



City of Lambertville
Regularly Scheduled Session
Tuesday, June 24, 2014, 6:30 P.M.
Phillip L. Pittore Justice Center
25 South Union Street, Lambertville, NJ
MINUTES

STATEMENT OF COMPLIANCE.

Mayor DelVecchio opened the meeting at 6:30 p.m. with a statement of compliance with the open public meetings act. The Annual meeting notice was advertised in the Beacon on January 9, 2014 and sent to the Times, the Democrat and the Herald. The monthly meeting notice was emailed on Friday, MAY 16, 2014 to the Beacon, the Democrat, the Times; the agenda was posted to the bulletin board at city hall, the website at www.lambertvillenj.org; and notice was emailed to various people on the list serve, inclusive of department heads, city attorney and city engineer.

ROLL CALL.

Mrs. Ege called the roll as follows:

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

Absent: Councilwoman Asaro.

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

PLEASE NOTE: Mayor and Council will go into closed session at 6:30 PM and reopen to the public at 7 PM.

RESOLUTION

“Authorizing a Closed Session at the June 24, 2014 Lambertville City Council Meeting to Discuss Contracts, Personnel, Acquisition of Property, Possible Litigation”

WHEREAS, the Council of the City of Lambertville is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that a closed session, not open to the public, may be held for certain specified purposes when authorized by N.J.S.A 10:4-12(b).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Lambertville that a closed session shall be held on June 24, 2014, 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.

Mayor DelVecchio and City Council convened in closed session at 6:31 p.m. with a motion made by Councilman Sanders and seconded by Councilwoman Warner. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

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Mayor DelVecchio and City Council came out of closed at 6:51 p.m. and reconvened the regular session at 7 p.m. with a motion made by Council President Stegman and seconded by Councilman Sanders. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

PLEDGE OF ALLEGIANCE.

Mayor DelVecchio led the public in the Pledge of Allegiance.

MOMENT OF SILENCE.

Mrs. Ege led the public in a Moment of Silence honoring those serving their country in the United States Armed Forces.

APPROVAL OF MINUTES.

Council President Stegman made a motion to approve the following sets of minutes as submitted: May 20, 2014 Regularly Scheduled Session Minutes and the May 20, 2014 Closed Session Minutes. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADMINISTRATIVE REPORTS.

Council President Stegman made a motion to approve the following Administrative Reports: Tax Collector – Cynthia McBride, Municipal Court Administrator – Barbara Halper, Construction Official – Ken Rogers, Zoning Officer/Fire Inspector – John Barczyk, Police Director – Bruce Cocuzza, Acting Public Works Director – Lester Myers, City Clerk – Cynthia L. Ege and Chief Financial Officer and Treasurer – Christie Ehret. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

APPROVAL OF BILLS LIST.

Councilwoman Warner made a motion to approve the bills on the Bills List. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

PROCLAMATIONS and RESOLUTIONS - CONSENT AGENDA: PROVIDES RAPID RESPONSE TO ITEMS WHICH DO NOT REQUIRE DISCUSSION.

Mayor DelVecchio added Resolution Number 94-2014 to the consent agenda. He read the proclamation and resolutions into the record by title. Mayor DelVecchio asked for a motion to adopt the proclamation and resolutions on the consent agenda.

Proclamation

WHEREAS, the following students participating in spring sports were selected to the All-Skyland Conference Teams representing South Hunterdon Regional High School, and
Skyland Conference, All-Division Baseball Team, 2014 First Team:

Toby Coleman and Jimmy Smiegocki

Skyland Conference, All-Division Baseball Team, 2014 Second Team:

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Jayck Lopez

Skyland Conference, All-Division Baseball Team, 2014 Honorable Mention:

Jared Bogden

Skyland Conference 1st Team Track – Boys:

Darron Watson

Skyland Conference, 1st Team Track – Girls:

Kelly Shaffer

Skyland Conference, All-Division Softball Team, 2014 Second Team

Kacey Abitz, Giovanna Rubino and Amber Dey

Skyland Conference, All-Division Softball Team, 2014 Honorable Mention

Mikayla Stoy

Valley Division, Golf, 2nd Team

Alex Romeo

~~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 athletes achieving Skyland Conference, All-Division Teams are hereby congratulated on their achievement.

~~ADOPTED:~~ June 24, 2014

David M. DeVecchio, Mayor

Resolution Number 82-2014: A Resolution to Authorize the Three Month Extension of the Shared Services Agreement with Frenchtown for Construction Services.

City of Lambertville

RESOLUTION NUMBER 82-2014

A Resolution to Authorize the Three Month Extension of the Shared Services Agreement for Interlocal Construction Code Services with the Borough of Frenchtown.

WHEREAS, the City of Lambertville entered into a shared services agreement for interlocal construction code services with Frenchtown Borough on July 1, 2010, and

WHEREAS, the agreement was for a four year term ending on July 30, 2014, and

WHEREAS, the City of Lambertville and the Borough of Frenchtown would like to extend the existing contract for an additional three months, ending on September 30, 2014.

NOW THEREFORE BE IT RESOVLED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the contract with the Borough of Frenchtown for Interlocal Construction Code Services is hereby extended to September 30, 2014.

ADOPTED: June 24, 2014

Resolution Number 83-2014: A Resolution Authorizing the Licenses for Alcohol Beverages Control for the Period Beginning 07-01-2014 and Ending 06-30-2015.

City of Lambertville

RESOLUTION NUMBER 83-2014

“Annual Renewal of Alcoholic Beverage Control Licenses for 2014-2015”

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

| Establishment | License Number | Type |
|---|-----------------------|---|
| Boat House Inc. The | 1017-32-006-003 | Plenary Retail Consumption License with Broad Package Privilege |
| BPO Elks No 1070 | 1017-31-015-001 | Club License |
| De Anna's of Lambertville LLC | 1017-33-003-003 | Plenary Retail Consumption License |
| ETZ Food Inc. | 1017-33-002-006 | Plenary Retail Consumption License |
| Lambertville Operating Partnership LLC, AKA: Lambertville House | 1017-33-008-007 | Plenary Retail Consumption License |
| Masset Group Inc. | 1017-33-005-008 | Plenary Retail Consumption License |
| Mitchell's Café Inc. | 1017-33-004-004 | Plenary Retail Consumption License |
| Schermerhorn Jeffrey F. | 1017-44-011-004 | Plenary Retail Distribution License |
| Swan Hotel The | 1017-33-009-002 | Plenary Retail Consumption License |
| Targa Investments | 1017-33-007-003 | Plenary Retail Consumption License |
| Toscanni Post 120 American Legion | 1017-31-012-001 | Club License |
| Walker's Wine & Spirits, Inc. | 1017-44-010-005 | Plenary Retail Distribution License |

