



City of Lambertville
Regularly Scheduled Session
Tuesday, August 19, 2014, 6:30 P.M.
Phillip L. Pittore Justice Center
25 South Union Street, Lambertville, NJ
AGENDA

STATEMENT OF COMPLIANCE.

The meeting was called to order at 6:30 p.m. by Mayor DelVecchio who read the following statement of compliance with the open public meetings act into the record: 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, AUGUST 15, 2104 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: Councilwoman Asaro arrived at 7:05, Councilman Sanders, Council President Stegman, and Mayor DelVecchio.

Absent: Councilwoman Warner.

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 August 19, 2014 Session of Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey 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 19, 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 6:30 p.m. with a motion made by Councilman Sanders and seconded by Council President Stegman. An affirmative voice/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 re-convened in regular session at 6:59 p.m. with a motion made by Council President Stegman and seconded by Councilman Sanders. An affirmative voice/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 in honor of those serving their country in the United States Armed Forces.

APPROVAL OF MINUTES.

Councilman Sanders made a motion to approve the following sets of minutes as submitted: July 15, 2014 Regularly Scheduled Session Minutes and July 15, 2014 Closed Session Minutes. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADMINISTRATIVE REPORTS.

Mayor DelVecchio commended Acting Lieutenant Brown, Officer Bast and Officer Gramlich for their numbers for July, as reported on the Police Director's Administrative Report. Council President Stegman made a motion to approve the following administrative reports: Tax Collector – Cynthia McBride, Municipal Court Administrator – Barbara Halper, Construction Report – 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. Councilman Sanders 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.

Mayor DelVecchio informed the members of the public present that the bills list has been amended, removing the bill to pay McCann and His Five Investors and adding the bill to pay for the easement of 39 Weeden Street to Robert Patrick and Neil Hess in the amount of \$25,000. Council President Stegman made a motion to approve the amended Bills Lists. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

PROCLAMATIONS.

CHEERS TO OUR BRIDGE! Celebrating 200 Years of the New Hope-Lambertville Bridge

PROCLAMATION
CITY OF LAMBERTVILLE, STATE OF NEW JERSEY
200th ANNIVERSARY OF THE NEW HOPE-LAMBERTVILLE BRIDGE

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WHEREAS, this year marks the 200th anniversary of the 1814 opening of the first bridge to span the Delaware River between the two riverfront communities later incorporated as Lambertville, New Jersey and New Hope, Pennsylvania; and

WHEREAS, records indicate Benjamin Parry, Samuel D. Ingham, Joseph Lambert, Cephas Ross and Jeremiah Kershaw were members of a committee to establish a company to build the first bridge and Hugh Ely, R.T. Neeley, John Beaumont, and Mr. Parry were among the earliest significant investors in this private shareholder-funded enterprise; and

WHEREAS, the New Hope Delaware Bridge Company, chartered under 1812 legislation, hired the pioneering bridge engineer Lewis Wernwag to design an ingenious timber structure set upon stone-masonry piers and abutments that largely remain in service to this day; and

WHEREAS, the original wooden bridge was declared “ready for crossing” on September 12, 1814 and it operated under a schedule of tolls intended to pay the bridge’s construction costs and provide periodic dividends to its private investors; and

WHEREAS, the structure helped in spurring growth and prosperity in its two host municipalities during the ensuing decades and facilitated the movement of commerce and people along the York Road between Philadelphia and New York; and

WHEREAS, half of the covered bridge was reconstructed after sustaining damage during the “Bridges Freshet” of January 1841; and

WHEREAS, the old covered bridge was decimated in the Great Pumpkin Flood of October 1903; and

WHEREAS, a restructured New Hope Delaware Bridge Co. swiftly rebuilt the bridge as a steel Pratt-truss superstructure that reopened to vehicular traffic on July 21, 1904; and

WHEREAS, New Jersey and Pennsylvania jointly purchased the bridge and freed it of tolls on December 31, 1919, assigning its operations and maintenance to the former Joint Commission for Elimination of Toll Bridges across the Delaware River; and

WHEREAS, the Joint Commission was melded into the newly established Delaware River Joint Toll Bridge Commission in December 1934; and

WHEREAS, the bridge survived the devastating flood of 1955 despite sustaining damage that took five weeks to repair before vehicular crossings could resumed; and

WHEREAS, the Commission was assigned outright ownership of the structure on July 1, 1987 and has proved to be a commendable bridge steward and cooperative community partner; and

WHEREAS, this bridge crossing has long served as a vital cultural, social and economic link between the picturesque and industrious communities of Lambertville and New Hope; and

WHEREAS, it has been revered by generations of residents, commuters, and sightseers; and

WHEREAS, this crossing has carried stage coaches, a trolley line, and U.S. Route 202; and

WHEREAS, its walkway serves more pedestrians than any other Delaware River bridge; and

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WHEREAS, the bridge's iconic, green steel truss is an artistic inspiration for countless painters and photographers, and an enduring source of pride for its namesake municipalities.

