHEREAS, the New Jersey Department of Transportation (NJDOT) is accepting applications for FY2014 Municipal Aid projects, and NJDOT will provide financial assistance to municipalities for transportation infrastructure improvements which are selected through the grant application process; and

WHEREAS, Upper York and Washington Streets exhibit the need for roadway, pedestrian and drainage improvements; therefore, the City of Lambertville will submit a Municipal Aid Grant Application for Upper York and Washington Streets Improvement project, which will extend along Upper York Street between Franklin Street and Route 179 and along Washington Street between Upper York Street and Route 179;

NOW, THEREFORE, BE IT RESOLVED that Council of Lambertville formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-City of Lambertville-00104 to the New Jersey Department of Transportation on behalf of City of Lambertville.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of City of Lambertville and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council

On this ____ day of ____, 20____

Cynthia L. Ege, City Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

Cynthia L. Ege,
City Clerk City Clerk

(Presiding Officer)
David Del Vecchio, Mayor

Resolution Number 125-2013: A Resolution to Cancel the Balances on Bond Ordinances Which Were Previously Funded, Creating \$122,793.53 in Surplus.

City of Lambertville
RESOLUTION NUMBER 125-2013

A Resolution to Cancel the Balance on Various Bond Ordinances Generating Surplus

WHEREAS, a review of bond ordinances of closed projects revealed open balances, and
 WHEREAS, the city’s auditor reviewed the accounts and agrees with the balances, 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, that the following balances on bond
 ordinances are hereby cancelled:

<u>Ordinance Number</u>	<u>Description</u>	<u>Balance</u>
2006-04	Drainage Improvements	34,601.03
2006-20	Mount Hope Road Improvements	12,831.59
2007-04	Purchase of Public Works Equipment	4,121.81
2008-01	Acquisition of Garbage Truck	14,033.91
2009-06	Acquisition of Dump Truck	38,257.63
2009-15	South Franklin Street Traffic Calming	9,175.37
2008-17	Quarry Street	\$9,772.19
TOTAL:		\$122,793.53

BE IT FURTHER RESOVLED that these ordinances were funded and this action is to remove the
 outstanding balances on the books and generate surplus for the City of Lambertville.

Adopted: August 20, 2013

Resolution Number 126-2013: A Resolution to Accept the 2012 Audit Completed by
 Suplee Clooney.

City of Lambertville
RESOLUTION NUMBER 126-2013
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an
 annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2012 has been filed by a Registered
 Municipal Accountant with the *Municipal Clerk* pursuant to N.J.S.A. 40A: 5-6, and a copy has
 been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to
 prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring
 that the governing body of each municipality shall, by resolution, certify to the Local Finance
 Board of the State of New Jersey that all members of the governing body have reviewed, as a
 minimum, the sections of the annual audit entitled “Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the
 Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and

City of Lambertville
Regularly Scheduled Session
August 20, 2013, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
Agenda
Page 8

Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the *Mayor and Council* of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON August 20, 2013.

Cynthia L. Ege, CMR, RMC, City Clerk

Resolution Number 127-2013: *A Resolution to Authorize the Mayor and Clerk to Sign and File the Application with JCP&L for the Holiday Lighting for 2013, With Funding from the Marriage/Civil Union Fee Fund.*

City of Lambertville
Resolution 127-2013
A Resolution Authorizing the City Clerk to File the Application with JCP&L for the Holiday Lighting of 2013

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville in the County of Hunterdon that the Mayor and City Clerk are hereby authorized to complete and sign the application with JCP&L for the 2013 holiday lighting.

ADOPTED: August 20, 2013

Resolution Number 128-2013: A Resolution Approving the Special Emergency Less Than 3% Total Operations to Fund Flood Mitigation Projects in the Amount of \$10,000.

City of Lambertville

RESOLUTION NUMBER 128-2013

A Resolution Approving the Special Emergency Less Than 3% Total Operations to Fund Flood Mitigation Projects in the Amount of \$10,000.

WHEREAS, an emergency has arisen with respect to Flood Mitigation, and no adequate provision was made in the 2013 budget for the aforesaid purpose, and N.J.S.A. 4-46 provides for the creation of an emergency appropriation for the purpose above mentioned; and

WHEREAS, the total amount of the emergency appropriations created including the appropriation to be created by this resolution is \$10,000 and three percent of the total operating appropriations in the budget for 2013 is \$146,074.07 and

WHEREAS, the foregoing appropriation, together with prior appropriations, does not exceed three percent of the total current operating appropriations in the budget for 2013;

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 in accordance with N.J.S.A. 40A:4-48:

1. An emergency appropriation be and the same is hereby made for flood mitigation in the amount of \$10,000.
2. Unless funded by a bond ordinance finally adopted in the 2013 that said emergency appropriation shall be provided for in full in the 2014 budget. The City hereby requests that this appropriation be excluded from CAPS pursuant to N.J.S.A. 40A:4-45.3.c(1).
3. That two certified copies of this resolution be filed with the Director of Local Government Services.

Adopted: August 20, 2013

Resolution Number 129-2013: A Resolution Authorizing the Mayor and Clerk to Sign the Contract with Jeff Ward for Flood Mitigation Services in an Amount Not to Exceed \$10,000.

City of Lambertville

RESOLUTION NUMBER 129-2013

A Resolution To Authorize the Mayor and Clerk to Sign the Contract with Jeff Ward for Professional Services

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the Mayor and Clerk are hereby authorized to sign the contract with Jeff Ward in an amount not to exceed \$10,000 for professional services to provide assistance with flood mitigation projects.

ADOPTED: August 20, 2013

Resolution Number 130-2013: A Resolution Authorizing the Mayor and Council to sign Change Order 1 for Phase II of South Franklin Street, noting a Zero Dollar increase/decrease. No action was taken in this resolution.

City of Lambertville
RESOLUTION NUMBER 130-2013

A Resolution To Authorize the Mayor and Clerk to Sign Change Order 1 for Phase II of South Franklin Street

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the Mayor and Clerk are hereby authorized to sign Change Order 1 for Phase II of the South Franklin Street Project, noting there is a zero dollar increase with this change order.

ADOPTED: August 20, 2013

Resolution Number 131-2013: A Resolution Authorizing the Purchase of a Generator for City Hall off State Contract, Number T2710 in the Amount of \$24,188.

City of Lambertville
RESOLUTION NUMBER 131-2013

A Resolution Authorizing the Purchase of a Generator for City Hall off State Contract, Number T2710 in the Amount of \$24,188.

WHEREAS, the City of Lambertville completed a formal bid process for the installation of an automatic generator at City Hall, and

WHEREAS, the bid included an alternate bid for the purchase of the generator, and

WHEREAS, the City's Engineer determined it was more cost effective to purchase the generator off State Contract.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the Mayor and Clerk are hereby authorized to sign the paperwork necessary for the procurement of the 60KW emergency generator – natural gas (\$18,350) and Line 00008 – sound enclosure and rodent guards (\$5,838) off State Contract Number T2710, funded through Ordinance Number 2012-10.

ADOPTED: August 20, 2013

Councilman Sanders made a motion to adopt 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.

ORDINANCES – INTRODUCTION AND FIRST READING.

Ordinance Number 18-2013: An Ordinance to Amend Chapter 7, Traffic, Section 4.5, Meters. Mayor DelVecchio read the ordinance into the record by title. He commented that this ordinance will remove the spaces on Bridge Street to allow the State of New Jersey to install the mid-block crosswalk by the D&R Canal Commission's tow path. It will also extend meters on South Union Street beginning at Ferry Street and ending at Swan Street.

City of Lambertville
ORDINANCE NUMBER 18-2013
An Ordinance to Amend Chapter 7, Traffic, Section 4.5

7-4.5 Parking Time Limited on Certain Streets. No person shall park a vehicle for longer than the time limit shown, at any time between the hours listed of any day upon any of the streets or parts of the streets described below.

This subsection shall not apply to Police, firefighting or rescue squad vehicles in the performance of their duties.

<i>Name of Street Sides</i>	<i>Limit</i>	<i>Time Hours</i>	<i>Location</i>
Bridge Street Lambert	Both	4 hours	Mon-Sat 9:00 am to 9:00 pm Sunday 1:00 pm to 9:00 pm From the Union Street to Lane

NOTE: This ordinance authorizes the removal of three spaces to establish a mid-block crosswalk by the D&R Canal's tow path on the north and south side of the street.

Union York side of	Both	4 hours	Mon-Sat 9:00 a.m. to 9:00 p.m. Sun 1:00 p.m. to 9:00 p.m. From the south side of Street to the north Swan Street
--------------------------	------	---------	------------------------------------------------------------------------------------------------------------------------------------

NOTE: This ordinance extends the meters to Swan Street on South Union Street, adding a new block beginning at Ferry Street and ending at Swan Street.

This ordinance is subject to the State of New Jersey, Department of Transportation's approval and installation of the mid-block crosswalk on Bridge Street to permit pedestrian traffic across the D&R Canal Commission's Tow Path, block 1035, lot 10, known on the Tax Maps of the City of Lambertville as the Delaware and Raritan Canal Feeder, owned by the State of New Jersey.

Introduced:	August 20, 2013
Public Hearing:	September 17, 2013
Adopted:	October 16, 2013

Council President Stegman asked for a motion to introduce Ordinance Number 18-2013. Councilman Sanders made a motion to introduce the ordinance to remove the 3 spaces on Bridge Street and add spaces on South Union Street. Councilwoman Asaro 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 September 17, 2013.

Ordinance Number 19-2013: An Ordinance of the City of Lambertville, County of Hunterdon, State of New Jersey, Authorizing the Establishment of a Government Energy Aggregation Program.