WHEREAS, Stephen Williamson has filed a renewal for license number 1017-33-001-005 for a Plenary Retail Consumption License and is required to apply for a 12:39 Ruling, and Mr. Williamson is actively looking for a site for a Restaurant and/or Bar within the City limits, and **WHEREAS**, each application is complete and accompanied by the required fees and affidavits; and the City Clerk has obtained the Alcoholic Beverage Retail License Clearance Certificate for each entity, and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Lambertville, County of Hunterdon, State of New Jersey, that the above licenses be renewed for the 2014-2015 license year and that the City Clerk be directed to forward a certified copy of this Resolution and the renewal applications to the Division of Alcoholic Beverage Control, Department of Law and Public Safety, for processing, and to the applicants; and

BE IT FURTHER RESOLVED that the City Clerk be authorized to issue the 2014-2015 licenses to the proper holder prior to the effective date of June 30, 2015.

ADOPTED: June 24, 2014

Resolution Number 84-2014: A Resolution to Award/Reject the Bids for the 2014 Road Projects, A-Team Concrete for proposal A in the amount of \$369,544.80; Top Line for proposal B in the amount of \$129,896.40.

City of Lambertville

RESOLUTION NUMBER 84-2014

A Resolution to Award the Contracts for the 2014 Road Projects in the City of Lambertville to A-Team Concrete for Proposal A in the Amount of \$364,144.80 and to Top Line for Proposal B in the Amount of \$129,896.40, And to Authorize the Mayor and Clerk to Execute the Contracts With Both Companies

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WHEREAS, the City of Lambertville advertised for the 2014 Road Projects, and on May 28, 2014 the City received two bids which were opened and read aloud, and

WHEREAS, the projects will be funded by Ordinance Number 14-2013 and Ordinance Number 03-2014 and the CMFO has certified funds are available, and

WHEREAS, the bid specifications were for two proposals which may be awarded as one project or as two separate projects, and

WHEREAS, proposal A is for the North Union Street Phase III, and proposal B is for the Cottage Hill resurfacing project, and

WHEREAS, the following bids were received:

| Company | Proposal A | Proposal B | Total |
|------------------------------|-------------------|-------------------|--------------|
| Top Line, Somerville | \$432,593.80 | \$129,896.40 | \$562,490.20 |
| A-Team Concrete, South River | \$369,544.80 | \$186,675.30 | \$536,591.60 |

WHEREAS, the City Engineer and City Attorney have reviewed the bids received and have determined that they are responsive and responsible, and

WHEREAS, the City Engineer is recommending that the City award the bids as follows:

Proposal A – A-Team Concrete, South River in the amount of \$369,544.80,

Proposal B – Top Line, Somerville in the amount of \$129,896.40.

NOW THEREFORE BE IT RESOVLED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the following bids are hereby awarded to: A-Team Concrete, South River in the amount of \$364,144.80 for proposal A, and Top Line, Somerville in the amount of \$129,896.40 for proposal B.

BE IT FURTHER RESOLVED THAT the Mayor and City Clerk are hereby authorized to sign and execute the contracts as outlined in this resolution.

ADOPTED: June 24, 2014

Resolution Number 85-2014: A Resolution to Award through Competitive Contracting, the Deferred Compensation Plan to Axa-Equitale for City Employees.

City of Lambertville

Resolution Number 85-2014

“A Resolution to Adopt and Implement a Deferred Compensation Plan for the Employees of the City of Lambertville to Enhance Financial Security at Retirement as Provided by Section 457 of the Internal Revenue Code of 1986”

WHEREAS, in order to attract and retain qualified employees there exists a need to adopt and implement a Deferred Compensation Plan for the employees of the City of Lambertville (hereinafter referred to as “Employer”), which will provide employees the opportunity to enhance their financial security at retirement through savings of compensation on a deferred basis as provided by Section 457 of the Internal Revenue Code of 1986, as amended (“Code”); and

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WHEREAS, in 2014 the Employer adopted a Deferred Compensation Plan provided by AXA-Equitable and assigned the plan identifier (66-PD- Equitable-053107) City of Lambertville by the Division of Local Government Services; and is hereby adopted and signed by the employer,

WHEREAS, the offering of additional investments from another contractor will provide additional retirement investment options to participating employees; and

WHEREAS, there is no direct financial cost to the Employer to adopt and implement an additional employee deferred compensation plan and Service Agreement, and

WHEREAS, the Employer solicited written proposals from two contractors including AXA Equitable and VALIC Financial Advisors for the administration of the investments of funds under a DEFERRED COMPENSATION PLAN including providing Prototypical Plans and Service Agreements that meet the requirements of the Municipal, County and Authority Deferred Compensation Programs Rule N.J.A.C. 5.37;

WHEREAS, the following contractors submitted written proposals: AXA Equitable Life Insurance Company and VALIC Financial Advisors, and

WHEREAS, the City of Lambertville reviewed the proposals and met with representatives of the responding contractors of deferred compensation services; and

WHEREAS, it was deemed that AXA Equitable Life Insurance Company has the ability to: (1) maintain complete records of accounts; (2) manage accounts with absolute fidelity; (3) provide advice concerning various categories of investments; and (4) provide continuing consultation to participants.

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 City Clerk are hereby authorized to execute the Service Agreement (bearing identifier: 88-SA-Equitable-080813 assigned by the New Jersey Division of Local Government Services) with AXA Equitable for the provision of administrative and investment services.

BE IT FURTHER RESOLVED that Christie Ehret and Susan Bacorn are hereby designated as the Local Plan Administrator for the administration of the Deferred Compensation Plan.

BE IT FURTHER RESOLVED that the City of Lambertville is adopting a deferred compensation plan substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the federal Internal Revenue Service except for provision added by reason of the Small Business Job Protection Act 1996 (United States Public Law no. 104-188), the Tax Payer Relief Act 2001(United States Public Law no. 105-34) and the Economic Growth and Tax Relief Reconciliation Act 2001 (United States Public Law no 107-16), and all such provisions are stated in the plan in terms substantially similar to the text of those provisions in the Internal Revenue code section 457. The use of the Ruling is for guidance only and acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent.

BE IT FURTHER RESOLVED that a certified copy of this resolution and all necessary required documents shall be submitted to the Director of the Division of Local Government Services within the State Department of Community Affairs for approval.