NOW, THEREFORE, THE CITY OF LAMBERTVILLE'S GOVERNING BODY DOES HEREBY acknowledge, with genuine respect, admiration, and gratitude, the Lambertville Historical Society's and New Hope Historical Society's many exemplary efforts to raise the public's awareness of the bridge's genesis, its importance to our communities, and its 200-year legacy of service; and

FURTHER HEREBY PROCLAIMS the 13th of September, 2014 as **Cheers to Our Bridge Day**.

David M. DelVecchio, Mayor

Steven M. Stegman, Council President

Mayor and Council members took turns reading the proclamation into the record. Mayor DelVecchio asked for a motion to adopt the Proclamation honoring the 200th anniversary of the bridge. Councilman Sanders made a motion to adopt the proclamation honoring the Bridge. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

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

Mayor DelVecchio asked for a motion to approve the resolutions on the consent agenda.

Resolution Number 102-2014: A Resolution to Adopt the 2014 Hunterdon County Multi-Jurisdictional Hazard Mitigation Plan.

City of Lambertville
RESOLUTION 102-2014

A Resolution to Adopt the 2014 Hunterdon County Multi-Jurisdictional Hazard Mitigation Plan

WHEREAS, the City of Lambertville recognizes the threat that the natural hazards pose to people and property within the City of Lambertville; and

WHEREAS, the City of Lambertville has prepared a multi-hazard mitigation plan, hereby known as the 2014 Hunterdon County Multi-Jurisdictional All Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the 2014 Hunterdon County Multi-Jurisdictional All Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the City of Lambertville from the impacts of future hazards and disasters; and

WHEREAS, the City of Lambertville has adopted the revised Hunterdon County Plan that has annexed the City of Lambertville on August 19, 2014.

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 the New Jersey Statutes, the City of Lambertville adopts the 2014 Hunterdon County Multi-Jurisdictional All Hazard Mitigation Plan.

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David M. DeVecchio
Mayor

ATTEST: Date: August 19, 2014

Cynthia L. Ege
City Clerk

Resolution Number 103-2014: A Resolution to Authorize the Redemption of Tax Lien for Block 1019, Lot 13 In the Amount of \$16, 884.87 to Crestar Capital LLC of Cherry Hill, NJ, Plus the \$20,400 Premium.

City of Lambertville
RESOLUTION 103-2014

A Resolution Authorizing the Redemption of a Tax Lien for Block 1019, Lot 13 In the Amount of \$16,884.87 With a Premium of \$20,400

WHEREAS, Tax Lien Certificate 13-00001 issued on Block 1019, Lot 13 in the amount of 6,936.06 was sold to Crestar Capital LLC on 12-5-13 and

WHEREAS, payment has been received by the Tax Collector for redemption of the tax lien from the property owner.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey that the check is hereby authorized to Crestar Capital LLC, 1415 Route 70 East Suite 500, Cherry Hill, NJ 08034 for the redemption of tax lien certificate #13-00001 in the amount of:

| | |
|------------|---|
| \$6936.06 | Principle |
| 277.04 | 4% Redemption Penalty |
| 52.00 | Recording Fee/ search fee |
| 9184.34 | Subsequent Principle |
| 435.03 | Subsequent Interest |
| \$16884.87 | Total Amount due to Lien Holder/Amount paid to redeem |
| Plus | |
| \$20400.00 | Premium Amount to be paid back to lienholder |

ADOPTED:

Resolution Number 104-2014: A Resolution to Authorize the Clerk to Submit the Raffle Application to the State of New Jersey for the Pull Tab Machine for the American Legion, Toscani Post 120 beginning September 1, 2014 and ending August 31, 2015.

City of Lambertville
RESOLUTION 104-2014

A Resolution Authorizing the Clerk to Submit the Raffle Application to the State of New Jersey LGCCC Submitted by the American Legion, Toscani Post 120 for the Pull Tab Machine, Beginning September 1, 2014 and Ending August 31, 2015

WHEREAS, the American Legion submitted their raffle application to the City Clerk on July 11, 2014 for the pull tab machine beginning September 1, 2014 and ending August 31, 2015 and

WHEREAS, the City Clerk has completed the determination statement as required by the Legalized Games of Chance Control Commission and has found the application to be in order, and

WHEREAS, the City Clerk forwarded the application on July 11, 2014 to the City's Police Department for their review and recommendation.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey the City Clerk is hereby authorized the submit the application to the State of New Jersey Legalized Games of Chance Control Commission.

ADOPTED: August 19, 2014

Resolution Number 105-2014: A Resolution to Amend Resolution Number 85-2014, Which Authorizes the Deferred Compensation Plan With AXA Equitable Life 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, Naming the CMFO and the Deputy Treasurer as the Local Plan Administrators, and Adding the Non-Collusion Clause as Required.

City of Lambertville
RESOLUTION 105-2014

A Resolution Amending Resolution Number 85-2014 to Include the Titles of the Local Plan Administrators and to Include the Non-collusion Language as Required by State Statute

WHEREAS, the City of Lambertville adopted Resolution Number 85-2014 on June 24, 2014 to Authorize the Deferred Compensation Plan With AXA Equitable Life for the City Employees, and

WHEREAS, the State of New Jersey Division of Local Government Services requires the titles of the Local Plan administrators and the Non-collusion Language, and

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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 Resolution Number 85-2014 is hereby amended to include the following:

BE IT FURTHER RESOLVED THAT the CMFO and the Deputy Treasurer are hereby designated at the Local Plan Administrators for the administration of the Deferred Compensation Plan.