Mayor DelVecchio read the ordinance by title into the record. He informed the members of the public present that this ordinance will permit the City to participate in the South Hunterdon Renewable Energy Cooperative in a Community Aggregation Program for electric services for our residents and businesses. There will be a community meeting on September 10 with Gabel Associates to discuss this program beginning at 7 pm and will be held at the Phillip L. Pittore Justice Center located at 25 South Union Street in the City.

City of Lambertville
ORDINANCE NO. 19-2013

**AN ORDINANCE OF THE CITY OF LAMBERTVILLE,
COUNTY OF HUNTERDON, STATE OF NEW JERSEY,
AUTHORIZING THE ESTABLISHMENT OF A GOVERNMENT ENERGY AGGREGATION
PROGRAM**

WHEREAS, the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 *et seq.* governs the establishment of a government energy aggregation program, which is a government-operated purchasing cooperative through which multiple energy consumers purchase energy together under the auspices of a government aggregator; and

WHEREAS, the New Jersey Board of Public Utilities (“BPU”) has promulgated rules (N.J.A.C. 14:4-6) for the implementation of government energy aggregation programs; and

WHEREAS, pursuant to the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 *et seq.*, the City of Lambertville seeks to establish a Government Energy Aggregation Program (“Program”) for the provision of electricity within the City, for the purpose of obtaining power supply cost savings for residential and business participants in the City; and

WHEREAS, the City of Lambertville intends to serve as the Lead Agency of the Government Energy Aggregation Program in the City of Lambertville and, in that capacity and consistent with applicable rules, to solicit proposals and enter into a contract for the provision of electric generation services on behalf of residential and business customers within the boundaries of the City, to the extent that such a contract will produce power supply cost savings to residents and businesses; and

WHEREAS, the City of Lambertville will implement the Government Energy Aggregation Program through the South Hunterdon Regional Energy Cooperative (“SHREC”), and will serve as the Lead Agency of the SHREC for this purpose and, as Lead Agency, will solicit proposals and enter into a contract for the provision of electric generation services on behalf of residential and business customers within the boundaries of surrounding municipalities which have passed an ordinance to form a Government Energy Aggregation Program and to participate in the SHREC for that purpose, to the extent that such a contract will produce power supply cost savings for those residents and businesses; and

WHEREAS, the City of Lambertville will from time to time during the Effective Period as defined below solicit proposals from electric power suppliers for electric generation services through the Program in which the City of Lambertville will act as Lead Agency of the South Hunterdon Regional Energy Cooperative (“SHREC”); and

WHEREAS, the City of Lambertville will from time to time during the Effective Period as defined below issue one or more Request for Proposals for electric generation services and energy

City of Lambertville
Regularly Scheduled Session
August 20, 2013, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
Agenda
Page 13

aggregation services on behalf of the SHREC pursuant to the Local Public Contract Law Regulations, the Government Energy Aggregation Act and the Electric Discount and Energy Competition Act; and

WHEREAS, the City of Lambertville will only award contracts for said electric generation service and energy aggregation services to electric power suppliers that are deemed qualified and that submit price bids lower than the prevailing price for utility-provided basic generation service;

WHEREAS, pursuant to applicable BPU rules, the City needs to enter into an Electric Distribution Company Aggregation Agreement with Jersey Central Power and Light Company ("JCP&L"); and

WHEREAS, N.J.S.A. 48:3-93.1 *et seq.* requires the Program to be established by ordinance.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Lambertville, County of Hunterdon, and State of New Jersey as follows:

SECTION 1. The City hereby establishes a Government Energy Aggregation Program, in accordance with the provisions of the Government Energy Aggregation Act, N.J.S.A. 48:3-93.1 *et seq.*

SECTION 2. The Mayor is authorized to execute and the Clerk to attest to the execution of and Electric Distribution Aggregation Agreement, in a form acceptable to the City, with Jersey Central Power and Light Company ("JCP&L").

SECTION 3. The City of Lambertville will act as Lead Agency of the SHREC and, in that capacity, and consistent with applicable rules, will solicit proposals for electric generation service and energy aggregation services on behalf of City residents and businesses, as well as the residents and businesses of any surrounding municipalities that pass an ordinance to form a Government Energy Aggregation Program and to participate in the SHREC for that purpose, and enter into a contract for such services provided that the lowest qualified bid price is below the prevailing price for utility-provided basic generation service.

SECTION 4. As Lead Agency the City of Lambertville will execute a master performance agreement that obligates the participants in the SHREC to purchase electricity at terms and conditions stated therein with a third party supplier who has been awarded the contract by the Lead Agency on behalf of participating members of the SHREC, and provided that such contract shall be at prices reasonably forecast and estimated by the City of Lambertville to provide savings to participants relative to the price charged for basic generation service by JCP&L.

SECTION 5. The authorization provided herein shall be valid until September 30, 2015, at which time the Program will be subject to renewal at the discretion of the City of Lambertville.

SECTION 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

INTRODUCED: August 20, 2013
PUBLIC HEARING: September 17, 2013
FINAL ADOPTION: October 16, 2013

Council President Stegman asked for a motion to introduce Ordinance 19-2013. Councilman Sanders made a motion to introduce Ordinance Number 19-2013. Councilwoman Asaro 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 September 17, 2013.

Ordinance Number 20-2013: A Bond Ordinance to Amend Ordinance Number 23-2011, Adding \$10,000 to Fund the Review of the Grant Application for Swan Creek Flood Gates.

Mayor DeVecchio read the Ordinance by title into the record. He informed the members of the public present that this ordinance will amend the flood mitigation project to fund a consultant to assist with the Swan Creek Flood Mitigation Project.

City of Lambertville

ORDINANCE NUMBER 20-2013

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$10,000 FOR FUNDING OF THE BACK FLOODING FEASIBILITY STUDY IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$9,500 BONDS OR NOTES OF THE CITY FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED BY THE CITY COUNCIL, OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance has heretofore been authorized to be undertaken by the City of Lambertville, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$10,000, such sum being in addition to the \$9,590 appropriated therefore by bond ordinance #2009-14 of the City finally adopted September 19, 2011 (Bond Ordinance 2011-23); the \$50,000 appropriated therefore by bond ordinance #2009-14 of the City finally adopted August 17, 2009 (Bond Ordinance 2009-14); the \$100,000 appropriated therefore by bond ordinance # 2008-04 of the City finally adopted March 17, 2008 ("Bond Ordinance #2008-04"); the \$100,000 appropriated by bond ordinance #2007-16 of the City finally adopted April 16, 2007 ("Bond Ordinance 2007-16); and the \$40,000 appropriated therefore by bond ordinance #2007-01 of the City finally adopted January 16, 2007 ("Bond Ordinance #2007-01"), and including the sum of \$500 as the additional down payment required by the Local Bond Law. The additional down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$9,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the funding of the Back Flooding Feasibility Study, including the project design, funding analysis and grant identification, for the construction of flood mitigation measures for the Ely Creek Region, a portion of the Alexauken Creek Region and Swan Creek as described in the bond ordinances #2007-1; #2007-16; #2008-04, #2009-14, and 2011-23, all as shown on and in accordance with the proposal on file in the office of the Clerk, which proposal is hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$294,110, including the \$9,110 bonds or notes authorized under bond Ordinance #2011-23, the \$47,500 bonds or notes authorized under Bond Ordinance #2009-14, the \$38,000 bonds or notes authorized

by Bond Ordinance #2007-01, the \$95,000 bonds or notes authorized by Bond Ordinance #2007-16, the \$95,000 bonds or notes authorized by Bond Ordinance # 2008-04 and the \$9,500 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$309,590, including the 9,590 appropriated under Bond Ordinance #2011-23, the \$50,000 appropriated under Bond Ordinance #2009-14; the \$40,000 appropriated by Bond Ordinance #2007-01, the \$100,000 appropriated by Bond Ordinance #2007-16, the \$100,000 by Bond Ordinance #2008-04, and the \$10,000 appropriated herein.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$9,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$309,590 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$9,590 was estimated for these items of expense in Bond Ordinance #2011-23, \$50,000 was estimated for these items of expense in Bond Ordinance #2009-14; \$40,000 was estimated for these items of expense in Bond Ordinance #2007-01; \$100,000 was estimated for these items of expense in Bond Ordinance 2007-16, \$100,000 was estimated for these items of expense in Bond Ordinance 2008-04, and an additional \$10,000 is estimated therefore herein.

Section 7. The City hereby declares the intent of the City to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a

City of Lambertville
Regularly Scheduled Session
August 20, 2013, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
Agenda
Page 16

declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Council President Stegman asked for a motion to introduce Ordinance Number 20-2013.
Councilwoman Asaro made a motion to introduce on first reading Ordinance Number 20-2013.
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 will be on September 17, 2013.

Ordinance Number 21-2013: A Special Emergency to Fund the Codification of the City's Ordinances, totaling \$18,050 to be paid over a five year period.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that codifying ordinances is one of the reasons permitted by law to be funded by a special emergency. The City will repay the cost over a five year period.

City of Lambertville
ORDINANCE NUMBER 21-2013

Special Emergency to Codify the Ordinances of the City of Lambertville

WHEREAS, it has been found necessary to make an emergency appropriation to meet certain extraordinary expenses incurred, or to be incurred, for the revision and codification of ordinances; and
WHEREAS, pursuant to N.J.S.A. 40A-53, a municipality may adopt an ordinance authorizing a special emergency appropriations for the purpose of the revision and codification of ordinances and pursuant to N.J.S.A. 40A:4-55, "special emergency notes" may be authorized and issued to finance the special emergency appropriation and the municipality shall provide for an appropriation of at least one-fifth of the amount of the special emergency appropriation in succeeding annual budgets;

City of Lambertville
Regularly Scheduled Session
August 20, 2013, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
Agenda
Page 17

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, not less than two-thirds of all members thereof affirmatively concurring that in accordance with the provisions of N.J.S.A. 40A:4-55:

1. An emergency appropriation be and the same is hereby made for the codification of the City's ordinances in the amount of \$18,050.00.
2. That said emergency appropriation shall be provided for in full in the budgets of the next succeeding years by the inclusion of not less than \$3,610.00 in each of the next succeeding annual budgets.
3. That an "Emergency Note" not in excess of the above amount authorized pursuant to law be provided.
4. That such note shall be executed by the Chief Municipal Finance Officer of the City of Lambertville, the Mayor of the City of Lambertville and/or the City Clerk.
5. That said note shall be issued and dated as determined by the Chief Financial Officer, may be renewed from time to time, and such note and any renewals thereof shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization thereof.