ADOPTED: June 24, 2014

Resolution Number 86-2014: A Resolution to Authorize the Grant Application and Execute a Grant Agreement with the New Jersey DOT for the 2014 Transportation

Alternatives Program for the City of Lambertville "Lambertville Bike Central" Project which Will positively Impact Alternative Transportation in Lambertville.

City of Lambertville
RESOLUTION NUMBER 86-2014

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the 2014 Transportation Alternatives Program for the City of Lambertville "Lambertville Bike Central" project which will positively impact alternative transportation in Lambertville.

WHEREAS, the City of Lambertville continues to develop projects that will improve access and maintenance on public roads and sidewalks; and

WHEREAS, the consultant for the City of Lambertville has provided plans specifically designed to address and improve bicycle access/safety issues and maintenance on our roads and sidewalks; and

WHEREAS, the City of Lambertville has designed the Lambertville Bike Central project; and

WHEREAS, the City of Lambertville, Department of Public Works will assume all responsibility with regard to maintenance and upkeep of this project; and

WHEREAS, the City of Lambertville will assign Cynthia Ege, City Clerk, **who will serve as the responsible charge for the project; and**

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the City of Lambertville, in the County of Hunterdon, State of New Jersey formally approves the grant application for the *Lambertville Bike Central* project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as *TA-2014-Lambertville City-00103* to the New Jersey Department of Transportation.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the 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 24th day of June, 2014

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 _____
Clerk

Mayor

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Resolution Number 87-2014: A Resolution to Hire Derek Roseman as a Consultant for all Press Related Matters at a Fee of \$1500 Per Month.

City of Lambertville

Resolution Number 87-2014

“A Resolution to Authorize the Contract with Derek Roseman for Six Months at a Rate Not to Exceed \$9,000 for the Purpose of Providing Public Relations and Media Relations to the City of Lambertville”

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 City Clerk are hereby authorized to execute the Service Agreement with Derek Roseman for the provision of providing public relations and media relations to the City of Lambertville for a term of six months at a rate not to exceed \$9,000 to be funded through the Community Development Fund/Small Communities Grant.

ADOPTED: June 24, 2014

Resolution Number 88-2014: A Resolution to Re-Appoint Cynthia L. Ege as the City Clerk and Registrar for the City of Lambertville.

City of Lambertville

Resolution Number 88-2014

“A Resolution to Re-appoint Cynthia Ege as the City Clerk and Registrar for the City of Lambertville”

WHEREAS, Cynthia L. Ege was appointed as the Registrar and Acting City Clerk in August of 2009, and

WHEREAS, she was appointed as the Registrar and City Clerk on June 20, 2011 effective July 1, 2011 to a term ending on June 30, 2014.

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, Cynthia L. Ege is hereby appointed to the tenured position of Registrar and City Clerk of the City of Lambertville effective July 1, 2014.

ADOPTED: June 24, 2014

Resolution Number 89- 2014: A Resolution to Purchase a Ford F350 Off State Contract, Number A83558 from Charles S. Winner, Inc., dba Winner Ford, In An Amount Not To Exceed \$30,516.

City of Lambertville

Resolution Number 89-2014

“A Resolution to Purchase a 2015 Ford F350 Off State Contract Number A83558 from Charles S. Winner Inc., dba Winner Ford”

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WHEREAS, the 2003, F250, Vin Number 3D7KU 26D23 G8371 63 was destroyed by fire in February of 2014, and

WHEREAS, the insurance company reimbursed the City \$8,317.50 which was deposited in the current fund, and

WHEREAS, the City of Lambertville adopted Ordinance Number 06-2014 in the amount of \$50,000, with \$32,000 appropriated for the purchase of a replacement truck for public works, and

WHEREAS, State Contract A83558 includes the following: 2015 Ford F350, 6.2L 2-Valve SOHC V8, LT245/75Rx 17E BSW AS, 4 Wheel Anti-Locking Breaking System, AM/FM Stereo Digital Clock and 2 speakers, Black Vinyl Floor Covering, Driver/Passenger Air Bag, Air Conditioning, Tachometer, Speedometer, Oil Pressure, Coolant Temperature, Fuel Gauge, Engine Hour Meter, Heavy Duty Vinyl Full Bench 40/20/40, Spare Tire/Wheel, plus: limited slip rear axle, trailer hitch, tow command package trailer break controller, snow plow prepackage, cab steps, power equipment group (locks, windows), roof clearance lights, pintelball, skid plate, mounted amber beacon LED, Meyers plow 8.5', and 4 corner LEDs.

WHEREAS, the City is purchasing the 2015 Ford F350 off State Contract, Number A83558 from Charles S. Winner Inc., dba Winner Ford in an amount not to exceed \$29, 456, plus the addition of a two-way radio (\$900), lettering \$100, and title and registration fees \$60), for a total amount of \$30,516.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey, that the purchase of the 2015 Ford F350 pick-up truck is hereby authorized off State Contract Number A83558 from Charles S. Winner Inc., dba Winner Ford in an amount not to exceed \$30,566.

ADOPTED: June 24, 2014

Resolution Number 90-2014: A Resolution to Approve the Salary & Wage for the Frenchtown Interlocal Agreement for the First Half of 2014.

City of Lambertville

Resolution Number 90-2014

"A Resolution to Approve the Salary & Wage for the Frenchtown Interlocal Agreement"

WHEREAS, the CMFO has certified the information contained within the report from the Construction Official is accurate.

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 following Salary & Wage for the Frenchtown Interlocal Agreement is hereby authorized:

| | |
|---|------------|
| Kenneth Rogers, Construction Official: | \$5,654.86 |
| Victor Timpanero, Electric Subcode Official | \$764.69 |
| Timothy Diterman, Plumbing Subcode Official | \$900.00 |

ADOPTED: June 24, 2014

Resolution Number 91-2014: A Resolution to Authorize the Cooperative Purchase of Snow & Ice Control Materials for the 2014-2015 Season with the County of Hunterdon.

City of Lambertville

Resolution Number 91-2014

A Resolution to Authorize the Cooperative Pricing System for Snow and Ice Control Materials, for the 2014/2015 Season with the County of Hunterdon

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 City of Lambertville wishes to participate in the cooperative purchase of snow and ice control materials; i.e. rock salt, for the upcoming 2014/2015 winter season under the County's contract.