BE IT FURTHER RESOLVED THAT there has been no collusion or evidence or appearance of collusion, between any local official and a representative of AXA Equitable in the selection of AXA Equitable as contractor for the administration of the Service Agreement pursuant to NJAC Section 5:37-5.7.

ADOPTED: August 19, 2014

Resolution Number 106-2014: A Resolution to Authorize the Application to JCP&L for the Holiday Lighting, With Funding Provided Through the Funds Raised by Performing Wedding Ceremonies.

City of Lambertville
RESOLUTION 106-2014

A Resolution Authorizing the City Clerk to File the Application with JCP&L for the Holiday Lighting of 2014

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 2014 holiday lighting.

ADOPTED: August 19, 2014

Resolution Number 107-2014: A Resolution to Authorize the Refund of Permit Number 13-11112 to Larry & Diana McConkey of 149 Lambertville Headquarters Road in the Amount of \$227.00,

City of Lambertville
RESOLUTION 107-2014

A Resolution Authorizing the Refund of Construction Permit Fees, Permit Number 13-11112 to Larry & Diana McConkey of 149 Lambertville Headquarters Road in the Amount of \$227.00.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville in the County of Hunterdon that the refund to Larry & Diana McConkey of 149 Lambertville Headquarters Road for permit number 13-11112 in the amount of \$227 is hereby authorized.

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ADOPTED: August 19, 2014

Resolution Number 108-2014: *A Resolution to Approve the Raffle Application Submitted by RAS St. John's for the November 9, 2014 Raffle of Gift Cards to Benefit the St. John's Altar Society.*

City of Lambertville
RESOLUTION 108-2014

A Resolution Authorizing the Clerk to Submit the Raffle Application to the State of New Jersey LGCCC Submitted by the RAS St Johns for the November 9, 2014 Raffle of Gift Cards

WHEREAS, RAS St. Johns submitted their raffle application to the City Clerk on August 1, 2014 for the November 9th raffle of gift cards, and

WHEREAS, the City Clerk has completed the determination statement as required by the Legalized Games of Chance Control Commission and has found the application to be in order, and

WHEREAS, the City Clerk forwarded the application on August 1, 2014 to the City's Police Department for their review and recommendation.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey the City Clerk is hereby authorized the submit the application to the State of New Jersey Legalized Games of Chance Control Commission.

ADOPTED: August 19, 2014

Resolution Number 109-2014: *A Resolution to Authorize the Mayor and City Clerk to Sign the Discharge of Mortgage for John Treichler, Jr., in the Amount of \$500 for 154 South Main Street.*

City of Lambertville
RESOLUTION 109-2014

A Resolution to Authorize the Mayor and City Clerk to Sign the Mortgage Discharge Papers for 154 South Main Street in the Amount of \$500 for John Treichler, Jr.

WHEREAS, the City of Lambertville received check number 1092111 in the amount of \$500 to pay off the mortgage note held for 154 South Main Street for John Treichler, Jr. on July 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 that the Mayor and City Clerk are hereby authorized to sign the mortgage discharge papers for 154 North Main Street in the Amount of \$500 for John Treichler, Jr.

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ADOPTED: August 19, 2014

Resolution Number 110-2014: A Resolution to Support Potential Brownfield Remediation At Cavallo Park, in the City of Lambertville, in the County of Hunterdon

City of Lambertville
City of Lambertville
RESOLUTION 110-2014

A Resolution to Support Potential Brownfield Remediation At Cavallo Park, in the City of Lambertville, in the County of Hunterdon

WHEREAS, the Governing Body has determined that there has been, or it suspects that there has been a discharge of hazardous substances or a hazardous waste on Cavallo Park, Block 1043, Lot 6, which borders on the D&R Canal and Mount Hope Street, and

WHEREAS, the City of Lambertville is applying from the Hazardous Discharge Site Fund for funding for the investigation and cleanup of Cavallo Park in order to determine the extent of any hazardous substance or hazardous waste; and,

WHEREAS, the City of Lambertville intends to acquire the property in furtherance of the redevelopment plan through voluntary conveyance or other means provided by law; 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 City of Lambertville is committed to the redevelopment of Cavallo Park for the purpose of open space preservation and finds that a realistic opportunity exists for the redevelopment of Cavallo Park within a three year period after the completion of the remediation of this site either through the planned redevelopment project, Cavallo Park, or through alternate redevelopment.

ADOPTED: August 19, 2014

ATTEST:

Cynthia L. Ege, CMR, RMC, City Clerk

David M. DelVecchio, Mayor

Resolution Number 111-2014: A Resolution to Authorize the Refund of the Security Deposit Held in Escrow Deposited by Megan DeWitt for the Lilly Street Apartment in the Amount of \$1,050.