The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of an inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services as on file with the Municipal Clerk and is available for public inspection. A certified copy of this resolution shall be submitted in duplicate to the Director, Division of Local Government Services.

First Reading and Introduction: August 20, 2013
Second Reading and Public Hearing: September 17, 2013

Mayor DelVecchio asked for comments from the public. Councilman Sanders commented that he thought it was a great idea.

Mayor DelVecchio asked for a motion to introduce Ordinance 21-2013. Councilman Sanders made a motion to introduce on first reading Ordinance 21-2013. Councilwoman Asaro 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 September 17, 2013.

ORDINANCES – SECOND READING AND FINAL ADOPTION.

Ordinance Number 15-2013: An Ordinance to Amend Chapter Five, Licensing for Taxicabs, Liveries and Limousines.

Council President Stegman read the ordinance by title into the record. He informed the members of the public present that this ordinance amends Chapter Five to permit a lower fee for Liveries since they are seasonal and separates taxicabs and limousines by giving them their own section.

City of Lambertville
ORDINANCE NUMBER 15-2013

An Ordinance to Amend Chapter V, General Licensing, Autobuses, Liveries, Limousines and Taxicabs
The City of Lambertville, in accordance with the State of New Jersey, NJSA 48, is licensing all autobuses, liveries, limousines and taxicabs in accordance with the State of New Jersey Statutes, 48:16, 2C:24, 2C:39, 2C: 35, 2A:168A. Therefore, it is a requirement in the City of Lambertville for all autobuses, liveries, limousines and taxicabs to be registered and licensed and to comply fully with the requirements of the State of New Jersey and the City of Lambertville.

I. AUTO CAB, TAXICAB,

- a. Definition as defined in N.J.S.A. 48:16-1, shall mean and include automobile or motor car, commonly called taxi, auto cab, omnibus, or by whatever name or designation they may now or hereafter be known or designated as “taxicab”, engaging in the business of carrying passengers for hire, which is held out, announced or advertised to operator run, or which is operated to run over any of the streets or highways of the City, and particularly accepts and discharges such persons as may off themselves for transportation from points or places within the City, or which is hired by charter, or for a particular contract, or by the day or hour or other fixed period, or to transport passengers to a specified place or places, or which charges a fare or price agreed upon, in advance, between the operator and the passenger. Nothing in this section contained shall be construed to include any motor vehicle by whatever name or designation used and employed solely in transporting school children or teachers, or auto buses which are subject to the jurisdiction of the Board of Public Utility Commissioners, or any motor vehicle owned or operated by the City of Lambertville, County of Hunterdon, State of New Jersey, or operated by any nonprofit organization in the business of transporting persons not for profit.
- b. License Required; Fees for License, as defined in N.J.S.A. 48:16-2, necessity of municipal consent before operating auto cab; limited on license fee. No auto cab shall be operated along any street in any municipality until the owner thereof shall obtain the consent of the elective governing body or member thereof having control of the public streets in the municipality. The City of Lambertville, in accordance with P.L. 2011, c. 135, licenses will be the subject of a public auction for the license.
- c. Issuance of License. Inspection of Taxicabs, In accordance with P.L. 2011, Chapter 135, a municipality shall publish a notice in the newspaper circulating generally within the municipality state the number of new or additional licenses to be authorized and the application period for the new or additional licenses. The notice shall specify a time and date after which no further applications will be accepted. The notice shall be published at least twice and at least one week apart, with the second notice published at least 30 days prior to the time and date specified in the notice as the time and date after which no further applications will be accepted.

The Mayor’s designee shall have the power to issue or refuse to issue a license, in pursuance of the terms of this section. The number of licenses shall not exceed 4, one license per vehicle.

Any license hereafter issued may be transferred upon the payment of a transfer fee of fifty (\$50) dollars for each and every such transfer, and subject to the provisions of subsection 5-1.5, upon obtaining approval, in writing, of the Mayor’s designee.

- d. Application Information: shall include the name, address, phone number of the owner and each operator, copies of insurance, State of New Jersey Business Registration, Sales Tax

Certificate, Fingerprinting results and any other information as deemed necessary by the Police Department and/or the City Clerk.

- e. Requirements for Applications: No license to operate a taxicab shall be granted to any person unless he is a citizen of the United States, or shall have declared his intention to become such a citizen. In the case of a co-partnership, no license shall be granted to operate a taxicab unless such corporation is either incorporated or is duly authorized to do business under the laws of this State. All applicants and prospective taxicab drivers must first submit to criminal history checks (fingerprinting) at a designated Live Scan facility prior to the issuance of a license, be 21 years old and possess a State of New Jersey issued driver's license which is currently valid.
- f. Fingerprinting: No license shall be granted to operate a taxicab to any person, or to any partnership or corporation who is not, or the members of or officer of which are not persons of good moral character, or who has, or if any of the members of the partnership, or officers of the corporation have been convicted of any following crimes: aggravated assault, arson, burglary, escape, extortion, homicide, kidnapping, robbery, aggravated sexual assault, sexual assault or endangering the welfare of a child pursuant to N.J.S.A. 2C:24-4, whether or not armed with or having in his possession any weapon enumerated in subsection r. of N.J.S.A. 2C:39-9, or other than a disorderly persons or petty disorderly persons offense for the unlawful use, possession or sale of a controlled dangerous substance as defined in N.J.S.A. 2c:35-2. In any other state, territory, commonwealth, or other jurisdiction of the United States, or any country in the world, as a result of a conviction in a court of competent jurisdiction, a crime which in that other jurisdiction or country is comparable to one of the crimes enumerated in paragraph one (1) of the subsection. If a person who has been convicted of one of the crimes outlined in this ordinance or in P.L. 2011, c.135 (A1471 3R), and can produce a certificate of rehabilitation issued pursuant to N.J.S.A. 2A:168A-8 or if the criminal offense occurred outside New Jersey, an equivalent certificate from the jurisdiction where the criminal offense occurred, the criminal offense shall not disqualify the applicant from operating or driving an auto cab and/or taxicab.
- g. Issuance of License; Number Limited; Transfer Fee: In accordance with P.L. 2011, Chapter 135, a municipality shall publish a notice in a newspaper circulating generally within the municipality stating the number of new or additional licenses to be authorized and the application period for the new or additional licenses. The notice shall specify a time and date after which no further applications will be accepted. The notice shall be published at least twice and at least one week apart, with the second notice published at least 30 days prior to the time and date specified in the notice as the time and date after which no applications will be accepted.

The Mayor's designee shall have the power to issue or refuse to issue a license, in pursuance of the terms of this section. The number of licenses shall not exceed four (4), one per vehicle, four (4) vehicles in total. Any license hereafter issued may be transferred upon the payment of a transfer fee of fifty (\$50) dollars for each and every such transfer, and subject to the provisions of subsection 5-1.5, upon obtaining the approval in writing of the Mayor's designee.

- h. Inspection Required Before Issuance of License: No Auto cab or Taxicab shall be licensed until it has been thoroughly and carefully inspected and examined by the Police Department and found to be in a thoroughly safe condition for the transportation of passengers. Such licensed taxicabs shall be clean, fit and of good appearance and well painted and varnished. Side curtains or shades shall not be permitted on any such licensed vehicles. The Department shall refuse a license to any applicant or, if already issued,

revoke or suspend the license of any vehicle found to be unsafe for the transportation of passengers. All reports of such inspections and examinations, after having been submitted to the Mayor's designee shall be filed with the City Clerk and become a part of the application filed for the licensing of such vehicle, as hereinafter provided.

- i. Display of License: Every licensed taxicab shall display in a manner required or approved by the Mayor's designee, its City license number upon the issuance of the City license of any taxicab. There shall be furnished to the owner a card setting forth the name and address of the owner and the number of the license which card shall be promptly displayed in the interior of the auto/taxicab.
- j. Register to be Maintained: The City Clerk shall keep a register of the name of each person owning or operating vehicle or vehicles licensed under this section, together with the license number and the description, make dimension of such vehicles, with the date and complete record of inspections made of them. All applications for licenses shall be filed by the City Clerk and carefully preserved for reference. All licenses issued shall be recorded in books provided for that purpose, which shall be in such form as the Mayor's designee shall prescribe. All such records shall be open to the inspection of the public at all reasonable times and shall be deemed the official records of the Department and of the City.
- k. Inspection, Written Reports Required: The Police Department shall maintain a constant vigilance over all taxicabs to see that they are kept in a condition of safety for the transportation of passengers, and to this end shall have the right at any and all times to inspect any and all licensed vehicles, and shall maintain a record, in writing of a report of such inspections.
- l. Insurance: as defined in N.J.S.A. 48:16-3, no such consent shall become effective until the owner of the auto cab shall have filed with the clerk of the municipality in which such operation is permitted, an insurance policy of a company duly licensed to transact business under the insurance laws of this State conditioned for the payment of business unless the applicant shall have complied with the provisions of Chapter 231 of the Laws of 1926, embodied in N.J.S.A. 48-16, et seq., N.J.S.A. 39:6B-1 and P.L. Chapter 135, Assembly number 1471 of the State of New Jersey, and the acts amendatory thereof or supplemental thereto, relating to the filing of an insurance policy covering the owner or operator of such vehicles for damages to person for which he may become liable by reason of the ownership, maintenance or use of the vehicle, not less than \$35,000 of motor vehicle liability insurance coverage, or the rate established and set by State of New Jersey Statutes. All such insurance policies shall be issued to cover the term of the license issued by the City.
- m. Licenses Revoked or Suspended: Licenses granted under the preceding sections may be revoked or suspended at any time after notice and hearing by the Mayor's designee if the vehicle shall not be in a safe condition for the transportation of passengers or not kept in conformity with the terms of this section or if used or its use permitted for any improper, immoral or illegal business or purpose, or for the violation of any statute or law of the State of New Jersey or of the United States, or for the violation of any of the provisions of this section, or any of the rules and regulations made by the Appropriate Authority.
- n. Mayor and Council to Designate Stand: The Mayor and Council are hereby authorized to designate such place or places within the Central Business District or Highway Commercial Zones of the City as public taxicab stands as the Mayor and Council, in its judgment, may deem necessary as may be required for the proper transportation of passengers. The City Clerk is hereby further authorized to grant permits for the operation

of taxicabs from private premises as it may deem necessary and proper. No taxicab shall occupy any public taxicab stand unless such taxicab shall have been licensed as provided in this section.