ADOPTED: June 24, 2014

Resolution Number 92-2014: A Resolution to Request the Insertion of a Special Item of Revenue, Chapter 159, for the Clean Communities Grant in the Amount of \$8,070.77.

City Of Lambertville

RESOLUTION NUMBER 92-2014

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

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

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

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of \$8,070.77 for Clean Communities Grant.

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2014 CY Budget in the amount of \$8,070.77 which item is now available as revenue from the receipt of the Clean Communities Grant.

BE IT FURTHER RESOLVED that a like sum of \$8,070.77 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"
Clean Communities Grant \$8,070.77

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

ADOPTED: June 24, 2014

Resolution Number 93-2014: A Resolution to Request the Insertion of a Special Item of Revenue, Chapter 159, for the Driver Sober Get Pulled Over Grant in the Amount of \$4,375.00.

City Of Lambertville

RESOLUTION NUMBER 93-2014
RESOLUTION REQUESTING THE INSERTION OF A SPECIAL ITEM OF REVENUE
IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A.
40A:4-87 (Chapter 159 P.L. 1948)

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

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

WHEREAS, the Chief Financial Officer has certified that the City has received a grant in the amount of \$4,375.00 Drive Sober Get Pulled Over Grant.

NOW THEREFORE, BE IT RESOLVED that the City of Lambertville hereby requests the Director of Division of Local Finance to approve the insertion of an item of revenue in the 2014 CY Budget in the amount of \$4,375.00 which item is now available as revenue from the receipt of the Drive Sober Get Pulled Over Grant.

BE IT FURTHER RESOLVED that a like sum of \$4,375.00 is hereby appropriated under the caption of:

OPERATIONS "EXCLUDED FROM CAP"
Drive Sober Get Pulled Over Grant \$4,375.00

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

ADOPTED: June 24, 2014

Resolution Number 94-2014: A Salary & Wage Resolution Appointing Robert Brown as the Acting Lieutenant for the Police Department.

City of Lambertville
Resolution Number 94-2014

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A Salary & Wage Resolution for the Position of Acting Lieutenant in the Police Department With an Annual Salary of \$92,750

WHEREAS, Ordinance Number 2009-01 was adopted by the Governing Body after a public hearing and second reading held on January 20, 2009, and

WHEREAS, the Police Director has recommended the appointment of Robert Brown as the Acting Lieutenant at an annual salary of \$92,750.

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 City of Lambertville that Robert Brown is hereby appointed as the Acting Lieutenant for the City of Lambertville effective on

ADOPTED: June 24, 2014

Council President Stegman made a motion to adopt the proclamation and resolutions on the consent agenda. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ORDINANCES – INTRODUCTION AND FIRST READING.

Ordinance Number 14 -2014: An Ordinance to Amend Chapter VIII, Article III, 8-29, Rules and Regulations, Amending the language to permit property owners to purchase a parking permit when they are part-time Lambertville residents.

Mayor DelVecchio read the ordinance by title into the record. He informed the members of the public present that this amendment to the Rules and Regulations of the Parking Permits would allow people who reside in Lambertville 6 months out of the year and own or lease a home which is located on a street with meters to purchase a parking permit.

City of Lambertville
Ordinance 14-2014
An Ordinance to Amend Chapter VIII, Article III, 8-29, Rules and Regulations

8-29 RULES AND REGULATIONS.

- I. APPLICATION FORM: The application for a permit shall have appended thereto an attestation by the applicant affirming that:
 - a. The applicant is a resident of the City of Lambertville;
 - b. There is no available driveway or garage at the applicant's residence; and
 - c. There is no other free and legal off-street parking available for the vehicles for which the permit is sought within one (1) block of the applicant's resident.
- II. TERM FOR PERMIT: Each residential parking permit shall be valid from January 1 to December 31 and shall be renewable upon expiration provided the conditions for issuance continue to exist.
- III. DISPLAYING OF PERMIT: Each permit shall be issued with a corresponding sticker to be affixed on the rear window, driver's side, and lower left-hand corner of the motor vehicle. Each

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sticker shall contain a number corresponding to the permit and shall show the street address of the resident on its face.

- IV. REVOKING OF PERMITS: Permits shall automatically be revoked if the vehicle ceases to qualify or if the permit is affixed to a vehicle other than the one so designated on the application. Vehicles with revoked stickers will be subject to the same penalty as a vehicle parked in a similar location without a permit.
- V. EXEMPT FROM METER FEES: All vehicles properly displaying a valid residential parking permit shall be exempt from paying any meter fee and from the time limits imposed by signage on the street on which their residence is located. The permit shall not be valid in any City owned lot. (Ord. #87-10, paragraph 2; Ord. #88-30, paragraphs 2, 3; Ord. #90-01, paragraph 5; Ord. #2001-11)
- VI. APPLICATION TYPES: The resident parking permit (“permit”) shall be issued under the following regulations and rules:
 - i. PERMANENT RESIDENT: A completed application with the following information is required for a permanent Lambertville resident. If you are a licensed driver relocating to New Jersey from another state, you need to change titles and registration for all vehicles currently titled and registered in another state. You must register your vehicles within 60 days or before your out-of-state registration expires (whichever is first).
 - a. A valid, current State of New Jersey driver’s license.
 - b. A valid State of New Jersey motor vehicle registration for the vehicle for which the permit is sought, which must include the applicant’s Lambertville address.
 - c. The resident parking permit (“permit”) shall be issued under the following regulations and rules:
 - d. A valid vehicle insurance card.
 - e. Lease or deed for the residence, which proves residency and reflects off street parking is not available.
 - f. RESIDENT PARKING PERMIT TYPES AND FEES: There are two types of resident parking permits and they include: a permanent fixable single car permit, and a Transferable Multi-Car permit.
 - i. *Permanent Single Car Permit*: shall be issued to the resident upon payment of a fee of forty-five (\$45) dollars. Permanent Single Car Permits are not transferable and shall automatically be revoked in the event a holder ceases to be a resident of the City of Lambertville.
 - ii. *Transferable Multi-Car Permits*: may be transferred between a personal vehicle and a company vehicle and may be issued upon documentation presented to the City Clerk for a fee of sixty (\$60) dollars.
 - g. ISSUANCE OF TEMPORARY PERMITS FOR RESIDENT PARKING: Upon the payment of the required annual fee, Temporary Permits may be issued for a period of 60 days to allow newly relocated resident(s) to obtain the necessary New Jersey Vehicle License and Registration. The City Clerk is authorized to extend the temporary permit an additional 30 days for a total period of time not to exceed **A TOTAL OF 90** days if the registration is for a leased vehicle. The applicant must supply proof that the proper paperwork was filed with the Motor Vehicle Commission of the State of New Jersey in order for the City Clerk to consider the request for extension.
 - ii. PART-TIME RESIDENT: A completed application with the following information is required for a part-time Lambertville resident who is not eligible to hold a New Jersey driver’s license:

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- a. A valid, current driver's license for the permanent residence
 - b. A valid motor vehicle registration for the vehicle for which the permit is sought for the permanent residence.
 - c. A valid vehicle insurance card in the name of the homeowner or lease with the address of the permanent residence.
 - d. Lease or deed for the Lambertville residence, which proves ownership or a lease-holding interest in the property and reflects off-street parking, is not available.
 - e. A certification of the following:
 - i. That the applicant has established permanent residency in another state,
 - ii. That the vehicle is not principally garaged in Lambertville for more than six months a year;
- iii. TEMPORARY NON RESIDENT PARKING PERMITS: Temporary Permits may be issued for a period not to exceed two weeks or 14 days for a fee of \$25. Temporary permits are available for the following:
- a. Visitors of property owners who reside on a metered street.
 - b. House Sitters or Pet Sitters of property owners who reside on a metered street.
- The following information is required for the issuance of a temporary permit:
- a. Property Owners need to provide a notarized letter covering the period of time the visitor or house guest stay,
 - b. A copy of the property owner's drivers' license tying them to the property,
 - c. And payment in the amount of \$25 for the temporary permit.
- iv. DUPLICATE PERMIT: In the event that a permit is lost, stolen or damaged, the fee for a duplicate permit or a permit for a new vehicle shall be twenty-five (\$25.00).
- v. PRO-RATING: There shall be no monthly prorating for the permit regardless of the permanent or temporary status. (Ord. #2010-03)

INTRODUCED: June 24, 2014
PUBLIC HEARING: July 15, 2014
ADOPTED:

Mayor DeVecchio informed the members of the public present that the City has revised this ordinance a couple of time to address concerns from the public. Councilman Sanders commented that this would permit property owners who do not reside in Lambertville for the entire year to purchase a parking permit and referenced 29 Coryell Street.

Councilman Sanders made a motion to introduce on first reading Ordinance Number 14-2014. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

The public hearing is scheduled for July 15, 2014.

Ordinance Number 16-2014: An Ordinance to Amend Article VII, Leave of Absence of the Staff Handbook of the City of Lambertville (to comply with changes in State of New Jersey Statutes governing the Family Leave Act and Domestic Violence Leave).

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance is to comply with the city's insurance company and insert language into the handbook that applies to the Family Leave Act and Domestic Violence Leave.

City of Lambertville
ORDINANCE NUMBER 16-2014

An Ordinance to Amend Article VII, Leave of Absence of the Staff Handbook of the City of Lambertville
Ordinance Number 16-2014 amends Article I, Leave of Absence, Section II, Family and Medical Leave Act Policy, and Adds Section VI, Domestic Violence Leave.

This ordinance is intended to comply with State Statutes governing the Family and Medical Leave Act.

LEAVE OF ABSENCE

II. FAMILY AND MEDICAL LEAVE ACT POLICY

Employees may be eligible for an unpaid family and medical leave under the federal Family and Medical Leave Act ("FMLA"). Employees also may be eligible for family and/or medical leave pursuant to the New Jersey Family Leave Act ("FLA"). In order to be eligible for such leave, employees must have: one (1) year of service with [the local unit type]; and, at least 1,000 hours of work (for New Jersey leave) and 1,250 hours of work (for Federal leave) during the previous twelve (12) months and is employed at a worksite where 50 or more employees are employed by the employer within 75 miles of the worksite (for Federal leave). Eligible employees may receive up to twelve (12) weeks of leave per year (FMLA) or twelve (12) weeks every twenty-four (24) months (FLA).

During the leave period, the employee's health benefits will be continued on the same conditions as coverage would have been provided had the employee been employed continuously during the entire leave. The employee will not continue to accrue vacation, sick or personal days for the period of the leave. The employee will receive seniority credit for the time that the employee has been on leave under this section. At the conclusion of the leave period, an eligible employee is entitled to reinstatement to the position the employee previously held or to an equivalent one with the same terms and benefits that existed prior to the exercise of leave.

Upon written notice, eligible employees are entitled to a family or medical leave for up to twelve weeks to care for a newly born or adopted child or a seriously ill immediate family member, including civil union partner, or for the employee's own serious health condition that makes the employee unable to perform the functions of the employee's position. Eligible employees who take leave under this policy must use all accrued available vacation and personal days during the leave. The use of accrued time will not extend the leave period. After exhausting accrued time, the employee will no longer be paid for the remainder of the leave.

The period of leave must be supported by a physician's certificate. An extension past twelve weeks can be requested, but medical verification of the need must be submitted prior to the expiration of the leave. The (local unit type) reserves the right to deny any request for extended leave. Additional information concerning the Family Leave Policy and eligibility requirements are available from the (Personnel Administrator title).

Commencing July 1 2009, Family Temporary Disability ("FTD") payments for up to six (6) weeks in a twelve (12) month period will become available for eligible employees who are caring for a seriously ill immediate family member who is incapable of self-care or care of a

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newborn or adopted child. To be eligible, the employee must have worked at least 20 weeks at minimum wage within the last 52 weeks or earned 1000 times the minimum wage. The weekly benefit is 2/3 of weekly compensation up to a maximum of \$524 per week (this amount is subject to change). FTD will run concurrently with FMLA and/or FLA leaves and there is a one week waiting period. Employees may also be required to use accrued sick, vacation or personal leave for up to two weeks.

Employees taking paid family leave in connection with a family member's serious health condition may take leave intermittently or consecutively. Intermittent leave is not available for the care of a newborn or adopted child. Intermittent leave may be taken in one day increments, necessary to address the circumstances that precipitated the need for leave. An employee seeking intermittent paid family leave is required to provide the (local unit type) with 15 days notice unless an emergency or other unforeseen circumstance precludes prior notice. The employee seeking intermittent leave shall make a reasonable attempt to schedule leave in a non-disruptive manner. Employees requesting such leave shall provide the (local unit type) with a regular schedule of days for intermittent leave.