City of Lambertville
RESOLUTION 111-2014

A Resolution to Authorize the Refund of the Security Deposit Held in Escrow by the City of Lambertville for the Rental of the Lilly Street Apartment to Megan DeWitt in the Amount of \$1,050

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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 refund of the security deposit to Megan DeWitt in the amount of \$1,050 is hereby authorized pending the walk through of the apartment and confirmation that it was left in satisfactory condition.

ADOPTED: August 19, 2014

Resolution Number 112-2014: *A Resolution to Authorize the Mayor to Sign the Amended 10 Year Lease for Cavallo Park with the State of New Jersey as Regulated and Managed by the Department of Environmental Commission, Requesting an additional 10 Years, for a Total of 20 Years.*

City of Lambertville
RESOLUTION 112-2014

A Resolution to Authorize the Amendment to the Lease for Cavallo Park

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 sign the lease for Cavallo Park for 10 years with an option to extend for an additional 10 years.

ADOPTED: August 19, 2014

Resolution Number 113-2014: *A Salary & Wage Resolution to Add Part Time Police Secretary and the Tax Clerk.*

City of Lambertville
RESOLUTION 113-2014

A Salary & Wage Resolution for the Position of Part-time Secretary at the Police Department and Part-time Tax Clerk

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the City of Lambertville, in the County of Hunterdon, in the State of New Jersey the following salaries and wages are authorized:

Pamela Williamson, Part-time Tax Clerk, \$12 per hour, beginning September 2, 2014.
Please note: this will be a full time position shared with the Court.

Tara Barlow, Part-time Secretary in the Police Department, \$12 per hour, beginning August 18, 2014, for an average of 15 hours per week, plus additional time as needed.

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ADOPTED: August 19, 2014

Resolution Number 114-2014: *A Resolution to Authorize the City Clerk and the Police Director to Sign the One Day Social Affairs Permit for Oktoberfest to benefit the Friends of Ely Park Scheduled for October 4, 2014 from 6 – 10 PM in the parking lot at Rago's Auction House.*

City of Lambertville
RESOLUTION 114-2014

A Resolution to Authorize the City Clerk and the Police Director to Sign the One Day Social Affairs Permit for Oktoberfest to benefit the Friends of Ely Park Scheduled for October 4, 2014 from 6 – 10 PM in the parking lot at Rago's Auction House

WHEREAS, the Friends of Ely Park would like to hold an event in the parking lot of Rago's Auction House on October 4, 2014 from 6 – 10 PM, and

WHEREAS, the police director has met with the planners of the event and has no issue with the One-Day Social Affairs Permit, and

WHEREAS, the form has been submitted to the City Clerk and has been found to be in order.

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 Police Director and City Clerk are hereby authorized to sign the One-Day Social Affairs Permit submitted by the Friends of Ely Park for the October 4th event to be held from 6 – 10 PM in the parking lot of Rago's Auction House.

ADOPTED: August 19, 2014

Council President Stegman made a motion to approve the resolutions on the consent agenda. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Councilwoman Asaro arrived at 7:05 p.m.

ORDINANCES – INTRODUCTION AND FIRST READING.

Ordinance Number 23-2014: *A Bond Ordinance to Amend Ordinance Number 01-2013 in the Amount of \$150,000 to Fund the Generator Projects Which Will be Partially Funded by FEMA Grants totaling \$103,942.24.*

Mayor DelVecchio read the ordinance by title into the record. He informed the members of the public present that this ordinance is to fund the installation of an automatic generator at the Library and potentially the Phillip L. Pittore Justice Center. He informed the members of the public present that the City received a grant from FEMA in the amount of \$47,404 which requires no match, and grant funds from FEMA through the County of Hunterdon in the amount of \$62,738.24, which requires a 10% match.

City of Lambertville

ORDINANCE NUMBER 23-2014

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$150,000 FOR ACQUISITION OF EMERGENCY GENERATORS IN AND BY THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$150,000 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 \$150,000, such sum being in addition to the \$63,000 appropriated therefor by bond ordinance #10-2012 of the City finally adopted May 21, 2012, as amended by Bond Ordinance 20-2012, finally adopted December 17, 2012 and as supplemented by Bond Ordinance 01-2013, finally adopted March 19, 2013 (collectively, the "Prior Ordinances") and including the sum of \$47,404 in grants from the New Jersey Department of Law and Public Safety's Hazardous Mitigation Grant Program as set forth in an award letter dated July 10, 2014 (the "State Grant") and an additional grant from the County of Hunterdon in the amount of \$56,464 (the "County Grant"). In accordance with the provisions of N.J.S.A. 40A:2-11(c), no down payment is required to be made due to the State Grant.

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 \$150,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued include undertaking of needed repairs and capital maintenance, consisting of (i) repairs, upgraded electrical outlets and related painting to offices in City Hall and the Police Station, (ii) the removal of an underground fuel tank at City Hall, and environmental remediation, if necessary, (iii) the repair and replacement of a roof at the historic jail structure, and (iv) the acquisition of emergency generators, including one permanent and two portable units, and the installation of the permanent generator, including related electrical and gas utility work, at City Hall, the Public Library and the Justice Center each as set forth in a list on file in the office of the City Clerk, and including all work and related materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$352,350, including the \$202,350 bonds or notes authorized by the Prior Ordinances and the \$150,000 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$363,000, including the \$213,000 appropriated by the Prior Ordinances and the \$150,000 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 bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the

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purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 8.00 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$59,850, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$40,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20, consisting of \$25,000 appropriated for such purposes in the Prior Ordinances and the \$15,000 appropriated herein, are included in the estimated cost indicated herein for the improvements or purposes.