- o. Regulations: No taxicab, while waiting for employment by passengers shall stand on any public street or space other than that at or upon a taxicab stand designated or established in accordance with this section, nor shall any driver of such taxicab seek employment by repeatedly and persistently driving his taxicab to and fro in egress from any theater, hall, hotel, public resort, railroad station or other place of public gathering, and no driver shall solicit passengers for a taxicab except when sitting upon the driver's seat thereof, nor shall any driver of a taxicab solicit employment in the transportation of passengers by driving in or through any public street or public place a slow rate of speed, commonly designating as "cruising."

Upon request, no owner or driver of a taxicab or other vehicle regulated under this article, unless previously engaged, shall refuse or neglect to carry an orderly person anywhere within the City of Lambertville. Upon request, every driver of a taxicab is required to provide each passenger with a receipt indicated the driver's name, fee and description of the trip

No person operating a taxicab shall permit or allow any person other than a passenger being transported for hire in or about such taxicab when in service as a taxicab.

- p. Penalties for Violations: The penalties for violation of this ordinance shall be as set forth in Chapter I, Section 1-45 of the Code of the City of Lambertville.

II. LIVERIES

- a. Definitions: as defined in N.J.S.A. 48:16A 1-9 shall mean and include any horse carriage, horse drawn cart, engaging in the business of carrying of passengers for hire, which is held out, announced or advertised to operate or run, or which is operated to run over any of the streets or highways of the City, and particularly accepts and discharges such persons as may off themselves for transportation from points or places within the City, or which is hired by charter, or for a particular contract, or by the day or hour or other fixed period, or to transport passengers to a specified place or places.
- b. License required; Fees for License: No less than the sum of \$100 per vehicle/carriage, this will be offered annually by application. The City will offer up to five (5) licenses, one per vehicle or horse drawn carriage. Days of operation are limited to Friday, Saturday, Sunday and/or holidays.
- c. Issuance of License, Inspection of Liveries/Transfer Fee: The Mayor's designee shall have the power to issue or refuse to issue a license, in pursuance of the terms of this section. The number of licenses shall not exceed 5, one license per vehicle.

Any license hereafter issued may be transferred upon the payment of a transfer fee of twenty-five (\$25) dollars for each and every such transfer, and subject to the provisions of subsection 5-1.5, upon obtaining approval, in writing, of the Mayor's designee.

- d. Application Information: The application form shall include the name, address, phone number of the owner and each operator, copies of insurance, State of New Jersey Business Registration, Sales Tax Certificate, and any other information as deemed necessary by the Police Department and/or the City Clerk.

- e. Requirements for Applications: No license to operate a livery shall be granted to any person unless he is a citizen of the United States, or shall have declared his intention to become such a citizen. In the case of a co-partnership, no license shall be granted to operate a taxicab unless such corporation is either incorporated or is duly authorized to do business under the laws of this State. All applicants and prospective taxicab drivers must first submit to criminal history checks (fingerprinting) at a designated Live Scan facility prior to the issuance of a license.
- f. Inspection Required Before Issuance of License: No livery shall be licensed until it has been thoroughly and carefully inspected and examined by the Police Department and found to be in a thoroughly safe condition for the transportation of passengers. Such licensed taxicabs shall be clean, fit and of good appearance and well painted and varnished. Side curtains or shades shall not be permitted on any such licensed vehicles. The Department shall refuse a license to any applicant or, if already issued, revoke or suspend the license of any vehicle found to be unsafe for the transportation of passengers. All reports of such inspections and examinations, after having been submitted to the Mayor's designee shall be filed with the City Clerk and become a part of the application filed for the licensing of such vehicle, as hereinafter provided.
- g. Display of License: Every licensed livery shall display in a manner required or approved by the Mayor's designee, its City license number upon the issuance of the City license of any livery. There shall be furnished to the owner a card setting forth the name and address of the owner and the number of the license which card shall be promptly displayed in the interior of the livery.
- h. Register to be maintained: The City Clerk shall maintain a register of all licenses granted to liveries and this register and application will be made available to the public upon request.
- i. Inspection, Written Reports Required: The Police Department shall maintain a constant vigilance over all liveries to see that they are kept in a condition of safety for the transportation of passengers, and to this end shall have the right at any and all times to inspect any and all licensed vehicles, and shall maintain a record, in writing of a report of such inspections.
- j. Insurance: In accordance with N.J.S.A. 48:16A-2, No vehicle shall be operated wholly or partly along any street in any municipality until the owner of the vehicle shall have filed with the clerk of the municipality in which such operation is maintained, an insurance policy of company duly licensed to transact business under the insurance laws of this State in the sum of \$10,000 against loss by reason of the liability imposed by law upon the vehicle owner for damages on account of bodily injury or death suffered by any person with a maximum limit of \$100,000 for more than one person in any one accident, and in the sum of \$1,000,000 against loss by reason of such liability for damage on account of the injury to or destruction of the property of any person, with a maximum of \$5,000 for more than one person in any one accident, as the result of an accident occurring by reason of the ownership, maintenance or use of the vehicle upon any public street. Such operation shall be permitted only so long as the insurance policy shall remain in force to the full and collectible amount of \$105,000. The insurance policy shall provide for the payment of any final judgment recovered by any person on account of the ownership, maintenance and use of such vehicle or any fault in respect thereto, and shall be for the benefit of every person suffering loss, damage or injury as aforesaid.
- k. Licenses Revoked or Suspended: Licenses granted under the preceding sections may be revoked or suspended at any time after notice and hearing by the Mayor's designee if the

vehicle shall not be in a safe condition for the transportation of passengers or not kept in conformity with the terms of this section or if used or its use permitted for any improper, immoral or illegal business or purpose, or for the violation of any statute or law of the State of New Jersey or of the United States, or for the violation of any of the provisions of this section, or any of the rules and regulations made by the Appropriate Authority.

1. Penalties for Violations: The penalties for violation of this ordinance shall be as set forth in Chapter I, Section 1-45 of the Code of the City of Lambertville.

III. LIMOUSINES

- a. Definitions: In accordance with N.J.S.A. 48:16-22.3a, any person who owns a limousine service, or any other company or service which pairs a passenger automobile, as defined in R.S. 39:1-1, and a driver with a private customer to provide prearranged passenger transportation at a premium fare on a dedicated, nonscheduled, charter basis that is not conducted on a regular route, include, but not limited to, the use of authorized drivers of rental vehicles to provide such passenger transportation, in no event shall it have a seating capacity of more than 14 passengers, not including the driver, shall require an applicant for employment as a limousine operator or driver, or as an operator or driver of any other passenger automobile, as defined in R.S. 39:1-1.
- b. License Required; Fees for License: No limousine shall be operated in the State of New Jersey without being registered and licensed.
- c. Issuance of License, Inspection of Limousines: The clerk of the municipality in which the owner has his principal place of business, upon the filing of the required insurance policy and the payment of a fee shall issue in duplicate a license to operate showing that the owner of the limousine has complied with the terms and provisions of N.J.S.A. 48:16-17.
- d. Application Information: shall include the name, address, phone number of the owner and each operator, copies of insurance, State of New Jersey Business Registration, Sales Tax Certificate, Fingerprinting results and any other information as deemed necessary by the Police Department and/or the City Clerk.
- e. Requirements for Applications: No license to operate a limousine shall be granted to any person unless he is a citizen of the United States, or shall have declared his intention to become such a citizen. In the case of a co-partnership, no license shall be granted to operate a taxicab unless such corporation is either incorporated or is duly authorized to do business under the laws of this State. All applicants and prospective taxicab drivers must first submit to criminal history checks (fingerprinting) at a designated Live Scan facility prior to the issuance of a license, be 21 years old and possess a State of New Jersey issued driver's license which is currently valid.

In accordance with N.J.S.A. 48:16-22.3b., any person who owns a limousine service shall require an applicant for employment as a limousine operator or driver to be tested, at the applicant's expense, for dangerous controlled substances as defined in N.J.S.A. 2C:35-2.