Employees may also be eligible for an unpaid leave for up to twenty-six (26) weeks in a year to care for a family member on active duty in the military workweeks in a year to care for a family member on active duty in the military or a covered veteran (a covered veteran is an individual who was discharged or released under conditions other than a dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran) with a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, or up to twelve (12) weeks in a year for a qualifying exigency. A qualifying exigency occurs when a military member of the National Guard or Reserves is called to covered active duty (requires deployment to a foreign country) and a close member of his/her family must attend official ceremonies or family support or assistance meetings, there is a short-notice deployment, to attend to childcare matters, attend to financial and/or legal matters, or counseling. . A serious injury or illness means an injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating.

A serious injury or illness also means an injury or illness that was incurred by the covered veteran in the line of duty on active duty in the Armed Forces or that existed before the veteran's active duty and was aggravated by service in the line of duty on active duty, and that is either:

1. a continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; or
2. a physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Service-Related Disability Rating (VASRD) of 50 percent or greater, and the need for military caregiver leave is related to that condition; or
3. a physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; or

4. an injury that is the basis for the veteran's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

Any one of these definitions meets the FMLA's definition of a serious injury or illness for a covered veteran regardless of whether the injury or illness manifested before or after the individual became a veteran.

Upon employer's request, an employee must provide a copy of the covered military member's active duty orders to support request for qualifying exigency leave. In addition, upon an employer's request, certification for qualifying exigency leave must be supported by a certification containing the following information:

- statement or description of appropriate facts regarding the qualifying exigency for which leave is needed;
- approximate date on which the qualifying exigency commenced or will commence;
- beginning and end dates for leave to be taken for a single continuous period of time;
- an estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently; and
- if the qualifying exigency requires meeting with a third party, the contact information for the third party and description of the purpose of the meeting.

Eligible employees may also take leave to care for a military member's parent who is incapable of self-care when the care is necessitated by the member's covered active duty. Such care may include arranging for alternative care, providing care on an immediate basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.

Employees who request qualifying exigency leave to spend time with a military member on Rest & Recuperation may take up to a maximum of 15 calendar days. Upon an employer's request, an employee must provide a copy of the military member's Rest and Recuperation leave orders, or other documentation issued by the military setting forth the dates of the military member's leave.

VI: DOMESTIC VIOLENCE LEAVE

The New Jersey Security and Financial Entitlement Empowerment Act, also known as the "NJ SAFE Act" provides protection for employees and their family members who have been the victim of domestic violence or sexual assault. Employees are entitled to twenty (20) days of unpaid protected leave from work to:

- Seek medical attention for physical or psychological injuries;
- Obtain services from a victim services organization, pursue psychological or other counseling;
- Participate in safety planning for temporary or permanent relocation;
- Seek legal assistance to ensure health and safety of the employee or the employee's relative; or
- Attend, participate in, or prepare for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

To be eligible for the leave, an employee must meet the following criteria:

- The employee or their child, parent, spouse or domestic partner must be a victim of domestic violence or a sexually violent offense;

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- The employee must have worked for the employer for at least twelve months and for at least 1,000 hours during the twelve (12) month period immediately preceding the requested leave; and
- The twenty (20) day leave must be taken within one (1) year of the qualifying event.

Employees may take leave on an intermittent basis but such leave cannot be shorter than one (1) full day. To the extent the leave is foreseeable, employees must provide advance notice. In addition, employee seeking leave must provide proof that they qualify for the leave. Such proof may include restraining order, letter from a prosecutor, proof of conviction, medical documentation or a certification from an agency or professional involved in assisting the employee.

In certain circumstances, the basis for the leave may also qualify under the federal Family and Medical Leave Act and/or the New Jersey Family Leave act. If so, the (local unit type) will treat the leave concurrently with the leave under those statutes. Employees may be required to use accrued paid vacation leave, personal time or sick leave concurrently.

The (local unit type) shall protect the privacy of employees who seek leave by holding the request for leave, the leave itself or the failure to return to work "in the strictest confidence."

The (local unit type) shall not retaliate, harass or discriminate against any employee exercising his/her right to take the leave provided by this policy.

Introduced: June 24, 2014
Public Hearing: July 15, 2014

Councilman Sanders made a motion to introduce on first reading, Ordinance Number 16-2014. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

The public hearing is scheduled for July 15, 2014.

Ordinance Number 17-2014: An Ordinance to Create a LGBT Task Force.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this ordinance would create a LGBT Task Force. He credited Councilwoman Asaro and Council President Stegman for their work on this ordinance. The purpose of this ordinance is to cooperate with, and make recommendation to, the Lambertville City Council, local governments, county, and state agencies, to educate, encourage, develop, promote, and strengthen respect for all human rights no matter of the race, color, religion, national origin, ethnicity, sexual orientation, gender or disability so people can achieve their highest possible level of success in their endeavors.

City of Lambertville

ORDINANCE NUMBER 17-2014

An Ordinance to Establish the Lambertville Human Rights Council

The City of Lambertville Human Relations Council (LHRC)

Demographics

At the 2010 United States Census, there were 3,906 people, 1,958 households, and 896.8 families residing in the city. The population density was 3,386.1 inhabitants per square mile. There were 2,075 housing units at an average density of 1,798.8 per square mile. The racial makeup of the city was 91.30% (3,566) White; 1.95% (76) Black or African American; 0.20% (8) Native American; 1.31% (51) Pacific Islander; 4.12% (161) from other races, and 1.13% (44), from two or more races. Hispanic or Latino of any race 9.75% (381) of the population. The 2010 United States Census also captured the number of same-sex couples and unmarried couples in the City of Lambertville. In fact same sex couples accounted for 53.5% of all unmarried couples.

Over the past 20 years, the City of Lambertville has grown to recognize the positive socio-economic contributions made by members of the LGBT community. The City of Lambertville's acceptance of diversity and acceptance regardless of race, color, religion, national origin, ethnicity, sexual orientation, gender or disability is widely known throughout the State of New Jersey. In 2007, the Mayor officiated New Jersey's first Civil Union. Then in 2013, the Mayor officiated New Jersey's first Same Sex Marriage and the ceremony was beamed around the world.

The national and global recognition of acceptance of people from many diverse backgrounds comes with a responsibility. It is a responsibility to protect what we have all worked so hard to achieve.

Mission

The **City of Lambertville Human Relations Council (LHRC)** shall promote education regarding living in a diverse community and address any problems of intimidating or violent acts, which may be committed because of the group to which citizens may belong or identify with.

Purpose

Among its many activities, the **City of Lambertville Human Relations Council (LHRC)** will cooperate with, and make recommendations to the governing body to educate, encourage, develop, promote, and strengthen respect for the human rights of the citizens of Lambertville no matter their race, color, religion, national origin, ethnicity, sexual orientation, gender or disability - so they may achieve their highest possible level of success.