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

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

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

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

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

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Mayor DelVecchio asked for a motion to introduce Ordinance Number 23-2014. Councilman Sanders made a motion to introduce Ordinance Number 23-2014. Council President 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 Tuesday, September 16, 2014.

Ordinance Number 24-2014: A Bond Ordinance to Fund the Road Resurfacing Project of Wilson Street, a Project of United Water, In the Amount of \$120,000.

Mayor DelVecchio read and the Ordinance in the record by title. He informed the members of the public present that this ordinance will fund the resurfacing of Wilson Street which is being moved up on the list of roads because of a project of United Water. This will also improve the flow of water for fire services. United Water will bid the project and the City will refund United Water for the overlay/resurfacing of Wilson Street.

City of Lambertville
ORDINANCE NO. 24-2014

AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, PROVIDING FOR PRELIMINARY WORK AND IMPROVEMENTS TO WILSON STREET IN AND FOR THE CITY, APPROPRIATING \$125,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$118,750 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE CITY TO FINANCE THE SAME.

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 or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$125,000, including the sum of \$6,250 as the down payment for the improvement and purpose required by the Local Bond Law. The down payment has been made 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 cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$118,750, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued is the City's share of reconstruction and improvements to Wilson Street, including but not limited to all preliminary and final engineering work, permitting, property surveys, and construction of roadway beds and surfacing, curbing, drainage and other related work and materials necessary therefor or incidental thereto.

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

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

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Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 20 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 \$118,750, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$10,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

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

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

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations

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shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

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

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

Mayor DelVecchio asked for a motion to introduce Ordinance Number 24-2014 for the paving of Wilson Street. Councilman Sanders made a motion to introduce Ordinance Number 24-2014. 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 Tuesday, September 16, 2014.

ORDINANCES – SECOND READING AND FINAL ADOPTION.

Ordinance Number 20-2014: An Ordinance to Amend Ordinance Number 2009-20, Changing the PBA from 343 to Hunterdon County 188.

Mayor DelVecchio read the Ordinance into the record by title. He informed the members of the public present that this ordinance is to correct the language in Ordinance Number 2009-20, making a generic reference so that moving forward, it will apply to the Collective Bargaining Agreement in place at the time.

City of Lambertville
ORDINANCE 20-2014

“An Ordinance to Amend Ordinance Number 2009-20, Letter f, the Reference for the PBA to Collective Bargaining Agreement”

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 letter f of Ordinance Number 2009-20 is hereby amended to read:

f. The charge for such serves shall be based on the hourly rates as established annually by the current Collective Bargaining Agreement. Such rate shall include the hourly rate of the officer working plus a sum representing a reasonable approximation of the administrative cost, overhead and out of pocket expenses for equipment and supplies to the City of providing the service and shall be equal to 30% of the hourly rate established. All payments for such services shall be made to the City of Lambertville.

INTRODUCED: July 15, 2014
PUBLIC HEARING: August 19, 2014

Mayor DelVecchio opened the public hearing on Ordinance Number 20-2014 and he asked for any questions or comments from the public. There being no questions or comments, he asked for a motion to close the public hearing. Council President Stegman made a motion to close the public hearing on Ordinance Number 20-2014. 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 on second reading and final approval, Ordinance Number 20-2014. Council President Stegman made the motion to adopt Ordinance Number 20-2014. 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 21-2014: A Bond Ordinance to Amend Ordinance Number 12-2013 in the Amount of \$765,000, Adding \$210,000 to Pay the Balance Due to Mr. McCann and Five Investors, As Awarded by the Superior Court of the State of New Jersey. This Bond Ordinance will be refunded by grants and loans from the State of New Jersey Department of Environmental Protection Under the Green Acres Program, Through the Open Space Tax of the City of Lambertville and from the banked Open Space funds with Hunterdon County.

Mayor DelVecchio read the ordinance into the record by title. He informed the members of the public present that this is to fund the purchase of the McCann Property located on York Street and Jefferson Road (Music Mountain) and completes the purchase of the property that overlooks Ely Field. He said that now when you stand on Ely Field and look up to Music Mountain, all of the property from the left to York Street will belong to the City and will not be developed. The price of the property was determined by the Superior Court through a condemnation proceeding. The Court awarded the applicant \$910,000. The applicant and the City appealed the decision. Both parties were ordered to settle. The City's attorney and the appraiser advised it would be in the City's best interest to settle at \$925,000. The money has to be paid by October 1st.

CITY OF LAMBERTVILLE, NEW JERSEY

ORDINANCE NO. 21-2014

AN ORDINANCE OF THE CITY OF LAMBERTVILLE, IN THE COUNTY OF HUNTERDON, NEW JERSEY, AMENDING ORDINANCE 12-2013 IN ITS ENTIRETY TO PROVIDE FOR THE ACQUISITION OF THE McCANN PROPERTY IN AND FOR THE CITY, APPROPRIATING \$975,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$975,000 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE CITY TO FINANCE THE SAME.