- f. Fingerprinting: No license shall be granted to operate a limousine to any person, or to any partnership or corporation who is not, or the members of or officer of which are not persons of good moral character, or who has, or if any of the members of the partnership, or officers of the corporation have been convicted of any following crimes: aggravated assault, arson, burglary, escape, extortion, homicide, kidnapping, robbery, aggravated sexual assault, sexual assault or endangering the welfare of a child pursuant to N.J.S.A. 2C:24-4, whether or not armed with or having in his possession any weapon enumerated in subsection r. of N.J.S.A. 2C:39-9, or other than a disorderly persons or petty disorderly persons offense for the unlawful use, possession or sale of a controlled dangerous

substance as defined in N.J.S.A. 2c:35-2. In any other state, territory, commonwealth, or other jurisdiction of the United States, or any country in the world, as a result of a conviction in a court of competent jurisdiction, a crime which in that other jurisdiction or country is comparable to one of the crimes enumerated in paragraph one (1) of the subsection. If a person who has been convicted of one of the crimes outlined in this ordinance or in P.L. 2011, c.135 (A1471 3R), and can produce a certificate of rehabilitation issued pursuant to N.J.S.A. 2A:168A-8 or if the criminal offense occurred outside New Jersey, an equivalent certificate from the jurisdiction where the criminal offense occurred, the criminal offense shall not disqualify the applicant from operating or driving a limousine.

- g. Issuance of License; Fee: The clerk of the municipality, in which the owner has his principal place of business, upon the filing of the required insurance policy and the payment of the fee, which shall not exceed \$50, shall issue in duplicate a license to operate showing that the owner of the limousine has complied with the terms and provisions of N.J.S.A. 48:16-17.

The original license shall be retained within the limousine and shall be available for inspection by any police officer in the State.

The duplicate license shall be filed with Division of Motor Vehicles before any such car is registered as a limousine.

- h. Inspection Required Before Issuance of License: No limousine shall be licensed until it has been thoroughly and carefully inspected and examined by the Police Department and found to be in a thoroughly safe condition for the transportation of passengers. Such licensed limousine shall be clean, fit and of good appearance and well painted and varnished. Side curtains or shades shall not be permitted on any such licensed vehicles. The Department shall refuse a license to any applicant or, if already issued, revoke or suspend the license of any vehicle found to be unsafe for the transportation of passengers. All reports of such inspections and examinations, after having been submitted to the Mayor's designee shall be filed with the City Clerk and become a part of the application filed for the licensing of such vehicle, as hereinafter provided.
- i. Display of License: Every licensed taxicab shall display in a manner required or approved by the Mayor's designee, its City license number upon the issuance of the City license of any limousine. There shall be furnished to the owner a card setting forth the name and address of the owner and the number of the license which card shall be promptly displayed in the interior of the auto/taxicab.
- j. Register to be Maintained: The City Clerk shall keep a register of the name of each person owning or operating vehicle or vehicles licensed under this section, together with the license number and the description, make dimension of such vehicles, with the date and complete record of inspections made of them. All applications for licenses shall be filed by the City clerk and carefully preserved for reference. All licenses issued shall be recorded in books provided for that purpose, which shall be in such form as the Mayor's designee shall prescribe. All such records shall be open to the inspection of the public at all reasonable times and shall be deemed the official records of the Department and of the City.
- k. Inspection, Written Reports Required: The Police Department shall maintain a constant vigilance over all limousines to see that they are kept in a condition of safety for the transportation of passengers, and to this end shall have the right at any and all times to inspect any and all licensed vehicles, and shall maintain a record, in writing of a report of such inspections.

- l. Insurance: as defined in N.J.S.A. 48:16-14, no limousine shall be operated wholly or partly along any street in any municipality until the owner of the limousine shall have filed with the clerk of the municipality in which the owner has his principal place of business, an insurance policy of a company duly licensed to transact business under the insurance laws of this State in the sum of \$1,500,000 against loss by reason of the liability imposed by law upon every limousine owner for damages on account of bodily injury or death suffered by any person as the result of an accident occurring by reason of the ownership, maintenance or use of the limousine upon any public street.
- m. Licenses Revoked or Suspended: Licenses granted under the preceding sections may be revoked or suspended at any time after notice and hearing by the Mayor's designee if the vehicle shall not be in a safe condition for the transportation of passengers or not kept in conformity with the terms of this section or if used or its use permitted for any improper, immoral or illegal business or purpose, or for the violation of any statute or law of the State of New Jersey or of the United States, or for the violation of any of the provisions of this section, or any of the rules and regulations made by the Appropriate Authority.
- n. Penalties for Violations: The penalties for violation of this ordinance shall be as set forth in Chapter I, Section 1-45 of the Code of the City of Lambertville and N.J.S.A. 48:16.

All other previous ordinances pertained to Taxicabs, Auto cabs, Limousines or Liveries are hereby repealed.

INTRODUCED: July 16, 2013

PUBLIC HEARING: August 20, 2013

FINAL ADOPTION:

Mayor DelVecchio opened the public hearing on Ordinance 15-2013. He asked for any comments and/or questions from the public.

Wendy McCook was present of Bucks County Carriages asked if it was the City's intent to have five licenses. Council President Stegman stated that it is one license per carriage. Ms. McCook said it would be feasible to have more than one carriage. She felt the cost of the license was prohibitive since the profit isn't that high. She then asked if she would receive a refund since she paid \$500 for her license. Council President Stegman commented that the fee is \$100 and her license expires in May of 2014 so she wouldn't have to pay the new fee until then. She asked if she would receive a refund. Mayor DelVecchio informed Ms. McCook that this amendment was made based on her comments at a council meeting and won't take effect until sometime in mid to late September. He further commented that in all fairness to the Council, she should have asked at the time of the revision for a refund so that it could be included in the language. He asked the City Attorney to look into how the City would accommodate this request and reiterated that it may not be something they can do.

There being no further comments or questions from the public, Council President asked for a motion to close the public hearing. Councilman Sanders made a motion to close the public hearing on Ordinance 15-2013. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Council President Stegman asked for a motion on final approval and second reading. Councilman Sanders made a motion to adopt Ordinance 15-2013 on second reading and final approval. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Ordinance Number 16-2013: An Ordinance to Amend Chapter Ten, Garbage & Recycling.
Council President Stegman read the Ordinance into the record by title. Mayor DelVecchio informed the members of the public present that this ordinance amends chapter ten by adding the requirement of a lid for all containers. It also amends other language to formalize the collection of brush.

City of Lambertville
ORDINANCE NUMBER 16-2013
An Ordinance to Amend Chapter XII, Sanitation; Recycling

CHAPTER XII

SANITATION; RECYCLING

SECTION 12-1: SANITATION

The purpose of this Ordinance is to establish rules for the collection of garbage, refuse, and other material which cannot be recycled.

DEFINITIONS:

Construction Materials: Construction materials are defined as any sheetrock, wood, cinder block, insulation or other refuse removed from a property during the construction/reconstruction phase of a project.

Containers: A receptacle or a flexible covering with a lid and drainage for the purpose of storing garbage or recycling.

Garbage shall mean the refuse of animal and vegetable matter which has been used or intended for food, unwanted useless material that cannot be recycled.

Miscellaneous refuse shall mean all daily waste from private residences, hotels, restaurants, and other places of business and applies particularly to such articles old shoes, carpets, broken crockery or glass, and such other articles that cannot be recycled; but it does not include anything like building materials.

Recycling: the City shall collect and recycle the items which are listed under Appendix B. All recycling items must be kept separate from the garbage and refuse in a container with a lid and must be marked with a large "R" or label or other means which identifies the contents as recycling materials.

12-1 RECEPTACLES FOR GARBAGE.

12-1.1 Number of Receptacles; Maintenance. The occupant of every dwelling unit, office and business where garbage is accumulated shall be entitled to place four (4) bags or containers of regular household trash, which cannot be recycled, each week on their designated day for collection by the City of Lambertville. Each bag or container shall: weigh less than forty (40) pounds, be less than four (4') foot in

any dimension, have a means of draining water and have a lid. The receptacles along the street are for use by visitors to the City and not for placement of household or commercial trash. (Ord. 3/7/1904, paragraph 1; Ord. 2002-24, paragraph 1)

12-1.2 Time and Manner of Placement. Each container shall be placed on the curb by 7:00 a.m. on the designated collection day for that area. The container shall not be placed on the curb before 5:00 p.m. of the day before the designated collection day and shall be removed by 7:00 a.m. of the day after the designated collection day. (Ord. 3/7/1904, paragraph 2; Ord. 2002-04, paragraph 2). Failure of a residence to abide by the rules and regulations of this section may be fined up to two hundred fifty (\$250.00) dollars for each violation of noncompliance.

12-1.3 Collections of Miscellaneous Refuse. Miscellaneous refuse shall be collected and removed from all private residences, and other places of business in the City which comply with the established regulations. All refuse intended for collection must be deposited by householders in receptacles suitable for that purpose and which can be readily handled by one man, and have a lid. All such receptacles shall be placed at points accessible to collectors. (Ord. 3/7/1904, paragraph 7)

12-1.4 Rules for Collection Established. The Mayor and Council shall have the power and duty to establish proper rules and regulations governing the collection of garbage and miscellaneous refuse not inconsistent with the provisions of this section, and to fix the time for such collections and to change the time of such collections whenever in their judgment, such changes shall be necessary or advisable. (Ord. 3/7/1904, paragraph 9)

12-1.5 Authorized Persons Only to Handle Collection. No person other than the owner or authorized collector shall interfere with or disturb any garbage or miscellaneous refuse after it shall have been put in a receptacle as aforesaid and placed in an accessible place for collection, nor shall any unauthorized person molest, burden, delay or in any manner interfere with any collector of garbage or refuse in the discharge of his duty. (Ord. 3/7/1904, paragraph 10)

12-1.6 Containers to have Lids. All containers used for the purpose of storing garbage or recycling must have a lid and not hold water or liquids.

12-1.7 Trash Material to be Drained of Liquids. It shall be unlawful for the occupant of any dwelling, house, store or other building to place on any public street or other public place, any garbage or other waste containing water, unless such garbage or other waste has been thoroughly drained of its moisture and wrapped up in substantial paper, and deposited in a suitable receptacle. (Ord. 6/10/20)

12-1.8 Trash Materials to be Tied or Fastened Securely. All waste paper, excelsior, rags, old clothes, bedding or other rubbish or refuse of a like nature, which will scatter if loose, shall not be placed on any public street, or place for collection, unless it is fastened together securely by tying or otherwise. (Ord. 6/10/20)

12-1.9 Procedures for Placement of Weeds, Shrubbery Clippings, Limbs, Branches and other Garden Waste; Collection to be Made by Public Works Department.