Council established; appointment; compensation; terms; vacancies.

The **City of Lambertville Human Relations Council (LHRC)** will consist of a total of nine (9) members, from both the public and private sector, and is hereby established in the City of Lambertville. The members of the **City of Lambertville Human Relations Council (LHRC)** shall be appointed by the Mayor, with the advice and consent of the Lambertville City Council.

Public Sector Members:

- 1) The Mayor of the City of Lambertville, or his or her representative, to run concurrent with the Mayor's 3 year term;

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- 2) The President of the Lambertville City Council, or his/her representative, for a one year term;
- 3) The Police Director of the City of Lambertville, for a one year term;
- 4) The Director of Public Assistance of the City of Lambertville, for a three year term concurrent with the Mayor's 3 year term;
- 5) The President of Board of Education from the Lambertville-Stockton-West Amwell unified school district, or his/her representative, for three year term concurrent with their term;
- 6) The Chairperson of the Lambertville Free and Public Library, or his or her representative, for a one-year term.

Private Sector Members:

- 7) A resident of the City of Lambertville for a 2-year term;
- 8) A resident of the City of Lambertville for a 3-year term;
- 9) A resident of the City of Lambertville for a 5-year term.

The Clerk of the City of Lambertville will be an adjunct non-voting member.
All members of the LHRC shall serve without compensation.

Chairman; officers

One (1) of said members shall be appointed by the Mayor as Chairperson.

The City of Lambertville Human Relations Council (LHRC) may have such other officers, as it deems necessary.

Meetings

The **City of Lambertville Human Relations Council** shall meet on the first Monday following January 1st of each year for purposes of reorganization. The agenda at this meeting should include election of officers, appointment of committees, adoption of bylaws or rules of procedure, fixing date and place of meetings and such other business as shall properly come before the Lambertville Human Relations Council at the annual reorganization meeting.

The **City of Lambertville Human Relations Council (LHRC)** will meet a minimum of 2 times in any given calendar year, inclusive of the reorganization meeting.

Records; annual report

The **City of Lambertville Human Relations Council (LHRC)** shall keep records of its meetings, activities and finances and shall make an annual report to the City of Lambertville Mayor and Council.

Mayor DeVecchio asked for a motion to introduce on first reading, Ordinance Number 17-2014. Council President Stegman made a motion to introduce on first reading, ordinance number 17-2014. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

Ordinance Number 18-2014: *An Ordinance to Amend the Ordinance Number 2009-07 Development Fees.*

Mayor DeVecchio read Ordinance Number 18-2014 into the record by title. He asked the City Planner, Emily Goldman and the City's Planning Board Chairperson, Tim Korzun, to explain the ordinance changes to the members of the public present.

City of Lambertville
ORDINANCE NUMBER 18-2014
An Ordinance to Amend Ordinance 2009-07 'Development Fees'

6. Collection procedures
 - a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
 - b) **Use of Forms**
 - i. For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" to be completed as per the instructions provided. The Developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
 - ii. **For all residential development. The developer shall be provided with a copy of the *Development Fee for Affordable Housing* form from the City. The developer shall complete sections A through D and sign the form. The developer shall provide the form to the municipal tax assessor for completion of the assessment portion of the form.**

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- c) ~~The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.~~ **Within 10 days of receipt of the *Development fee for Affordable Housing* form from the developer, the municipal tax assessor, based on the plans filed and estimated construction costs, shall provide an estimate of the equalized assessed value of the development. The tax assessor shall receive payment of the development fee and record it on the *Development Fee for Affordable Housing* form and forward it to the Construction Official**

- d) ~~Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.~~ **The developer is responsible to ensure the completed *Development fee for Affordable Housing* form is included with the permit application. No application for a Construction Permit for new development under this ordinance shall be deemed complete without the submission of a completed *Development fee for Affordable Housing* form.**

- e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee **and return the *Development fee for Affordable Housing* form to the tax assessor.**

- f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee **due and include that amount on the *Development fee for Affordable Housing* form. The tax assessor shall sign the form upon receipt of the final payment and return the form to the Construction Official.**

- g) Should Lambertville fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).

Introduced: June 24, 2014
Public Hearing: July 15, 2014

Mayor DelVecchio asked for a motion to introduce on first reading, Ordinance Number 18-2014. Councilman Sanders made a motion to introduce on first reading Ordinance Number 18-2014. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ROLL CALL: Councilwoman Asaro (by phone), Councilman Sanders, Councilwoman Warner, Council President Stegman, Mayor DelVecchio.

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The public hearing is scheduled for July 15, 2014.

Ordinance Number 19-2014: *An Ordinance to Amend the Administrative Code of the City of Lambertville, Establishing Section 4-10, Good of Public Order.*

Mayor DelVecchio read the Ordinance by title into the record. He informed the members of the public present that this ordinance is at the suggestion of the Police Director based on complaints received in his office from the members of the public.

City of Lambertville
ORDINANCE 19-2014

“An Ordinance to Amend the Administrative Code of the City of Lambertville, Establishing Section 4-10, Good of Public Order.”

WHEREAS, it is the desire that an Ordinance be established to set for the Laws and Regulations in which are to be enforced by any member of the City of Lambertville Police Department; and

WHEREAS, the City of Lambertville wishes to ensure additional public safety and public decency throughout the City; and

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 following be added to the Administrative Code, Chapter VI, Police Regulations, Section 4-10: Good of Public Order.

Chapter VI
Police Regulations

Section 4-10: Good of Public Order

Section 4-10: Urinating in Public

It is unlawful to urinate or defecate in any public area, public place or within view of the public.

Section 4-10.1: Violations and Penalties.

Any person adjudged guilty of a violation of the provisions of this article shall, upon conviction thereof in the Municipal Court, be punished by fine not exceeding \$1,000, imprisonment for a term not exceeding 90 days and/or a period of community services for not more than 90 days, at the discretion of the Court.

Section 4-10.2: By Whom Enforceable.

The provision of this Chapter, in addition to other methods of enforcement provided by law, may be enforced by the issuance of a Notice of Violation by any member of the Police Department.

Section 4-10.3: Exemptions.

The enforcement provisions of this ordinance shall not apply to the following individuals who may not be able to adequately control the bodily functions that control urination or defecation:

- (a) Children ten years of age or younger;
- (b) Persons of any age who violate this ordinance due to a verified medical and/or psychiatric condition.