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

Section 1. Bond Ordinance 12-2013, finally adopted June 18, 2013 (the "Prior Ordinance") is hereby amended in its entirety to read as follows:

"Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the City of Lambertville, in the County of Hunterdon, New Jersey (the "City") as general improvements. For the improvements or purposes described in Section 3 hereof, there is hereby appropriated the \$975,000, including a grant of \$220,000 to be received by the City on a reimbursement basis from the Green Acres Program within the New Jersey Department of Environmental Protection (the "State Grant") and a grant of \$182,090 from the County of Hunterdon's Open Space Trust Fund (the "County Grant"). Pursuant to N.J.S.A. 40A:2-11(c), no down payment is required because the project set forth in Section 3 is being funded in part by the State Grant.

"Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$975,000, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

"Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes is the acquisition of the McCann Property, being Block 1097, Lot 7.01 and Block 1002, Lot 64 on the tax maps of the City, and including all costs associated with the acquisition of the same, including legal, recording, appraisal and investigation costs and including all work and related materials necessary therefor or incidental thereto.

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

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

"Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

"Section 5. The capital budget or temporary capital budget (as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the City may lawfully undertake as

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general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 40.00 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$975,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

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

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

"Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

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

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

Section 2. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor DelVecchio opened the public hearing on Ordinance Number 21-2014 to fund the settlement of the eminent domain purchase of the McCann property. There being no questions or comments from the public, Mayor DelVecchio asked for a motion to close the public hearing. Councilwoman Asaro made a motion to close the public hearing for Ordinance Number 21-2014. Councilman Sanders seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

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Mayor DelVecchio asked for a motion to adopt Ordinance Number 21-2014 to fund the purchase of the McCann Property. Council President Stegman made a motion to adopt Ordinance Number 21-2014, noting this was a settlement agreement awarded through the eminent domain process. 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 22-2014: An Ordinance to Codify the General Ordinances of the City of Lambertville Last Codified in 2002. Please note: the Codification of the Zoning Ordinances will take place under separate cover and will follow the process as is outlined in the Municipal Land Use Law.

Mayor DelVecchio read the ordinance into the record. He informed the members of the public present that the City last codified our general ordinances in 2002. This will codify the ordinances and make them accessible online through Coded Systems. The land use ordinances will be adopted and codified through a separate process.

City of Lambertville
ORDINANCE 22-2014

“An Ordinance to Codify the General Ordinances of the City of Lambertville, Last Updated in December of 2002”

WHEREAS, the City of Lambertville last codified the general ordinances of the City of Lambertville through December 31, 2002, and

WHEREAS, the City adopted a special emergency to fund the codification of the general ordinances and the zoning ordinances of the City of Lambertville, Ordinance Number 21-2013, in the amount of \$18,050, to be provided for in full in the budgets of the next succeeding years by the inclusion of not less than \$3,610 for the next five years, and

WHEREAS, the amendments and revisions to the ordinances as suggested by Coded Systems LLC, has been reviewed and discussed with the City Attorney, the City Engineer, the Police Director, the Acting Public Works Director, the Sub Code Official, the Fire Safety Sub code Official, the Court, and Mayor and Council, and

WHEREAS, such amendments include:

1. The construction of the code to establish a code format and reference numeration system,
2. Addition of the editor’s note,
3. Inclusion of Statutory References and updating them where necessary,
4. Updating fines and penalties as suggested by Coded Systems LLC and when necessary the department head,
5. Changing all references from Police Chief to Police Director throughout the general ordinances,
6. Changing all references from Director of Finance to Department of Finance,
7. Deleting references to all old codes as they pertain to the first organization of new committees,
8. Changing all references from PBA Local Number 188 to current Collective Bargaining Agreement,
9. Updates the fees for the Lambertville Police Department and references to OPRA,
10. Changes the references from the Lambertville Sewerage Authority to the Lambertville Municipal Utilities Authority,
11. Adds County of Hunterdon under the Mutual Aid Agreement for Supplemental Police Protection,
12. Revises the Police Regulations to reflect references to statutes, and current law,

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13. Removes all duplication under general licensing,
14. Updates the Alcoholic Beverage Control licenses to total licenses by type and references to current statutes,
15. Increases all minimum fines (snow emergency, etc.) in traffic from \$13 to \$25, which is consistent with fees charged for street sweeper violations,
16. Animal Control: revised to comply with statutory provisions under NJSA 4:19-15.1 and removes the references to "Violations Bureau,"
17. Building and Housing has been reviewed and a provision was added allowing the Mayor and Council members to issue waivers from construction permits when residents are impacted by a natural disaster such as a flood, and to comply with current statutes,
18. Alarm Systems has been reviewed by the Fire Safety Sub code Official and under his recommendation, the fees have been amended to reflect current values as outlined in the State Statutes (see attached),
19. Streets and Sidewalks has been reviewed by the City Engineer for compliance issues and references changed where necessary to ensure full compliance with State Statutes and ADA,
20. References in the general ordinances to the Director of Public Works have been changed from Director of Public Works, Parks and Public Property to Director of Public Works,
21. Amends Chapter XI, Fire Prevention Fees,
22. Amends the Board of Health Ordinances, removing the Public Nuisance Code of 1953, which the New Jersey Superior Court Appellate Division held violates due process because they are unconstitutionally vague, and revises statutory references to the most recent edition as provided in the State Sanitary Code, and
23. Amends any other references as recommended by Coded Systems and to bring the general ordinances into full compliance with all State Statutes and references to the State of New Jersey Administrative Code.