- a. Beginning November 1 and ending December 31 of each year, leaves shall be placed in piles along the curb line of the street. The piles shall not exceed five (5) feet in width from the curb line. The Director of Public Works or the Mayor's designee may require that leaves be bagged and shall provide the public with notice of such requirement.
- b. All weeds and similar growth clippings shall be placed in a container so that they may be easily emptied in the collector's vehicle.

- c. Hedge and shrubbery clippings, tree trimmings and garden waste will be collected if tied in bundles not to exceed four (4) feet in length and not to exceed two (2) feet in diameter. The total volume placed at the curb for one (1) day's pickup will not exceed ten (10) bundles and must be placed so that they will not spill out in the gutter, street or on sidewalks.
- d. The City will not remove and/or chip trees.

12-2 Procedures for Disposal of Grass Clippings; Schedule; Fee.

- a. Beginning April 15 through October 15 of each year, the residents and businesses of the City can drop off grass clippings at the Public Works Department between the hours of 9 AM and Noon Monday through Saturday.
- b. Grass clippings shall be kept separate from and not disposed of with regular garbage and refuse which is collected by the Public Works Department.

12-2 PERMIT FOR DUMPSTER OR RECEPTACLES PLACED ON STREETS OR SIDEWALKS.

12-2.1 Compliance Required. No person shall encumber or obstruct any street or other public place in the City by placing therein or thereon any dumpster or other similar container commonly used for the collection of building materials, except in compliance with the provisions of this section and with a permit issued in accordance herewith. (Ord. #87-8, paragraph 1)

12-2.2 Definitions. As used in this section:

City shall mean the City of Lambertville.

Dumpster shall mean a container or debris-transfer body commonly used for the placing and/or collection of debris and building materials during building construction and/or renovations.

12-2.3 Permit Application.

- a. Any person desiring a permit shall make written application therefore to the City Clerk specifying the exact proposed location of such dumpster, container or other receptacle, the size and capacity thereof, the name of the owner of the abutting property, the length of time that the use is required, and such other information as may be required by the City Clerk.
- b. All such dumpsters or similar containers shall bear an identification number assigned by the State, and the name, address and telephone number of the person responsible therefor.
- c. All such dumpsters, containers or other receptacles that remain on the public streets or sidewalks during the hours between sunset of one day and sunrise of the next day shall be equipped with suitable reflectors, or such other warning devices, as may be required by the City Clerk. Such reflectors shall be capable of reflecting motor vehicle headlights at a distance of five hundred (500') feet.
- d. Unless the length of time on the subject permit is specified, any permit issued pursuant to this section shall only be valid for forty-eight (48) hours. (Ord. #87-8, paragraph 3)

12-2.4 Fees and Deposits. The application for a permit shall be accompanied by a fee of fifty (\$50.00) dollars. In addition, the City Clerk may in her discretion require an indemnity deposit not to exceed five hundred (\$500.00) dollars to reimburse the City for the cost of any extraordinary cleanup or repairs which may be incurred by the City as a result of the use permitted. This deposit, or any unused portion thereof,

City of Lambertville
Regularly Scheduled Session
August 20, 2013, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
Agenda
Page 29

shall be refunded in the event that there are no extraordinary cleanups or repairs. (Ord. #87-8, paragraph 4; Ord. #97-06, paragraph 1)

12-2.5 Insurance. Each application for a permit authorized under this section shall be accompanied by a policy or certificate of insurance, including the applicant and the City as named insured's and evidencing general liability coverage to protect the public from bodily injury or property damage sustained as a result of the use of such dumpster or other similar container. Such policy or certificate shall contain limits of at least \$100,000/\$300,000 for bodily injury and fifty thousand (\$50,000) dollars per property damage and shall provide at least thirty (30) days' notice of cancellation to be afforded to the City Clerk. (Ord. #87-8, paragraph 5)

12-2.6 Permit Term; Expiration.

- a. No permit shall be granted by the City Clerk for a term longer than seven (7) days.
- b. Permit is renewable for additional seven (7) day period at the discretion of the Public Works Director for an additional fee of \$100 for each additional application for permit that is filed.
- c. Upon the expiration of the permit, the permit holder shall remove or cause to be removed the dumpster or similar container from the sidewalk, street or public place. (Ordinance 2006-13 adopted May 15, 2006).

12-2.7 Refusal or Revocation Permit.

- a. The City Clerk may in her discretion refuse to issue a permit if she deems same to constitute a danger to public safety, or an unwarranted interference with the efficient movement of traffic.
- b. The City Clerk may revoke a permit for the same reasons, and if the dumpster or similar container is not removed within twenty-four (24) hours after notification, may arrange to have the same removed by the company at the property owner's cost and expense.
- c. If the City Clerk shall determine that an emergency situation exists with regard to the dumpster or other similar container, she may remove same without notice, at owner's expense. (Ord. #87-8, paragraph 7)

12-2.8 Restriction on Location and Placement.

- a. No dumpster or other similar container shall be placed within ten (10') feet of a fire hydrant.
- b. No dumpster or similar container shall be placed within five (5') feet of an adjacent property owner's driveway.
- c. No dumpster or other similar container shall be placed closer than twenty-five (25') feet from an intersection or further than six (6") inches from a curb.
- d. The area beneath and surrounding the dumpster or other similar container shall be kept cleaned, and upon removal of same, the street or roadway shall be swept clean of all loose debris and restored to its former condition.
- e. The dumpster or other similar container shall not be filled higher than four (4") inches from the top edge to prevent debris or materials from falling or being blown onto the streets. (Ord. #87-8, paragraph 8)

12-2.9 Violations and Penalties.

- a. Any dumpster or other similar container in violation of this section shall be removed by the permit holder after twelve (12) hours oral notice given to the owner thereof by the City Clerk.
- b. Notwithstanding paragraph a. above, any dumpster or other similar container situated in such a manner as to obstruct an adjacent owner's driveway or create traffic or road hazard shall be moved immediately upon notice given to the owner thereof by the Police Department.
- c. Any person violating the terms of this section shall, upon conviction, be liable to the penalty stated in Chapter I, Section 1-3. (Ord. #87-8, paragraph 9; New)

12-3 RECYCLING PROGRAM*

12-3.1 General.

- a. The rules and regulations of this section are mandatory for all occupants of residential, commercial and institutional establishments located in the City of Lambertville.
- b. Any recyclable placed at the curbside for pickup or deposited at a residential complex depot shall be and become the property of the City or its authorized agent. It shall be a violation of this section for any person or company unauthorized by the City to collect or pickup or cause to be collected or picked up any such recyclable. Each such collection or pickup in violation hereof is an offense subject to a fine of up to two hundred (\$200.00) dollars. Multiple collections or pickups are deemed multiple separate and distinct offenses.
- c. The provisions of this section may be enforced by the Recycling Coordinator and/or the Recycling Enforcement Specialist of Hunterdon County, the Municipal Building Code Official or a designated officer of the City.
- d. No recyclable that is being collected as part of the municipal recycling program may be donated or sold to or received by any person, partnership or corporation (whether operating for profit or not for profit) unless said person, partnership or corporation has first received written authorization from the Recycling Coordinator of the City of Lambertville.
- e. The Recycling Coordinator of the City is hereby authorized and directed to establish and promulgate reasonable rules and regulations as to the recycling plan for the City. The recycling plan shall include Appendices B, C, and D of this section. Such rules and regulations shall be effective no earlier than thirty (30) days nor later than ninety (90) days from the date of promulgation and publication of said rules and regulations. The Mayor and Council of the City may, by majority vote, change, modify, repeal or amend any portion of said rules and regulations.
- f. Appendix A creates the position of Recycling Coordinator and contains the Recycling Coordinator's job description.
- g. Appendix B establishes a collection schedule and collection requirements for the City of Lambertville.

***Editor's Note:** Prior ordinances codified herein include portions of Ordinance No. 88-13.

- h. Appendix C designates materials that are required to be recycled by the occupants of residential, commercial and institutional premises pursuant to the Hunterdon County Recycling Plan.
- i. Appendix D designates materials that are to be recycled in the City of Lambertville.
- j. If any section, sentence or other part of this section is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this section but shall be confined in its effect to the section, sentence or other part of this section directly involved in the controversy in which such judgment shall have been rendered.
- k. All ordinances or parts of ordinances which are inconsistent with the provisions of this section are hereby repealed to the extent of such inconsistency.
- l. This section shall take effect after final passage and publication according to law.
- m. Upon adoption this section shall become part of the Revised General Ordinances of the City of Lambertville.

12-3.2 Designation of Recyclable Materials. Because of changing markets for recyclable materials, a long-term discussion on which solid waste materials should be designated as recyclable is not possible. Therefore, please refer to Appendix C and Appendix D of this section for a list of those materials which are designated as recyclable. (Ord. #92-06, paragraph B)

12-3.3 Recycling Residences.

- a. Residences are defined as single dwellings designed for occupancy by from one (1) to four (4) family.
- b. Each family within a residence is required to recycle all materials designated by Appendix C and appendix D as “residential recyclables”.
- c. Each category of recyclable material must be prepared for collection as specified in Appendix B.
- d. Failure of a family within a residence to abide by the rules and regulations of this section may be fined up to two hundred fifty (\$250.00) dollars for each month of noncompliance. (Ord. #92-06, paragraph C)

12-3.4 Recycling in Residential Complexes.