All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

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To the extent that any part or parts of this Ordinance are repealed or otherwise modified or voided by State Statute or case law, the remaining portions or sections of this Ordinance shall remain in full force and effect.

If any section, sentence or any part of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the Ordinance, but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy in which judgment shall have been rendered.

This Ordinance shall take effect twenty (20) days after final passage and publication according to law, except as provided for in N.J.S.A. 40:69A-181 or N.J.S.A. 40:74-4.

Mayor DelVecchio asked for a motion to introduce Ordinance Number 19-2014. Council President Stegman made a motion to introduce on first reading, Ordinance Number 19-2014. Councilwoman Warner 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 held on July 15, 2014.

ORDINANCES – SECOND READING AND FINAL ADOPTION.

Ordinance Number 10-2014: *An Ordinance to Amend Ordinance Number 11-2013 in the Amount of \$370,000, Adding \$510,000 for the Remediation and Reconstruction of Cavallo Park.*

Mayor DelVecchio read Ordinance Number 10-2014 into the record by title. He informed members of the public that this ordinance will fund the remediation and reconstruction of Cavallo Park. It is estimated that the park will be complete by the end of May in 2015.

Krista Heinrich of T and M Associates was present to discuss the project.

City of Lambertville

ORDINANCE NUMBER 10-2014

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$510,000 FOR IMPROVEMENTS TO CAVALLO PARK IN AND FOR THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$510,000 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 \$510,000, such sum being in addition to the \$370,000 appropriated therefore by bond ordinance #11-2013 of the City finally adopted June 18, 2014 (the "Prior Ordinance"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is required because the project set forth in Section 3 is being funded in part by the State Grant as defined under the Prior Ordinance.

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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 \$510,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is the funding of improvements to Cavallo Park, as detailed by an architect's estimate, dated April 18, 2013, as supplemented and amended and on file in the Office of the City Clerk, and including all work and related materials necessary therefor or incidental thereto, which proposal is hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$880,000, including the \$370,000 bonds or notes authorized under the Prior Ordinance and the \$510,000 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$880,000, including the \$370,000 appropriated under the Prior Ordinance and the \$510,000 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 \$510,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or

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improvement. Of this amount, \$70,000 was estimated for these items of expense in the Prior Ordinance and an additional \$130,000 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 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. Exclusive of the State Grant as described in the Prior Ordinance and the amounts set forth in Section 1 hereof, 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.

Mayor DelVecchio opened the public hearing on Ordinance Number 10-2014. He asked for any questions or comments from the public. There being no questions from the public, he asked for a motion to close the public hearing. Councilwoman Warner made a motion to close the public hearing for Ordinance Number 10-2014. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Mayor DelVecchio asked for a motion to adopt Ordinance Number 10-2014 on second reading and final approval. Council President Stegman made a motion to adopt Ordinance Number 10-2014. Councilwoman Warner seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

CORRESPONDENCE.

TOWNSHIP OF FRANKLIN: Resolution Number 2014-37, a resolution raising awareness for Fibro dysplasia Ossificans Progressiva, a rare genetic condition.

WEST AMWELL TOWNSHIP: An Ordinance to amend Chapter 109 of the Code of the Township of West Amwell, Amending the Zoning Ordinance, Land Development.

UNFINISHED BUSINESS.

Update on Various Construction Improvement Projects.

Construction Projects - 2014 Road Projects: The bid was awarded tonight for the North Union Street, Phase III and the Cottage Hill Resurfacing Project.

Upper York & Washington Streets – T and M Associates is preparing a cost estimate for the project.

Krista Heinrich of T and M Associates was present to discuss the 2014 road projects. Mayor DelVecchio and Council President Stegman requested that notices of the pending reconstruction of the roadways be given to the property owners with a schedule for the project. Mayor DelVecchio informed the members of the public present that speed humps for Cottage Hill are included in the project. Council President Stegman asked Krista Heinrich to make sure she includes the placement of the speed humps in the notice to property owners.

Update on projects for flood relief:

Swan Creek – grant was submitted Monday, June 16, 2014.

Miscellaneous.

Update on various non-construction projects:

Shared Services – Frenchtown: The City agreed to renew the contract for a period of three months to give Frenchtown time to negotiate the new terms.

South Hunterdon Regional High School: Mayor DelVecchio informed the members of the public present that the newly regionalized school district will take over all four districts on July 1, 2014.

Summer Recreation Program: Councilman Sanders reported that he has heard good comments about the 2014 Summer Recreation Program.

NEW BUSINESS.

ANNOUNCEMENTS.

PUBLIC WORKS ANNOUNCEMENT: beginning June 23, the public works department will pick-up garbage and recycling starting at 6 am.

SUMMER RECREATION PROGRAM will be held starting June 23 through August 1st. Information is available on the City's website at www.lambertvillenj.org. The City will continue to accept registrations through July 18.

FRIDAY, JULY 4, 2014 all City Offices will be closed. Garbage and Recycling pick-up scheduled for Friday, July 4 will be picked up on Thursday, July 3.

PUBLIC PARTICIPATION/PETITION OF CITIZENS AND PUBLIC DISCUSSION.

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Timothy Korzun, Chairman of the Planning Board asked why South Franklin Street access at Weeden Street was gated. Mayor DelVecchio responded that it was an emergency access only.

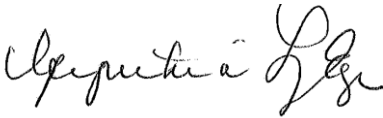
Vivian Hackney of Perry Street informed Mayor and Council that the South Hunterdon Apartments building is deteriorating and when it rains the water goes into the apartments, and the sidewalks are crumbling. She has to look at it every day and the weeds were 2 feet high until she used her weed whacker on it. She said she visited City Hall but no one knew who owned the building. Mayor DelVecchio asked the clerk to see that Mrs. Hackney received the information on who owned the building; he asked the Acting Public Works Director to look at the sidewalk; and he asked the Clerk to contact the Construction Official and ask for his assistance in referring this complaint to the department who has jurisdiction over this matter.

Mrs. Hackney will visit the Clerk's Office on Thursday, June 25th for the information on ownership of the building.

ADJOURNMENT.

The meeting adjourned at 7:40 p.m. with a motion made by Councilman Sanders and seconded by Council President Stegman. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,



Cynthia L. Ege, CMR, RMC
City Clerk

The June 24, 2014 regularly scheduled meeting minutes were approved at the regularly scheduled session of Mayor and Council held on July 15, 2014.