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 amendments as recommended by Coded Systems and the staff of the City of Lambertville to the general ordinances are hereby authorized.

BE IT FURTHER RESOLVED that the General Ordinances of the City of Lambertville, last codified in December of 2002, are hereby revised as recommended, and will be available in hardcopy in the Clerk's Office and online.

INTRODUCED: July 15, 2014

PUBLIC HEARING: August 19, 2014

Mayor DelVecchio opened the public hearing on Ordinance Number 22-2014 and asked for questions and/or comments from the public. There being no questions or comments from the public, Mayor DelVecchio asked for a motion to close the public hearing on Ordinance Number 22-2014. Councilman Sanders made a motion to close the public hearing on Ordinance Number 22-2014. 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 Number 22-2014 on second reading and final approval. Councilman Sanders made a motion to adopt on second reading, Ordinance Number 22-2014. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. **MOTION CARRIED.**

CORRESPONDENCE.

HART, DONALD: Letter regarding Air BNB.

DEBORAH JONES: Letter requesting approval of a block party on Sunday, September 7th (rain date, September 14th), from 3 – 10 PM on Coryell Street from North Main to North Franklin Street.

Councilman Sanders made a motion to approve the request of Deborah Jones for a block party on Sunday, September 7th with the rain date of September 14th from 3 – 10 PM on Coryell Street from North Main to North Franklin Street. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

MICHAEL SHEA: Request to Meet with Council to discuss the BR&W Railroad in Lambertville.

ERIN MCMANUS-KEYES: A Letter resigning from Planning Board.

US ARMY CORP OF ENGINEERS: Notice to residents of the City about the study of the Delaware River Basin for potential alternatives for flood risk management.

ELIZABETHTOWN GAS: Notice of public hearings on the proposed rate increase.

STATE OF NEW JERSEY DOT: Notice of 2015 State Aid Programs.

STATE OF NEW JERSEY: Notice that the Swan Creek Hazard Mitigation Project has been submitted for consideration of funding under HMA 2014.

UNFINISHED BUSINESS.

NEW BUSINESS.

Halloween 2014 Road Closures.

Mayor DelVecchio informed the members of the public present that in years past, the City has closed North Union Street from York to Buttonwood Street to allow for trick or treating from 5:30 – 9 pm and he added that it has worked well. Mayor DelVecchio asked for a motion to approve the road closure of North Union Street from York Street to Buttonwood Street from 5:30 – 8 pm for Trick or Treating. The property owners are asked to move their cars prior to 5:30 pm and leave them.

Councilman Sanders made a motion to approve the road closure on October 31, 2014 for Halloween. Councilwoman Asaro seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Board Appointments to the Planning Board.

Mayor DelVecchio nominated the following people to fill unexpired terms on the Planning Board: Derek Roseman & David Morgan from Alternate positions to full membership positions.

He asked for a motion to confirm his appointments. Council President Stegman made a motion to confirm the Mayor's nomination of Derek Roseman and David Morgan to the Planning Board.

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

Update on Various Construction Improvement Projects.

Construction Projects.

2014 Road Projects.

North Union Street, Phase III: the project is due to start at the end of August.

Cottage Hill Resurfacing Project: the project is substantially complete, however the contractor will come back to address the speed humps.

North Union Street Parking Lot Resurfacing Project: the project is complete.

Upper York & Washington Streets: Mayor DeVecchio asked the City Clerk to contact the City Engineer about setting up the meeting with property owners for the Upper York Street and Washington Streets road reconstruction project.

Update on projects for flood relief:

Swan Creek – grant was submitted Monday, June 16, 2014. The State of New Jersey sent the City a letter notifying us that they recommended approval to FEMA.

Miscellaneous.

Update on various non-construction projects:

FEMA GRANT for the generator projects: the response to FEMA's request for information was filed on Friday, August 15.

South Hunterdon Regional School District – no update.

Shared Services:

Frenchtown – no update.

Garbage & Recycling – no update.

ANNOUNCEMENTS.

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

2014 TAX BILLS have been mailed. August payment is due August 25, 2014.

FREE RABIES CLINIC: the City of Lambertville will hold the annual free rabies clinic on Saturday, September 20th from 1 – 3 pm. All are welcome!

LABOR DAY: All City offices will be closed on Monday, September 1st for Labor Day. Pick-up of all food wastes will be on Tuesday, September 2.

SAVE THE DATE!

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Halloween Parade is scheduled for Sunday, October 26, 2014 at 3 PM. Step off is at York Street with the regular parade route to Ely Park.

Trick or Treating is scheduled for Friday, October 31, 2014 from 6 – 8 PM.