- a. Residential complexes are defined as single or multiple dwellings designed for occupancy by more than four (4) families.
- b. Each family within a residential complex is required to recycle all materials designated by Appendix C and Appendix D as “residential recyclables”.
- c. Each category of recyclable material must be prepared for collection specified in Appendix B.
- d. The owner of each residential complex is responsible for providing a recycling depot for the entire complex. The depot shall be equipped with owner or contractor supplied receptacles for each category of designated recyclable material. Access to the depot shall be controlled by the owner or his agent(s); however, access to the depot for the families of the residential complex must be scheduled at least once a

week for at least a two (2) hour period and access to the depot must be made available to the recyclables collector between 7:00 a.m. and 4:00 p.m. on collection days.

e. Failure of a family within a residential complex to abide by the rules and regulations of this section may be fined up to two hundred fifty (\$250.00) dollars for each month of noncompliance. Failure of an owner (or his agent) to abide by the rules and regulations of this section may be fined up to two hundred fifty (\$250.00) dollars for each month of noncompliance. (Ord. #92-06, paragraph D)

12-3.5 Recycling by Commercial, Industrial and Institutional Establishments.

a. Commercial, industrial and institutional establishments are defined as all entities which operate or conduct any business whatsoever which cannot be included within the definitions of a residential premises or complex.

b. Each commercial, industrial and institutional establishment is required to recycle all materials designated by Appendix C and Appendix D as "commercial, industrial and institutional recyclables".

c. Commercial, industrial and institutional establishments may be exempted from recycling all materials designated by Appendix C and Appendix D as "commercial, industrial and institutional recyclables" provided at least one (1) commodity is recycled. This exemption must be applied for and approved by the Recycling Coordinator and must be made in writing. Included with the request must be evidence showing that the applicant will implement an individual establishment's alternate recycling plan identifying the material(s) that will be recycled and presents that an excess of fifty (50%) percent of the solid waste generated by the applicant will be recycled. A temporary one (1) time three (3) month exemption may be granted without supporting evidence at the discretion of the Recycling Coordinator; however, at the end of the three (3) month period the establishment must reapply for exemption with evidence collected during the three (3) month period. All regular exemptions (non-temporary exemptions) will expire December 31st of each year. Exemptions must then be reapplied for no later than January 31st of the next year.

d. Designated recyclables as described in Appendix C and Appendix D must be delivered to a State approved recycling facility at least once a month. Weight slips detailing the date, type of recyclables and the weight (in pounds or tons) must be delivered to the Borough Clerk no later than the 15th of the month for the preceding month.

e. Failure of a commercial or industrial establishment to abide by the rules and regulations of this Ordinance may be fined up to two hundred fifty (\$250.00) dollars for each month of noncompliance. (Ord. #92-06, paragraph E)

APPENDIX A

ESTABLISHMENT OF THE POSITION OF MUNICIPAL RECYCLING COORDINATOR

1. In order to carry out the requirements of the New Jersey Mandatory Source Separation and Recycling Act and the Hunterdon County Recycling Plan, the position of Municipal Recycling Coordinator is hereby established.

2. The Municipal Recycling Coordinator will be annually appointed by the Mayor and will serve a term of one year. The Mayor will annually affirm in writing the name of the person holding the position of Municipal Recycling Coordinator.

JOB DESCRIPTION FOR THE POSITION OF MUNICIPAL RECYCLING COORDINATOR

1. The recycling coordinator will report to the governing body and/or the Municipal Clerk at least once annually on the status of the Municipal recycling program including:
 - a. Tonnages that have been recycled by the Municipal program since the last report.
 - b. Any additional materials that can reasonably be considered to be recycled as part of the Municipal program.
 - c. The impact that the Municipal recycling program has had upon the amount of solid waste generated within the Municipality.
 - d. Report on financial or technical assistance that is available to the Municipal recycling program.
 - e. Recommending revisions of the rules and regulations of the Municipal recycling program as developed by the recycling coordinator in Appendices B, C, and D of this section.
2. The Municipal Recycling Coordinator will attend all Municipal Recycling Coordinator meetings that the governing body deems to be important. This includes meetings that may be conducted by the State, the County or other appropriate organizations.
3. Promotes the Municipal recycling program by educating citizens, businesses, institutions and organizations to the need to participate in the Municipal recycling program.
4. Explain to citizens, businesses, institutions and organizations the provisions of the mandatory recycling ordinance and assist in the enforcement thereof.

APPENDIX B

PICK-UP DAYS: The City of Lambertville is divided into four zones for the trash and recycling collection.

ZONE ONE, TUESDAY PICK-UP: Begins at Church Street and goes south to Route 29, includes Bridge Street, Ferry Street, Swan Street, Mount Hope Street and Canal Street. It also includes Curley Lane, Grants Alley and Washington Street.

ZONE TWO, WEDNESDAY PICK-UP: Includes Cottage Hill, Connaught Hill and Music Mountain.

ZONE THREE, THURSDAY PICK-UP: Begins at Church Street, runs north to Delaware Avenue.

ZONE FOUR, FRIDAY PICK-UP: Begins the north side of Delaware Avenue, runs north to Cherry Street, and includes Lamberts Hill and Blair Tract.

The following is a list of **MATERIALS THAT MUST BE RECYCLED, which may be updated by the Recycling Coordinator based on the materials currently recycled.**

CURBSIDE SINGLE STREAM RECYCLING

RECYCLABLE	EXAMPLES	PREPARATION	NOT RECYCLABLE
NEWSPAPERS	Clean newsprint and the inserts that come with newspapers such as comics, glossy coupons, magazine sections and colored ads.	Do not tie or place in plastic bags. Contain in brown bags or boxes or place loose in approved collection container or bucket, remove samples and plastics from junk mail.	Newspapers in plastic film weather bags. Remove from plastic bag and recycle separately.
BUSINESS PAPER AND JUNK MAIL	Magazines, writing and school paper, envelopes with or without windows, shredded paper (contained), copy paper, paperback books, hardcover books with covers removed, catalogs, phone books, store fliers, office papers, file folders, greeting cards, non-metallic gift wrapping paper and boxes.	Contain in brown bags or boxes or place loose in approved collection container or bucket, remove samples and plastics from junk mail.	Tissue and toilet paper, photographs.
CARDBOARD PAPER AND CHIPBOARD	Corrugated cardboard, boxes and brown paper grocery bags, cereal and other non-wax coated food containers, tissue boxes, shoe boxes, clean corrugated pizza boxes and paper egg cartons.	Flatten boxes, remove and discard Styrofoam and other packing materials.	Wax coated containers and frozen food boxes, milk and juice containers, Styrofoam containers, plastic egg cartons and similar food containers.
GLASS	Bottles and Jars of all colors with labels	Rinse clean, metal lids and tops acceptable.	Plastic caps and tops, drinking glasses, Pyrex, vases, dishes, bake ware, china. Containers without a Recycling Triangle #1 through #7.
PLASTICS	Bottles, Jars and Tubs with a #1, #2, #3, #4, #5, #6, and #7 in the Recycling Triangle such as Beverage, Milk, Detergent, Shampoo, Margarine, and Yogurt.	Rinse clean, remove all caps, lids and tops and dispose with regular trash.	Containers without a Recycling Triangle #1 through #7.
ALUMINUM, TIN, STEEL AND BIMETAL	Soda, Beverage and Food Containers, bimetal cans, aerosol containers (shaving cream, mousse, etc.)	Rinse clean, metal lids acceptable, empty aerosol containers.	Aerosol cans that contain product, aluminum foil and pie plates, cooking pots and pans.

Batteries – Low voltage and rechargeable*

Batteries – Lead acid motor vehicle*

Corrugated cardboard*

High Grade and/or Office Paper*

USED MOTOR OIL: You can take used motor to any authorized New Jersey Motor Vehicle re-inspection station for disposal. There is a fee charged for this service. The City does not accept used motor oil.

HUNTERDON COUNTY HAZARDOUS WASTE COLLECTION DAYS & ELECTRONIC DROP OFF DAYS: Please contact the Hunterdon County Utilities Authority, DIVISION OF SOLID WASTE AND RECYCLING, at 908-788-1110, FAX 908-788-1662, for additional information *or* visit their website

City of Lambertville
Regularly Scheduled Session
August 20, 2013, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
Agenda
Page 35

at: <http://www.co.hunterdon.nj.us/solidwaste/cleanup.htm>.

MEDICINE DROP: Both residents and non-residents may now dispose of medications anonymously, seven days a week, 365 days a year, at the new drop box in the lobby of Police Headquarters located at 349 North Main Street, Lambertville. The drop box is accessible weekdays between 9:00 a.m. and 4:30 p.m. At all other times people wishing to dispose of medications will be provided access by reaching an officer via the call box located next to the entrance door to headquarters.

ELECTRONICS & CLOTHING: Residents and businesses may dispose of used electronics and/or clothing, Monday through Saturday from 8 AM to Noon, by taking the items to the Public Works Department located at 120 Quarry Street and placing their items in the respective binds.

APPENDIX D

(Materials that are not required to be recycled but may be considered mandatory by a municipality by a municipality and/or alternate recyclables for residential, commercial and industrial and institutional establishments.)

Yard Waste
Bi-Metals/Steel Cans
White Goods
Plastics - #'s 1 + 2 at present (may be expanded in the future)
Food Waste
Waste oil*
Tires*

Construction/Demolition Debris** (components resulting from the construction and/or demolition of a building or structure, both residential and commercial, including but not limited to brick, sheetrock, glass, wood, tree stumps, logs, branches, and other like material found in the demolition and/or construction industry.)

Any material that can be unquestionably be recycled of a non-traditional nature that is generated by a commercial/industrial or institutional establishment provided that there is a proven, viable market for the said materials.

*Mandatory for commercial, industrial and institutional establishments.

**The construction and building permits that are issued may require performance bonds and/or escrow accounts that are returned to the permit holder when receipts are show documenting the proper disposal at the appropriate solid waste facility or approved recycling center.

12-4 FEES FOR COLLECTION OF SOLID WASTE.

12-4.1 Findings. A solid waste collection system has been established within the Department of Public Works, and there is a need for collection services for curb side pick-up of four bags/receptacles per unit, placed to the curb in a prescribed manner which has been established for each residential or commercial unit. (Ord. #89-23, Preamble) (Ordinance 2010-10)

Receptacles are defined in section 12-1.1 *“as each bag or container shall weigh less than forty (40) pounds and be less than four (4’) foot in any dimension and be totally enclosed.”* The receptacles along the street are for use by visitors to the City and not for placement of household or commercial trash.

Units are defined as Commercial or Housing Units which house one business or family per unit.

12-4.2 Fee Schedule Established.

- a) The fees for collection and disposal services in excess of four (4) bags shall be established by resolution annually for the public's convenience in disposing of items which are not included in the weekly collection. The Public Works Director in conjunction with the City Clerk shall submit a list of recommended items which will be approved by resolution of the Governing Body annually.
- b) All additional service shall be arranged through the City Clerk's Office with payment prior to the service being provided.
- c) A tag for additional service will be provided by the City Clerk's Office upon payment for the services listed in paragraph a. and shall be affixed to the item when it is placed at the curbside. (Ord. #89-23, paragraphs 1-3)
- d) Annually, the City of Lambertville may conduct a Sparkle Week and may collect additional fees by permit. The rate will be established based on the current rate paid by tonnage, set and approved by Resolution of Mayor and Council with input from the Public Works Director and City Clerk.
- e) Electronics can be picked up at the curb for recycling for a fee which will be established by resolution.

Council President Stegman opened the public hearing on Ordinance 16-2013. He asked for questions and or comments from the public.

Mayor DelVecchio commented that this ordinance requires lids on garbage and recycling containers and changes some language in the ordinance. Councilwoman Asaro asked the Acting Public Works Director if he could make sure the lids are put on the sidewalk or back on the containers and if the containers could be placed back where they were found. The Acting Public Works Director indicated he would take care of it.

There being no further questions from the public, Council President Stegman asked for a motion to close the public hearing on Ordinance 16-2013. Councilman Sanders made a motion to close the public hearing on Ordinance 16-2013. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Council President Stegman asked for a motion to adopt Ordinance 16-2013 on second reading and final approval. Councilman Sanders made a motion to adopt Ordinance Number 16-2013 on second reading and final approval. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Ordinance Number 17-2013: An Ordinance to Amend Chapter 7 to Create A Handicapped Parking Space in Front of 50 Perry Street.

City of Lambertville
Regularly Scheduled Session
August 20, 2013, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
Agenda
Page 37

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this will create a handicapped parking space in front of 50 Perry Street.

City of Lambertville

Ordinance Number 17-2013

An Ordinance to Amend the Revised General Ordinance of the City of Lambertville, 1990, Chapter 7: Traffic: Create a Handicapped Parking Space at 50 Perry Street

BE IT ORDAINED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the Revised General Ordinances of the City of Lambertville, 1990, Chapter 7: Traffic, be amended as follows:

SECTION 1: Section 7-4.7 Parking Restricted for Use by Handicapped Persons is amended by adding the following location:

Handicapped parking space in front of 50 Perry Street.

SECTION 2: This ordinance shall take effect immediately upon adoption according to law.

Introduced: July 16, 2013
Public Hearing: August 20, 2013
Final Adoption:

Council President Stegman opened the public hearing on Ordinance 17-2013. He asked for comments from the public.

There being no comments from the public, Mayor DelVecchio asked for a motion to close the public hearing on Ordinance 17-2013. Councilman Sanders made a motion to close the public hearing on Ordinance 17-2013. Councilwoman Asaro 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 Ordinance 17-2013 on second reading and final approval. Councilman Sanders made a motion to adopted Ordinance Number 17-2013 on second reading and final approval. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

CORRESPONDENCE.

DEBORAH JONES: *Letter requesting approval of a block party on Coryell Street between North Main and North Franklin Street on Sunday, September 1, with a rain date of September 8, from 3 to 10 pm.*

DENISE JARVIS: *Letter requesting approval of a block party on Ferry Street on Sunday, September 22 from 3 – 9 pm, from Union Street to Main Street. Requesting approval for a port-o-potty.*

LAMBERTVILLE CHAMBER OF COMMERCE: *Requesting approval for third annual city-wide sidewalk sale to be held on Saturday, October 5 with a rain date of Sunday October 6.*

Councilman Sanders made a motion to approve the request for a block party on Coryell Street, the block party on Ferry Street and the request from the Lambertville Chamber of Commerce for an annual city-wide sidewalk sale. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

JCP&L: *Annual Universal Service Fund Compliance Filing Notice with the BPU, Docket Number ER13060534.*

STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION: *Letter requesting a resolution of Mayor and Council for the installation of the mid-block crosswalk by the D&R Canal Commission's Tow Path, consenting to the removal of three metered parking spaces.*

UNITED WATER: *Notice of filing of petition for United Water New Jersey for Approval of An Increase in Rates for Water Service and Other Tariff Changes.*

LAMBERTVILLE CHAMBER OF COMMERCE: *Request for the addition of a Street Sign at the corner of North Main and Coryell Street for the Directional Sign Project.*

Mayor DelVecchio made a motion to approve the addition of a street sign at the corner of North Main and Coryell Street. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

TOWNSHIP OF READING: *Resolution to veto the Forestry Stewardship Bill Known as S1085.*

ELIZABETHTOWN GAS: *Notice of Public Hearings on the Societal Benefits Charge Rate and Periodic Basic Gas Supply Service Rate.*

BOROUGH OF MILFORD: *A Resolution Opposing JCP&L's Petition for a Rate Increase.*

FORBES PRETTIEST TOWNS: Mayor DelVecchio informed the members of the public present that the City was listed as one of the prettiest towns in America by Forbes Magazine. Council President Stegman commented that we were the only one in the tri-state area.

UNFINISHED BUSINESS.

UPDATE ON VARIOUS CONSTRUCTION IMPROVEMENT PROJECTS.

City Hall – the Acting Public Works Director is soliciting for quotes.

CONSTRUCTION PROJECTS.

South Franklin & Weeden Street Drainage Project is almost complete. The contractor is working on punch list items.

North Union Street Phase III. A meeting was held with residents on Monday, August 19 at the Justice Center. A survey is currently being conducted to determine if the neighbors want speed humps.

York Street – submission by the City Engineer for funding through the State of New Jersey DOT for the upper York Street was approved by resolution tonight.

Clinton Street – a resident contacted Mayor and Council and asked for traffic calming measures on Clinton Street. Mayor and Council discussed speed humps or installing stop signs along the streets intersecting with Clinton Street to slow traffic. There is currently no funding in the budget to accommodate speed humps. The police director commented that he and the public works director reviewed the request for stop signs and it would mean the loss of approximately 10 parking spaces. Mayor and Council will add this street to the list for reconstruction.

MISCELLANEOUS.

UPDATE ON PROJECTS FOR FLOOD RELIEF:

Swan Creek – the City funded the review of the grant application to FEMA which needs to be submitted by September 6.

Ely Creek – repairs were made by the contractor to the Ely Creek Flood Gates.

UPDATE ON VARIOUS NON-CONSTRUCTION PROJECTS:

Shared Services.

SHREC: the ordinance on Community Aggregation was introduced this evening. The public meeting is scheduled for September 10th and the public hearing on the ordinance is scheduled for September 17.

SHRHS Regionalization Work Group – special referendum is scheduled for September 24. Polls will be open from 7 am to 9 pm.

Garbage & Recycling.

Mayor DelVecchio reported that Recycling is UP. He congratulated Public Works and the residents of the City.

Lambertville Chamber of Commerce Request for Use of the North Union Street Parking Lot for the 2014 Shad Festival – carried to the September 17th session. Ellen Pineno of the Lambertville Chamber of Commerce was present and introduced Ashton Todd, her new assistant.

LED Lighting Study: Mayor DelVecchio reported that the city contracted with Steven Lohm to do a study of the City's lighting to see if it would be feasible and economical to install LED Lighting. The consultant concluded that it would take 50 to 100 years for the pay back with the current incentives offered through grant programs. JCP&L currently does not offer LED Lighting as an option.

NEW BUSINESS.

Halloween 2013.

Mayor DelVecchio asked for a motion to approve the road closure of North Union Street from York Street to Buttonwood Street from 6 – 8 pm for Trick or Treating. The property owners are asked to move their cars prior to 5:30 pm and leave them.

City of Lambertville
Regularly Scheduled Session
August 20, 2013, 6:30 p.m.
Phillip L. Pittore Justice Center, 25 South Union Street, Lambertville
Agenda
Page 40

Councilwoman Asaro made a motion to approve the road closure on October 31, 2013 for Halloween. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Appointments & Resignations from Boards.

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

ANNOUNCEMENTS.

FREE RABIES CLINIC will be held on Saturday, September 21 from 1 – 3 pm at the Union Fire House located at 230 North Union. Please come prepared to clean up after your pet and all pets need to be on a leash.

SPECIAL ELECTION SCHEDULE:

September 24, 2013: Special Referendum for the School Boards. Polling Place hours are from 7 am to 9 pm.

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.

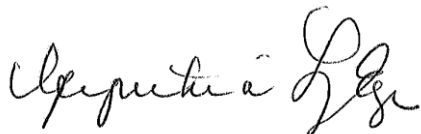
PUBLIC PARTICIPATION/PETITION OF CITIZENS AND PUBLIC DISCUSSION.

None.

ADJOURNMENT.

The meeting adjourned at 7:55 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Asaro. 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 on September 17, 2013.