Pet Masquerade Parade is scheduled for Saturday, October 25, 2014.

Food Truck Event – scheduled for Thursday, October 16, 2014.

Amy Lavery was present to represent the Chamber of Commerce and discuss the details for the October 16 Food Truck Event. She informed the members of Council and the public that this event will feature 15 food trucks and 15 local restaurants and Yards Brewing Company. The Chamber is requesting approval for two beer and wine gardens for this event. One will be located at the North Union Street parking lot. The second will be located on Church Street. With the addition of the second beer garden, they will be doubling their security. They will also order special cups so that those participating in the beer/wine garden are easily recognizable. Food sales will be from 5 – 10 pm. Portable restrooms will be located in the Beer Garden Area and on various locations of the street. Additional parking for visitors will be provided at the ESC School on Route 179, Bren Color, West Amwell School, Diamond Silver, Rago Lot (?), Riverwalk, the Justice Center and St. Johns. Two shuttle buses (trolleys) will bring visitors into the City and take them back to their cars. They are estimating 7 to 10,000 people will attend the event.

Mayor and Council members discussed the event.

Road closures were requested as follows:

North Union Street: Bridge to York Street,

Church Street: North Union Street to George Street,

North Union Street Parking Lot will be closed for one of the Beer and Wine Gardens.

Amy Lavery said the Chamber would have three sworn officers at each of the entrances.

The rain date is October 23rd and if it is rescheduled, the Chamber of Commerce will notify people on social media, and through an email blast.

Resolution Number 115-2014: A Resolution Authorizing the Police Director and City Clerk to sign the one-day social affairs permit for the Food Truck event scheduled for Thursday, October 16, 2014 for both beer and wine.

City of Lambertville

RESOLUTION NUMBER 115-2014

A Resolution to Authorize the Police Director and City Clerk to Sign the One-Day Social Affairs Permit for the Food Truck Event Scheduled for October 16, 2014, for One/Two Locations

WHEREAS, the Chamber of Commerce of the City of Lambertville has applied for a one-day social affairs permit for the October 16th Food Truck Event, and

WHEREAS, this is the second event scheduled for 2014 and the June 12th event was well organized with no issues, and

WHEREAS, the Chamber of Commerce has proposed two separate areas and has outlined plans to sufficiently handle the crowd, and

WHEREAS, the Police Director, Mayor and Council met with the Chamber of Commerce and are satisfied that they can regulate and sufficiently handle the crowd.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council that the Police Director and City Clerk are thereby authorized to sign the one-day social affairs permit submitted by the Lambertville Chamber of Commerce for the October 16th Food Truck Event, authorizing one/two beer gardens.

ADOPTED: August 19, 2014

Councilman Sanders made a motion to approve the event scheduled for October 16 with a rain date of October 23, the one-day social affairs permit (Resolution Number 115-2014), road closures and use of the North Union Street Parking Lot subject to the Chamber of Commerce paying for the parking meters on North Union Street, Church Street and in the North Union Street Parking Lot. Council President Stegman seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

PUBLIC PARTICIPATION/PETITION OF CITIZENS AND PUBLIC DISCUSSION.

Pat Pittore of 38 Douglas Street was present and asked the Mayor and Council members if they had any planned changes in services that would affect the rescue squad in the City and if there are changes, they would like to be part of the discussions. Mayor DelVecchio said there was nothing that he was aware of. Mr. Pittore asked if the Fire Commission was autonomous to the City. Mayor DelVecchio responded that they were their own entity, just like school board and the LMUA. Mr. Pittore stated that the Mayor and Council has always been supportive of the rescue squad and he is hearing actions they (Fire Commission) want to take for calls. Mayor DelVecchio informed Mr. Pittore that the City had no jurisdiction over the Fire Commission and he would hope that they would follow the appropriate process. Mr. Pittore asked when they meet and he was informed to check the Fire Commission's website. Pat Pittore commented that the police department has always been a tremendous support. Mayor DelVecchio told Pat Pittore to call Aladar Komjathy, the Chairperson for Fire Commission. Mayor DelVecchio said he was happy to set up a meeting and asked the Police Director to take the lead with the rescue squad and Fire Commission.

Jason Strauss asked to speak about the issue with Fire Commission. Mayor DelVecchio said the City had no jurisdiction and he was happy to talk to the Fire Commission and reiterated that the City had no jurisdiction. Mayor DelVecchio commented that he always thought it would be a good idea for the rescue squad to be part of Fire Commission for funding purposes. Shirley Skillman commented that they didn't want the Fire Commission's money. Pat Pittore commented that they didn't need the Fire Commission's money.

Police Director Cocuzza will schedule a meeting with the police department, the rescue squad and Fire Commission members.

ADJOURNMENT.

The meeting adjourned at 7:30 p.m. with a motion made by Council President and seconded by Councilwoman Asaro. An affirmative voice vote was taken by all members present. MOTION CARRIED.

Respectfully submitted,



Cynthia L. Ege
CMR, RMC, City Clerk

The August 19, 2014 meeting minutes were approved at the regularly scheduled session held on Tuesday, September 16, 2014.